

Planning and Amenity Delegated Committee Meeting

Council Chamber
Civic Centre – Boxshall Street Brighton

Tuesday 10 October 2023
at 6.30pm



Minutes

PRESENT:

Chairperson: Cr Jo Samuel-King (Deputy Mayor)

Councillors: Cr Sonia Castelli
Cr Alex del Porto
Cr Hanna El Mouallem (Mayor)
Cr Laurence Evans OAM
Cr Clarke Martin
Cr Fiona Stitfold

Officers: Matthew Cripps – Director City Planning and Amenity
Terry Callant – Manager Governance
Fiona Farrand – Manager Development Services
Sarah Bovalino – Statutory Planning Coordinator
Michael Kelleher – Statutory Planning Coordinator
Scott Matheson – Statutory Planning Coordinator
Ronan Hamill – Principal Statutory Planner (Arborist)
Robert Lamb – Governance Officer

Membership and Quorum of the Committee

The membership of the Planning and Amenity Delegated Committee is all 7 Councillors. The quorum for a meeting is a majority of Councillors (4).

A quorum for this meeting was reached with all 7 Councillors present.

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Prayer

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The Chair, Cr Samuel-King declared the Planning and Amenity Delegated Committee Meeting open at 6:30pm and advised members of the public gallery that the meeting is being recorded and streamed live on the internet to enhance the accessibility of Council meetings to the broader Bayside community.

The Chair invited Cr del Porto to read the prayer.

Prayer

O God

Bless this City, Bayside,

Give us courage, strength and wisdom,

So that our deliberations,

May be for the good of all,

Amen

Acknowledgement of Country

Cr Stiffold read the acknowledgement of Country.

- ◆ Bayside City Council proudly acknowledges the Bunurong People of the Kulin Nation as the Traditional Owners and Custodians of this land, and we pay our respects to their Elders, past, present and emerging as well as any Aboriginal or Torres Strait Islander community members with us today.
- ◆ Council acknowledges the Bunurong's continuing relationship to the land and waterways and respects that their connection and spiritual identity is maintained through ancient ceremonies, songlines, dance, art and living culture.
- ◆ Council pays tribute to the invaluable contributions of the Bunurong and other Aboriginal and Torres Strait Island Elders who have guided and continue to guide the work we do.

1. Apologies

There were no apologies submitted to the meeting.

2. Disclosure of Conflict of Interest of any Councillor

There were no conflicts of interest submitted to the meeting.

3. Adoption and Confirmation of the minutes of previous meeting

- 3.1 Confirmation of the Minutes of the Planning and Amenity Delegated Committee Meeting held on 12 September 2023.

Moved: Cr Evans OAM

Seconded: Cr Martin

That the minutes of the Planning and Amenity Delegated Committee Meeting held on 12 September 2023, as previously circulated, be confirmed as an accurate record of proceedings.

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

DIVISION: **FOR:** Crs Alex del Porto, Laurence Evans OAM, Clarke Martin, Sonia Castelli, Jo Samuel-King (Deputy Mayor), Fiona Stitfold and Hanna El Moullem (Mayor) (7)

AGAINST: Nil (0)

CARRIED

4. Matters of Decision

4.1 1 EROWAL STREET, BEAUMARIS GRANT A PERMIT APPLICATION: 2023/249/1 WARD: BECKETT

City Planning and Amenity - Development Services
File No: PSF/23/171 – Doc No: DOC/23/287926

It is recorded that Mr Stuart Carmichael submitted a written statement in relation to this item.

Moved: Cr Martin

Seconded: Cr Evans OAM

That Council resolves to Grant a Permit under the provisions of the Bayside Planning Scheme in respect of planning application 2023/249/1 for the land known and described as 1 Erowal Street, Beaumaris for the removal of native vegetation in the Vegetation Protection Overlay (Schedule 3), in accordance with the endorsed plans and subject to the following conditions from the standard conditions:

1. Before tree removal starts, landscape 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. The plans must show:
 - a) removal of Tree 3 - *Melaleuca linariifolia* (Snow-in-summer)
 - b) retention of Tree 11 - *Syzygium smithii* (Lilly pilly)
 - c) a Landscaping Plan in accordance with Condition 3.
2. The layout of the site and the size, levels, design and location of buildings and works shown on the endorsed plans must not be modified for any reason (unless the Bayside Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.

Landscaping

3. Prior to the endorsement of plans pursuant to Condition 1, a detailed landscape plan to the satisfaction of the Responsible Authority must be submitted to and be endorsed by the Responsible Authority. The plan must show:
 - a) tree 3 to be removed
 - b) tree 11 to be retained
 - c) two (2) additional indigenous canopy trees capable of reaching a mature height of at least 8 metres
 - d) 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
 - e) a planting schedule of all proposed trees and shrubs, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant

- f) within 12 months of the removal of vegetation allowed under this permit, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority unless otherwise approved.
4. 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.

Permit Expiry

5. This permit will expire if one of the following circumstances applies:
 - a) the development is not started within two years of the date of this permit
 - b) the development is not completed within four years of the date of this permit.

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

Permit Notes:

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

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

DIVISION: **FOR:** Crs Alex del Porto, Laurence Evans OAM, Clarke Martin, Sonia Castelli, Jo Samuel-King (Deputy Mayor), Fiona Stitfold and Hanna El Moullem (Mayor) (7)
AGAINST: Nil (0)

CARRIED

**4.2 82 RESERVE ROAD, BEAUMARIS
GRANT A PERMIT
APPLICATION: 2023/93/1 WARD: BECKETT**

City Planning and Amenity - Development Services
File No: PSF/23/171 – Doc No: DOC/23/288046

Moved: Cr Martin

Seconded: Cr Evans OAM

That Council resolves to issue a Notice of Decision to Refuse to Grant a Permit under the provisions of the bayside Planning Scheme in respect of Planning Application 2023/93/1 of the land known and described as 82 Reserve Road, Beaumaris for the removal of native vegetation within a Vegetation Protection Overlay Schedule 3 for the following reasons:

1. The removal of the trees contradicts the vegetation protection objectives set out in Schedule 3 to Clause 42.02 (Vegetation Protection Overlay) of the Bayside Planning Scheme, specifically to retain amenity, aesthetic character, and habitat value of Australian native vegetation within the Beaumaris and Black Rock area.
2. The trees fulfil several of the purposes pursuant to the Vegetation Protection Overlay Schedule 3 and therefore should be retained, including:
 - a) protect areas of significant vegetation
 - b) preserve existing tree and other vegetation
 - c) maintain and enhance habitat and habitat corridors for indigenous fauna.
3. The removal proposal does not respond to the general objectives of Bayside preferred neighbourhood character policy, namely:
 - a) to retain and enhance the identified elements that contribute to the character of the area
 - b) to maintain and enhance the garden settings of the dwellings.
4. The removal proposal does not respond to Precinct H3 preferred character strategies of Bayside preferred neighbourhood character policy namely:
 - a) retain large established trees and understorey.

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

DIVISION: **FOR:** Crs Alex del Porto, Laurence Evans OAM, Clarke Martin, Sonia Castelli, Jo Samuel-King (Deputy Mayor), Fiona Stitfold and Hanna El Moullem (Mayor) (7)
AGAINST: Nil (0)

CARRIED

**4.3 58 CROMER ROAD, BEAUMARIS
GRANT AN AMENDMENT TO A PERMIT
APPLICATION 2021/212/3 WARD: BECKETT**

City Planning and Amenity - Development Services
File No: PSF/23/171 – Doc No: DOC/23/285778

Moved: Cr Martin

Seconded: Cr Evans OAM

That Council resolves to Grant an Amendment to a Permit under the provisions of the Bayside Planning Scheme in respect of planning application 2021/212/3 for the land known and described as 58 Cromer Road, Beaumaris for the construction of two dwellings on a lot and removal of native vegetation to Australia in accordance with the endorsed plans and subject to the following conditions from the standard conditions:

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the advertised plans prepared by Crowhurst Building Design referenced Ground Floor Plan, First Floor Plan, Elevations, date June 2021 but modified to show:
 - a) the proposed front fence height and material annotations on the ground floor plan, landscape plan and elevations to be consistent with one another and to not exceed 1.2m in height
 - b) a Landscaping Plan in accordance with Condition 10 of this permit
 - c) provision of an Arboricultural Impact Assessment Report in accordance with Condition 13 of this permit
 - d) provision of a Tree Protection Management Plan (TPMP) for Private & Public Open Space Trees in accordance with Condition 14 of this permit
 - e) payment of the Development Contribution levy in accordance with Condition 18 of this permitall to the satisfaction of the Responsible Authority.
2. The layout of the site and the size, levels, design and location of buildings and works shown on the endorsed plans must not be modified for any reason (unless the Bayside Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
3. Before the occupation of the site commences or by such later date as is approved in writing by the Responsible Authority, all buildings and works must be carried out and completed to the satisfaction of the Responsible Authority.
4. No plant, equipment, services or architectural features other than those shown on the endorsed plans are permitted above the roof level of the building/s without the written consent of the Responsible Authority.
5. All pipes (excluding downpipes), fixtures, fittings and vents servicing any building on the site must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.
6. Before the occupation of the site commences, screening of windows including fixed privacy screens be designed to limit overlooking as required by Standard

B22 and be installed and maintained to the satisfaction of the Responsible Authority thereafter for the life of the building.

7. The walls on the boundary of the adjoining properties shall be cleaned and finished to the satisfaction of the Responsible Authority.
8. All basic services, including water, electricity, gas, sewerage, telephone, NBN and cable TV but excluding any substation, meters or hydrants must be installed underground and located to the satisfaction of the relevant servicing authority and the Responsible Authority.

Water Sensitive Urban Design

9. The water sensitive urban design stormwater treatment system as shown on the endorsed plans must be retained and maintained at all times in accordance with the Urban Stormwater - Best Practice Environmental Management Guidelines, CSIRO 1999, to the satisfaction of the Responsible Authority.

Landscaping

10. Prior to the endorsement of plans pursuant to Condition 1, 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 plan drawn by Bayview Landscaping, reference TPLP1, dated June 2021 and be drawn to scale with dimensions and three copies must be provided. The plan must show:
 - a) a survey, including botanical names, of all existing trees to be retained on the site including Tree Protection Zones calculated in accordance with *AS4970-2009*
 - b) a survey including botanical names of all existing trees on neighbouring properties where the Tree Protection Zones of such trees calculated in accordance with *AS4970-2009* fall partially within the subject site
 - c) a planting schedule of all proposed trees and shrubs, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant. Plantings must be 80% indigenous by species type and count
 - d) landscaping and/or planting within all areas of the site not covered by buildings or hard surfaces
 - e) details of surface finishes of pathways and driveways
 - f) one canopy tree capable reaching 12m in height or two canopy trees capable of reaching 8m in height in the front setback of the development.
 - g) one canopy tree capable of reaching 10-15m in height or two canopy trees capable of reaching 6-8m in height in the rear of each dwelling
 - h) the *Banksia Marginata* trees in the front setback of each dwelling replaced with an indigenous canopy tree capable of reaching 8m in height at maturity**
 - i) two additional indigenous canopy trees capable of reaching 8m high and 4m wide in the rear setback of the development. The two additional trees to be setback 1m from any property boundary.**
11. Before the occupation of the development, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.

12. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority, including that any dead, diseased or damaged plants are to be replaced.

Provision of Arboricultural Impact Assessment Report

13. Arboricultural impact assessment report in accordance with *Australian Standard 4970-2009 Protection of Trees on Development Sites*. The report will explain design and construction methods proposed to minimize impacts on trees to be retained (site trees and neighbouring trees) where there is encroachment into the calculated TPZ.

Tree Protection Management Plan (TPMP) for Private & Public Open Space Trees

14. Prior to the endorsement of plans pursuant to Condition 1, including any related demolition or removal of vegetation, a TPMP, prepared by a suitably qualified arborist, to the satisfaction of the Responsible Authority, must be submitted to and be endorsed by the Responsible Authority. This report must be made available to all relevant parties involved with the site.

The TPMP must include:

- a) details of Tree Protection Zones, as per AS4970-2009, for all trees to be retained on the site and for all trees on neighbouring properties (including public open space trees) where any part of the Tree Protection Zone falls within the subject site
- b) protection measures to be utilised and at what stage of the development they will be implemented
- c) appointment of a project arborist detailing their role and responsibilities
- d) stages of development at which the project arborist will inspect tree protection measures
- e) monitoring and certification by the project arborist of implemented protection measures.

Before any works associated with the approved development, a project arborist must be appointed and the name and contact details of the project arborist responsible for implementing the endorsed TPMP must be submitted to the Responsible Authority.

Any modification to the TPMP must be approved by the project arborist. Such approval must be noted and provided to the Responsible Authority within seven days.

The TPMP must include a Tree Protection Plan (TPP) in accordance with *AS4970-2009 Protection of Trees on Development Sites*.

The TPP must include:

- f) be legible, accurate and drawn to scale
 - g) show the location of all tree protection measures to be utilised
 - h) include a key describing all tree protection measures to be utilised.
15. All protection measures identified in the Tree Management and Protection Plans must be implemented, and development works undertaken on the land must be undertaken in accordance with the Tree Management and Protection Plans, to the satisfaction of the Responsible Authority.

16. Before the development starts, including demolition or removal of vegetation, the name and contact details of the project Arborist responsible for implementing the Tree Management Plan must be submitted to the Responsible Authority.
17. Any pruning that is required to be done to the canopy of any tree to be retained is to be done by a qualified *Arborist to Australian Standard – Pruning of Amenity Trees AS4373-1996*. Any pruning of the root system of any tree to be retained (specify particular tree/s) is to be done by hand by a qualified Arborist.

Development Contribution

18. Prior to endorsement of the plan/s required under Condition 1 of this permit, the permit holder must pay a drainage levy in accordance with the amount specified under the Bayside Drainage Development Contributions Plan. The levy amount payable will be adjusted to include the Building Price Index applicable at the time of payment.

The levy payment shall be submitted to Council with the Bayside Drainage Development Levy Charge Sheet and it must include the Building Price Index applicable at the time of payment.

S173 Agreement

19. DELETED.
20. DELETED.
21. DELETED.

Drainage

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

Permit Expiry

24. This permit will expire if one of the following circumstances applies:
 - a) the development is not started within two years of the date of this permit
 - b) the development is not completed within four years of the date of this permit.

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

Permit Notes:

- Council is the responsible authority for the allocation of street addressing in accordance with the Rural and Urban Addressing Standards (4819:2011). It is the applicant/property owner's obligation to comply with the Street address allocations prior to the completion of construction.
- Southern Dwelling – 58A Cromer Road BEAUMARIS 3193
- Northern Dwelling – 58B Cromer Road BEAUMARIS 3193
- For more information on street numbering, please contact Council's Revenue Services Team on 9599 4444.

- This permit does not constitute any authority to carry out any building works or occupy the building or part of the building unless all relevant building permits are obtained.
- A permit must be obtained from Council for all vehicular crossings. These must be constructed under Council's supervision for which 24 hours' notice is required.
- Construction of any fence / wall / letterbox structures may necessitate removal / damage of some sections of footpath. If this is the case, a Road Opening Permit must be obtained to facilitate such work.
- A Road Opening / Stormwater Tapping Permit is to be obtained from the Infrastructure Department prior to the commencement of the connection to the Council drain / kerb / channel.
- Council records indicate that there is a 1.83m wide drainage and sewerage easement along the East property boundary as indicated on the drawings provided. The plans indicate no proposals to encroach into the easement with any buildings or structures of note. Proposals to be built over the easement will require Build Over Easement consent from the responsible Authority/Authorities.
- The permit holder must obtain approval from the relevant authorities to build over the easement(s).
- Subsurface water must be treated in accordance with Council's Policy for Discharge of Pumped Subterranean Water Associated with Basements or Below Ground Structures.
- 'Council would be supportive of the applicant and/or owner making a tax-deductible donation equal to 0.1% of the sale price of any dwelling approved under this permit to Homes for Homes Limited (CAN 143 141 544) or equivalent social and/or affordable housing not-for-profit organisation.

Date of Amendment	Details
12 July 2023	Amendment to the permit under Section 72 of the <i>Planning and Environment Act 1987</i> to: <ul style="list-style-type: none"> • Delete Conditions 19, 20 and 21 • Addition of the following permit note: <i>'Council would be supportive of the applicant and/or owner making a tax-deductible donation equal to 0.1% of the sale price of any dwelling approved under this permit to Homes for Homes Limited (CAN 143 141 544) or equivalent social and/or affordable housing not-for-profit organisation.'</i>
10 October 2023	Amendment to the endorsed plans under Section 72 of the <i>Planning and Environment Act 1987</i> : <ul style="list-style-type: none"> • Amended landscaping including removal of tree 7 and 8 Amendment to the permit under Section 72 of the <i>Planning and Environment Act 1987</i> : <ul style="list-style-type: none"> • Addition of conditions 10 h and i.

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

DIVISION: **FOR:** Crs Alex del Porto, Laurence Evans OAM, Clarke Martin,
Sonia Castelli, Jo Samuel-King (Deputy Mayor), Fiona
Stitfold and Hanna El Mouallem (Mayor) (7)

AGAINST: Nil (0)

CARRIED

**4.4 17 COWPER STREET, SANDRINGHAM
NOTICE OF DECISION TO GRANT A PERMIT
APPLICATION: 2022/596/1 WARD: BOYD**

City Planning and Amenity - Development Services
File No: PSF/22/10380 – Doc No: DOC/23/253277

Moved: Cr del Porto

Seconded: Cr Castelli

That Council:

1. notes that the permit applicant has withdrawn their application for a planning permit
2. withdraws the item from the Agenda for the 10 October 2023 Planning and Amenity Delegated Committee meeting.

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

DIVISION: **FOR:** Crs Alex del Porto, Laurence Evans OAM, Clarke Martin, Sonia Castelli, Jo Samuel-King (Deputy Mayor), Fiona Stitfold and Hanna El Moullem (Mayor) (7)
AGAINST: Nil (0)

CARRIED

**4.5 7 ALBERT STREET, BRIGHTON
NOTICE OF DECISION TO GRANT A PERMIT
APPLICATION: 2023/128/1 WARD: DENDY**

City Planning and Amenity - Development Services
File No: PSF/23/5153 – Doc No: DOC/23/254065

It is recorded that Ms Margot Buckley, and Mr Nicholas Crawford (for Mr Lachlin Hughes and Family) each submitted a written statement in relation to this item.

It is recorded that Mr Stefan Bettiol spoke for 2 minutes in relation to this item.

Moved: Cr El Moullem (Mayor)

Seconded: Cr del Porto

That Council resolves to issue a Notice of Decision to Grant a Permit under the provisions of the Bayside Planning Scheme in respect of planning application 2023/128/1 for the land known and described as 7 Albert Street, Brighton to construct a double storey building consisting of two (2) dwellings, roof top terrace, over a basement and with a front fence exceeding 1.2 metres in a Neighbourhood Residential Zone Schedule 3 (NRZ3) and buildings and works associated with storey heights exceeding 3.5m in height and roof deck in a Design and Development Overlay Schedule 1 (DDO1) 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. The plans must be generally in accordance with the plans prepared by Mckimm referenced Revision 5, dated 12 September 2023 and identified as TP051, TP100, TP101, TP102, TP104, TP105, TP200, TP250, TP251, TP500 and TP501 but modified to show:
 - a) the proposed wall on the southern boundary to be setback a minimum of 1.2 metres from the southern side boundary without altering the minimum setbacks to any other boundary
 - b) screening to the upper storey Bedroom 2 windows on the northern elevation that complies with the requirements of Standard B22 (overlooking) of Clause 55.04-6 of the Bayside Planning Scheme
 - c) a notation that all proposed all proposed privacy screens will be permanently fixed with maximum openings of 25% that complies with the requirements of standard B22 (overlooking) of Clause 55.04-6 of the Bayside Planning Scheme
 - d) the proposed front fence to be reduced to a maximum height of 1.5 metres
 - e) location of site services including watertanks, bin storage and letterboxes
 - f) demonstrate that the storage is provided to each dwelling in accordance with Standard B44 (storage)
 - g) corner splay shown on either side of the proposed accessway in accordance with Clause 52.06-9 of the Bayside Planning Scheme and any modifications to the proposed front fence to facilitate this
 - h) manufacture specifications of the proposed car turntable

- i) dimensions of turntable to be a minimum 4.5m diameter and a 1m clearance around the edge of the turntable
- j) a Sustainable Design Assessment in accordance with Condition 11
- k) a Landscaping Plan in accordance with Condition 12
- l) a Tree Management and Protection Plan in accordance with Condition 15
- m) provision of the development contributions fee in accordance with Condition 24

all to the satisfaction of the Responsible Authority.

2. The layout of the site and the size, levels, design and location of buildings and works shown on the endorsed plans must not be modified for any reason (unless the Bayside Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
3. Before the occupation of the site commences or by such later date as is approved in writing by the Responsible Authority, all buildings and works must be carried out and completed to the satisfaction of the Responsible Authority.
4. No plant, equipment, services or architectural features other than those shown on the endorsed plans are permitted above the roof level of the building/s without the written consent of the Responsible Authority.
5. All pipes (excluding downpipes), fixtures, fittings and vents servicing any building on the site must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.
6. Before the occupation of the site commences, screening of windows including fixed privacy screens be designed to limit overlooking as required by Standard B22 and be installed and maintained to the satisfaction of the Responsible Authority thereafter for the life of the building.
7. The walls on the boundary of the adjoining properties shall be cleaned and finished to the satisfaction of the Responsible Authority.
8. Vehicle Crossings must be constructed to Council's Standard Vehicle Crossover Guidelines and standard drawing unless otherwise approved by the Responsible Authority. Separate consent/permit for crossovers is required from Council's Asset Protection Unit. Kerb and channel to be constructed or reinstated to the satisfaction of Council.
9. The existing footpath levels must not be lowered or altered in any way at the property line (to facilitate the basement ramp). This is required to ensure that normal overland flow from the street is not able to enter the basement due to any lowering of the footpath at the property line. Any public assets (including service pits, poles and trees) that are required to be removed/relocated to facilitate the development must be done so at the cost of the owner/applicant and subject to the relevant authority's consent. The redundant vehicular crossing must be removed and the footpath, nature strip and kerb reinstated at the owner's cost to the satisfaction of Council.
10. Prior to the commencement of any proposed works above basement level, all levels and gradients of the ramp must be checked by a qualified surveyor.

Sustainable Design Assessment

11. Prior to the endorsement of plans pursuant to Condition 1, a Sustainable Design Assessment (SDA) must be submitted to and approved by the Responsible Authority. All Environmentally Sustainable Design (ESD) measures within the

SDA must be documented appropriately on revised plans. The SDA should include information such as:

- a) a BESS report with a minimum 50% score overall and achieve the 50% minimum scores for water, energy and indoor environment quality (IEQ) and 100% for stormwater
- b) a commitment that the development achieves a 6.5-star average NatHERS Rating. Each new dwelling must meet the minimum 6-star NatHERS rating requirement and not exceed the cooling load of 21 MJ/sqm for NatHERS Climate Zone 62 Moorabbin
- c) preliminary building energy rating certificates that align with plans
- d) provision of double glazing to all new windows
- e) appropriate shading to all north, east and west facing windows
- f) maximum internal lighting density of 4W/m²
- g) water efficient plumbing fixtures with minimum WELS rating of 5-star for taps, 3-star for shower and 4 star for WC
- h) water and energy efficient appliances (dishwasher, washing machine, dryer etc.) within one star of best available in the market, if installed
- i) provision of external dry lines for each dwelling
- j) bicycle parking space in each garage/ private open space area
- k) provisions such as Junction box/ Power Point to accommodate infrastructure for charging electric vehicles in future
- l) a STORM Report with minimum score 100% showing calculations to demonstrate the Urban Stormwater Best Practice Environmental Management Guidelines are achieved as required by planning clause 53.18
- m) the type of water sensitive urban design / stormwater treatment measure/s to be used and their location in relation to buildings, sealed surfaces and landscaped areas, providing design details and cross sections
- n) rainwater tank/s for new dwellings connected for WC flushing and irrigation that are accessible for maintenance
- o) provisions for renewable energy systems such as Solar PV
- p) commitment to recycle at least 70% of construction and demolition waste
- q) measures to reduce urban heat island impact such as light or medium coloured roof and driveway
- r) use of sustainable materials such as low VOC paints for the internal walls
- s) use of timber certified by the Forest Stewardship Council (FSC) or Program for the Endorsement of Forest Certification (PEFC) certified or recycled / reused

- t) provision of green walls / vertical gardens
- all to the satisfaction of the Responsible Authority.

Landscaping

12. Prior to the endorsement of plans pursuant to Condition 1, 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 plan drawn by John Patrick Landscape Architects, reference Revision A, dated 2 June 2023 and the Bayside Landscaping Guidelines and be drawn to scale with dimensions. The plan must show:
 - a) amended ground floor southern setback required by condition 1b
 - b) where practicable, the inclusion of green walls at appropriate locations
 - c) planting schedule to be a minimum of 80% indigenous species.
13. Before the occupation of the development the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.
14. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority, including that any dead, diseased or damaged plants are to be replaced.

Tree Protection Management Plan

15. Before the development starts, including any related demolition or removal of vegetation, a TPMP, prepared by a suitably qualified arborist, to the satisfaction of the Responsible Authority, must be submitted to and be endorsed by the Responsible Authority. This report must be made available to all relevant parties involved with the site.

The TPMP must include:

- a) details of Tree Protection Zones, as per AS4970-2009, for all trees to be retained on the site and for all trees on neighbouring properties (including public open space trees) where any part of the Tree Protection Zone falls within the subject site
- b) protection measures to be utilised and at what stage of the development they will be implemented
- c) appointment of a project arborist detailing their role and responsibilities
- d) stages of development at which the project arborist will inspect tree protection measures
- e) monitoring and certification by the project arborist of implemented protection measures.

Before any works associated with the approved development, a project arborist must be appointed and the name and contact details of the project arborist responsible for implementing the endorsed TPMP must be submitted to the Responsible Authority.

Any modification to the TPMP must be approved by the project arborist. Such approval must be noted and provided to the Responsible Authority within seven days.

The TPMP must include a Tree Protection Plan (TPP) in accordance with AS4970-2009 Protection of Trees on Development Sites.

The TPP must:

- a) be legible, accurate and drawn to scale
 - b) indicate the location of all tree protection measures to be utilised
 - c) include the development stages (demolition, construction, landscaping) where all tree protection measures are to be utilised
 - d) include a key describing all tree protection measures to be utilised.
16. All actions and measures identified in the Tree Management Report must be implemented.
 17. Before any works associated with the approved development, the contact details of the project arborist responsible for implementing the endorsed Tree Management Report must be submitted to the Responsible Authority.
 18. Any pruning that is required to be done to the canopy of any neighbouring tree is to be done by a qualified Arborist to Australian Standard – Pruning of Amenity Trees AS4373-1996. The pruning back of the neighbouring cypress hedge to the south must be limited so that at least 800mm of overhang to the fence line remains intact. Any pruning of the root system of any tree to be retained is to be done by hand by a qualified Arborist.

Protection of trees for services

19. All underground services must be located outside of Tree Protection Zones (TPZ) of all trees to be retained. If this is not possible, any underground service installations within a TPZ must be bored beneath the entire TPZ to a minimum depth 800mm. If this is not possible, any excavation within the TPZ required for the connection of services must be undertaken by approved non-destructive digging techniques, under the supervision of a project arborist and with the written approval of the Responsible Authority.

Street tree protection

20. Street trees must not be removed, lopped, damaged or pruned by any party other than Bayside City Council authorised contractors. Minimum setback measured from edge of the tree trunk must remain same as or not less than the existing crossover (2.0 meters). Limit any excavation within the tree's SRZ to surface scraping for levelling purposes only (e.g., no greater than 100mm in depth). Any excavation and installation of services and drainage within the TPZ must be undertaken by hand or by approved root sensitive non-destructive techniques only.

Root pruning within the TPZ (Tree Protection Zone)

- All roots that will be affected must be correctly pruned in accordance with AS4373-2007 'Pruning of Amenity Trees'.
- Roots greater than 50mm must not be cut unless authorised by Bayside's Open Space Arborist in writing.

Drainage

21. Before the development starts, the permit holder must apply to Council for the Legal Point of Discharge for the development from where stormwater is drained under gravity to the Council network.
22. Before the development, detailed plans indicating, but not limited to, the method of stormwater discharge to the nominated Legal Point of Discharge (and On-Site Detention System where applicable) must be submitted to and approved by Council's Infrastructure Assets Department.
23. The surface of all balconies and terraces are to be sloped to collect the stormwater run-off into stormwater drainage pipes that connect into the underground drainage system of the development to the satisfaction of the Responsible Authority.

Development Contribution

24. Prior to endorsement of the plan/s required under Condition 1 of this permit, the permit holder must pay a drainage levy in accordance with the amount specified under the Bayside Drainage Development Contributions Plan. The levy amount payable will be adjusted to include the Building Price Index applicable at the time of payment.

The levy payment shall be submitted to Council with the Bayside Drainage Development Levy Charge Sheet and it must include the Building Price Index applicable at the time of payment.

Permit Expiry

25. This permit will expire if one of the following circumstances applies:
 - a) the development is not started within two years of the date of this permit
 - b) the development is not completed within four years of the date of this permit.

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

Permit Notes:

- Council would be supportive of the applicant and/or owner making a tax-deductible donation equal to 0.1% of the sale price of any dwelling approved under this permit to Homes for Homes Limited (CAN 143 141 544) or equivalent social and/or affordable housing not-for-profit organisation.
- Council is the responsible authority for the allocation of street addressing in accordance with the "Rural and Urban Addressing Standards (4819:2011)". It is the applicant/property owner's obligation to comply with the Street address allocations prior to the completion of construction.

Ground Floor – Unit 1/7 Albert Street BRIGHTON 3186

Level 1 – Unit 2/7 Albert Street BRIGHTON 3186

For more information on street numbering, please contact Council's Revenue Services Team on 9599 4444.

- This permit does not constitute any authority to carry out any building works or occupy the building or part of the building unless all relevant building permits are obtained.
- A permit must be obtained from Council for all vehicular crossings. These must be constructed under Council's supervision for which 24 hours' notice is required.
- Construction of any fence / wall / letterbox structures may necessitate removal / damage of some sections of footpath. If this is the case, a 'Road Opening Permit' must be obtained to facilitate such work.
- A 'Road Opening / Stormwater Tapping Permit' is to be obtained from the Infrastructure Department prior to the commencement of the connection to the Council Drain / kerb / channel.
- Council records indicate that there is no easement within the property.
- Subsurface water must be treated in accordance with Council's Policy for "Discharge of Pumped Subterranean Water Associated with Basements or Below Ground Structures.

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

DIVISION: **FOR:** Crs Alex del Porto, Laurence Evans OAM, Clarke Martin, Sonia Castelli, Jo Samuel-King (Deputy Mayor), Fiona Stitfold and Hanna El Moullem (Mayor) (7)
AGAINST: Nil (0)

CARRIED

**4.6 165-167 TRAMWAY PARADE, BEAUMARIS
NOTICE OF DECISION TO REFUSE TO GRANT A PERMIT
APPLICATION: 2022/48/1 WARD: BECKETT**

City Planning and Amenity - Development Services
File No: PSF/23/171 – Doc No: DOC/23/287400

It is recorded that Ms Annie Price, Dr Lisa Cabrita, Mr Matthew Rastocic, Mr Andrew Rastocic, Mr John Danckert, Mr Chris & Mrs Monica Papasavva, and Mrs Katrina & Mr Senko Rastocic each submitted a written statement in relation to this item.

It is recorded that Mr Garreth Wilson, Mr Bruce Keen, Mr Senko Rastocic, and Mr Matthew Rastocic each spoke for 2 minutes in relation to this item.

Moved: Cr del Porto

Seconded: Cr Castelli

That Council, having caused notice of Planning Application 2022/48/1 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, resolves to issue a Notice of Decision to Grant a Permit in respect of the land known and described as 165-167 Tramway Parade, Beaumaris for the demolition of the existing heritage building, construction of four (4) dwellings on a lot within a Heritage Overlay and the removal of native vegetation within a Vegetation Protection Overlay Schedule 3 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. The plans must be generally in accordance with the plans amended, prepared by Farrington Architects, dated 02/08/2021 and revision F but modified to show:
 - a) written consent from the relevant authority for the relocation of the existing bus stop adjacent to the proposed southern crossover
 - b) an amended schedule of construction materials, external finishes and colours, also incorporating a mixture of brick, brick veneer or weatherboard
 - c) a Sustainable Design Assessment in accordance with Condition 12
 - d) an amended Landscaping Plan in accordance with Condition 13
 - e) a Tree Management and Protection Plan in accordance with Condition 16
 - f) provision of the development contributions fee in accordance with Condition 27all to the satisfaction of the Responsible Authority.
2. The layout of the site and the size, levels, design and location of buildings and works shown on the endorsed plans must not be modified for any reason (unless the Bayside Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
3. Before the occupation of the site commences or by such later date as is approved in writing by the Responsible Authority, all buildings and works must be carried out and completed to the satisfaction of the Responsible Authority.
4. No plant, equipment, services or architectural features other than those shown on the endorsed plans are permitted above the roof level of the building/s without the

written consent of the Responsible Authority.

5. All pipes (excluding downpipes), fixtures, fittings and vents servicing any building on the site must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.
6. Before the occupation of the site commences, screening of windows including fixed privacy screens be designed to limit overlooking as required by Standard B22 and be installed and maintained to the satisfaction of the Responsible Authority thereafter for the life of the building.
7. The walls on the boundary of the adjoining properties shall be cleaned and finished to the satisfaction of the Responsible Authority.
8. Vehicle Crossings must be constructed to Council's Standard Vehicle Crossover Guidelines and standard drawing unless otherwise approved by the Responsible Authority. Separate consent/permit for crossovers is required from Council's Asset Protection Unit. Kerb and channel to be constructed or reinstated to the satisfaction of Council.
9. The existing footpath levels must not be lowered or altered in any way at the property line (to facilitate the basement ramp). This is required to ensure that normal overland flow from the street is not able to enter the basement due to any lowering of the footpath at the property line. Any public assets (including service pits, poles and trees) that are required to be removed/relocated to facilitate the development must be done so at the cost of the owner/applicant and subject to the relevant authority's consent. The redundant vehicular crossing must be removed and the footpath, nature strip and kerb reinstated at the owner's cost to the satisfaction of Council.
10. Prior to the commencement of any proposed works above basement level, all levels and gradients of the ramp must be checked by a qualified surveyor.
11. All basic services, including water, electricity, gas, sewerage, telephone, NBN and cable TV but excluding any substation, meters or hydrants must be installed underground and located to the satisfaction of the relevant servicing authority and the Responsible Authority.

Sustainable Design Assessment

12. Prior to the endorsement of plans pursuant to Condition 1, a Sustainable Design Assessment (SDA) must be submitted to and approved by the Responsible Authority. All Environmentally Sustainable Design (ESD) measures within the SDA must be documented appropriately on revised plans. The SDA should include information such as:
 - a) a BESS report with a minimum 50% score overall and achieve the 50% minimum scores for water, energy and indoor environment quality (IEQ) and 100% for stormwater
 - b) a commitment that the development achieves a 6.5-star average NatHERS Rating. Each new dwelling must meet the minimum 6-star NatHERS rating requirement and not exceed the cooling load of 21 MJ/sqm for NatHERS Climate Zone 62 Moorabbin
 - c) preliminary building energy rating certificates that align with plans
 - d) provision of double glazing to all new windows
 - e) appropriate shading to all north, east and west facing windows
 - f) maximum internal lighting density of 4W/m²

- g) water efficient plumbing fixtures with minimum WELS rating of 5-star for taps, 3-star for shower and 4 star for WC
 - h) water and energy efficient appliances (dishwasher, washing machine, dryer etc.) within one star of best available in the market, if installed
 - i) provision of external dry lines for each dwelling
 - j) bicycle parking space in each garage/ private open space area
 - k) provisions such as Junction box/ Power Point to accommodate infrastructure for charging electric vehicles in future
 - l) a STORM Report with minimum score 100% showing calculations to demonstrate the Urban Stormwater Best Practice Environmental Management Guidelines are achieved as required by planning clause 53.18
 - m) the type of water sensitive urban design / stormwater treatment measure/s to be used and their location in relation to buildings, sealed surfaces and landscaped areas, providing design details and cross sections
 - n) rainwater tank/s for new dwellings connected for WC flushing and irrigation that are accessible for maintenance
 - o) provisions for renewable energy systems such as Solar PV
 - p) commitment to recycle at least 70% of construction and demolition waste
 - q) measures to reduce urban heat island impact such as light or medium coloured roof and driveway
 - r) use of sustainable materials such as low VOC paints for the internal walls
 - s) use of timber certified by the Forest Stewardship Council (FSC) or Program for the Endorsement of Forest Certification (PEFC) certified or recycled / reused
 - t) provision of green walls / vertical gardens
- all to the satisfaction of the Responsible Authority.

Landscaping

13. Prior to the endorsement of plans pursuant to Condition 1, 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 Creative Landscape Design (advertised), dated 27/07/2023 and the Bayside Landscaping Guidelines and be drawn to scale with dimensions. The plan must show:
- a) the proposed Ornamental Pear (*Pyrus Callertana*) to be replaced with an indigenous species
 - b) a survey, including botanical names of all existing trees to be retained on the site, including Tree Protection Zones calculated in accordance with AS4970-2009
 - c) a survey including botanical names, of all existing trees on neighbouring properties where the Tree Protection Zones of such trees calculated in accordance with AS4970-2009 fall partially within the subject site
 - d) a planting schedule of all proposed trees and shrubs, including botanical names, common names, pot sizes, sizes at maturity, and quantities of

each plant. When in VPO include: Plantings must be 80% indigenous by species type and count

- e) landscaping and/or planting within all areas of the site not covered by buildings or hard surfaces
 - f) details of surface finishes of pathways and driveways
 - g) where practicable, the inclusion of green walls at appropriate locations
 - h) planting schedule to be a minimum of 80% indigenous species.
14. Before the occupation of the development the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.
15. 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.

Tree Protection Management Plan

16. Before the development starts, including any related demolition or removal of vegetation, a TPMP, prepared by a suitably qualified arborist, to the satisfaction of the Responsible Authority, must be submitted to and be endorsed by the Responsible Authority. This report must be made available to all relevant parties involved with the site.

The TPMP must include:

- a) details of Tree Protection Zones, as per AS4970-2009, for all trees to be retained on the site and for all trees on neighbouring properties (including public open space trees) where any part of the Tree Protection Zone falls within the subject site
- b) protection measures to be utilised and at what stage of the development they will be implemented
- c) appointment of a project arborist detailing their role and responsibilities
- d) stages of development at which the project arborist will inspect tree protection measures
- e) monitoring and certification by the project arborist of implemented protection measures.

Before any works associated with the approved development, a project arborist must be appointed and the name and contact details of the project arborist responsible for implementing the endorsed TPMP must be submitted to the Responsible Authority.

Any modification to the TPMP must be approved by the project arborist. Such approval must be noted and provided to the Responsible Authority within seven days.

The TPMP must include a Tree Protection Plan (TPP) in accordance with AS4970-2009 Protection of Trees on Development Sites.

The TPP must:

- a) be legible, accurate and drawn to scale
- b) indicate the location of all tree protection measures to be utilised

- c) include the development stages (demolition, construction, landscaping) where all tree protection measures are to be utilised
 - d) include a key describing all tree protection measures to be utilised.
17. All actions and measures identified in the Tree Management Report must be implemented.
 18. Before any works associated with the approved development, the contact details of the project arborist responsible for implementing the endorsed Tree Management Report must be submitted to the Responsible Authority.
 19. Any pruning that is required to be done to the canopy of any tree to be retained (specify particular tree/s) is to be done by a qualified Arborist to Australian Standard – Pruning of Amenity Trees AS4373-1996. Any pruning of the root system of any tree to be retained (specify particular tree/s) is to be done by hand by a qualified Arborist.

Protection of trees for services

20. All underground services must be located outside of Tree Protection Zones (TPZ) of all trees to be retained. If this is not possible, any underground service installations within a TPZ must be bored beneath the entire TPZ to a minimum depth 800mm. If this is not possible, any excavation within the TPZ required for the connection of services must be undertaken by approved non-destructive digging techniques, under the supervision of a project arborist and with the written approval of the Responsible Authority.

Street tree protection

21. Soil excavation must not occur within 5 metres from the edge of the *Melaleuca linariifolia* street tree asset's stem at ground level.
22. A tree protection fence is for the protection of a tree's canopy and root zone. Conditions for street tree protection fencing during development are as follows:
 - a) Fencing is to be secured and maintained prior to demolition and until all site works are complete.
 - b) Fencing must be installed to comply with AS4970-2009, Protection of trees on development sites.
 - c) Fencing should encompass the Tree Protection Zone (TPZ) for all street trees adjacent to the development.
 - d) Fencing is to be constructed and secured so its positioning cannot be modified by site workers.
 - e) If applicable, prior to construction of the Council approved crossover, TPZ fencing may be reduced to the edge of the new crossover to facilitate works.
23. Prior to soil excavation for a Council approved crossover within the TPZ, a trench must be excavated along the line of the crossover adjacent to the tree using root sensitive non-destructive techniques. All roots that will be affected by must correctly pruned.
24. Any installation of services and drainage within the TPZ must be undertaken using root sensitive non-destructive techniques.

Drainage

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

Development Contribution

27. Prior to endorsement of the plan/s required under Condition 1 of this permit, the permit holder must pay a drainage levy in accordance with the amount specified under the Bayside Drainage Development Contributions Plan. The levy amount payable will be adjusted to include the Building Price Index applicable at the time of payment.

The levy payment shall be submitted to Council with the Bayside Drainage Development Levy Charge Sheet and it must include the Building Price Index applicable at the time of payment.

Permit Expiry

28. This permit will expire if one of the following circumstances applies:
 - a) the development is not started within two years of the date of this permit
 - b) the development is not completed within four years of the date of this permit.

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

Permit Notes:

- Council would be supportive of the applicant and/or owner making a tax-deductible donation equal to 0.1% of the sale price of any dwelling approved under this permit to Homes for Homes Limited (CAN 143 141 544) or equivalent social and/or affordable housing not-for-profit organisation.
- Council is the responsible authority for the allocation of street addressing in accordance with the "Rural and Urban Addressing Standards (4819:2011)". It is the applicant/property owner's obligation to comply with the Street address allocations prior to the completion of construction.
 - 165A, 165B, 167A and 167B Tramway Parade BEAUMARIS 3193 (in sequential order running south to north).

For more information on street numbering, please contact Council's Revenue Services Team on 9599 4444.

- This permit does not constitute any authority to carry out any building works or occupy the building or part of the building unless all relevant building permits are obtained.
- A permit must be obtained from Council for all vehicular crossings. These must be constructed under Council's supervision for which 24 hours' notice is required.

- Construction of any fence / wall / letterbox structures may necessitate removal / damage of some sections of footpath. If this is the case, a 'Road Opening Permit' must be obtained to facilitate such work.
- A 'Road Opening / Stormwater Tapping Permit' is to be obtained from the Infrastructure Department prior to the commencement of the connection to the Council Drain / kerb / channel.
- That the owner of the land consult with Council's Open Space team to determine the appropriate opportunities available to utilise the tree trunk and branches of Tree 2, Eucalyptus globulus, for habitat purposes within an appropriately identified Council reserve. The Open Space team can be contacted on 9599 4444.

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

DIVISION: **FOR:** Crs Alex del Porto, Laurence Evans OAM, Clarke Martin, Sonia Castelli, Jo Samuel-King (Deputy Mayor), Fiona Stitfold and Hanna El Mouallem (Mayor) (7)
AGAINST: Nil (0)

CARRIED

Procedural Motion

It is recorded that that the meeting was adjourned at 8.25pm.

Moved Cr del Porto **Seconded Cr Castelli**
That the meeting be adjourned for a period of 5 minutes.

CARRIED

Procedural Motion

It is recorded that that the meeting was resumed at 8.30pm.

Moved: Cr Castelli **Seconded: Cr Evans**
That the meeting be resumed.

CARRIED

**4.7 23-25 LINACRE ROAD & 1A DEAKIN STREET SOUTH, HAMPTON
NOTICE OF DECISION TO GRANT AN AMENDMENT TO A PERMIT
APPLICATION: 2020/113/5 WARD: BOYD**

City Planning and Amenity - Development Services
File No: PSF/23/171 – Doc No: DOC/23/273446

It is recorded that Mr Damien Cooke & Ms Rosey Horvat, and Mr Adam Haines each submitted a written statement in relation to this item.

It is recorded that Ms Clare Jennings, Mrs Sandra Johnson, Ms Kathryn Taylor (via proxy Mr Paul McAndrew), Mr Adam Haber, Mr Stephen Barrow-Yu, Mr Shem Kelder (for Fender Katsalidis), and Mr Adam Haines each spoke for 2 minutes in relation to this item.

Moved: Cr Stitfold

Seconded: Cr del Porto

That Council resolves to issue a Notice of Decision to Grant an Amendment to a Permit under the provisions of the Bayside Planning Scheme in respect of planning application 2020/113/5 for the land known and described as 23-25 Linacre Road & 1A Deakin Street South, Hampton for the construction of a three (3) storey apartment building containing dwellings and exceeding a building height of more than 10 metres in a Design and Development Overlay, Schedule 12 over three (3) lots and above two (2) levels of basement carparking; a front fence exceeding 1.5 metres in height; the partial demolition of and construction of an extension and associated works to the existing heritage building in Heritage Overlay (HO217) in accordance with the endorsed plans and subject to the following conditions from the standard conditions:

1. Before the 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 amended plans prepared by Fender Katsalidis, dated 29/07/2020 and revision number 2 but modified to show:
 - a) a privacy screen erected along the northern balustrade of the balcony to dwelling B105 to a minimum height of 1.7 metres above finished floor level with visual permeability of no greater than 25%
 - b) the northern balustrade of the balcony to dwelling B202 to have a minimum height of 1.4 metres above finished floor level comprising a solid base structure to a minimum height of 1.1 metres together with a 300mm screen erected atop with visual permeability of no greater than 25%
 - c) without Prejudice Plan Section HH by Fender Katsalidis dated 10.09.2020 and detailing the RL's to the northwest corner of level 1
 - d) dwelling AG04 amended to comply with Standard B41 of Clause 55.07-7 - Accessibility objectives of the Bayside Planning Scheme and a further 7 dwellings amended to demonstrate compliance
 - e) the correct overall building heights and as shown on TP02 in the Without Prejudice Plans by Fender Katsalidis dated 04.09.2020
 - f) to deviate lines of site away from the dwelling at 1/1 and 2/1 Linacre Road, the overlooking and screening details as shown on TP02 and TP253 in the Without Prejudice Plans by Fender Katsalidis dated 04.09.2020

- g) a window schedule to show that the specified windows to accord with Standard B49 - Natural ventilation, are openable
- h) detailed Demolition plans to the heritage building at 25 Linacre Road Hampton
- i) a Demolition Method Statement and Relocation Report in accordance with Condition 8 of the permit
- j) a Window Schedule in accordance with Condition 9
- k) details of the chimneys to be reconstructed in accordance with Condition 10
- l) the colour and material schedule amended to include and detail the following to the heritage building at 25 Linacre Road, Hampton:
 - i) 'S1 - Slate' as specified on the elevations
The proposed colours to the heritage dwelling including:
 - ii) 'Feather Soft' - to the walls, verandah fretwork, render to gable ends
 - iii) 'Domino' - to the window and door frames and front door, verandah beam and posts, and timber strapping to gable ends
 - iv) front fence in either feather soft or domino
- m) all ramps to show intermediate levels (including on the cross sections)
- n) the proposed signalling system for the main ramp to prioritise vehicles entering the street into the basement
- o) a 3.8m wide vehicle crossing to match the ramp width along with a new 1.4m wide separator to the north
- p) all redundant vehicle crossings to be removed
- q) an amended Landscaping Plan in accordance with Condition 11
- r) a Tree Management and Protection Plan in accordance with Condition 14
- s) an Acoustic Report in accordance with Condition 25
- t) a Car Parking Management Plan in accordance with Condition 28
- u) a Construction Management Plan in accordance with Condition 29;
- v) the Sustainability Management Plan amended to correctly detail the number of bicycle spaces and any other changes under this permit
- w) the development Contributions levy in accordance with Condition 34
- x) the provision of four visitor car parking spaces demonstrating compliance with the requirements of Clause 52.06 for visitor parking
- y) the northern boundary of the rooftop terrace to be set back an additional 1 metre**

all to the satisfaction of the Responsible Authority.

2. The layout of the site and the size, levels, design and location of buildings and works shown on the endorsed plans must not be modified for any reason (unless the Bayside Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
3. Before the occupation of the site commences or by such later date as is approved in writing by the Responsible Authority, all buildings and works must be carried out and completed to the satisfaction of the Responsible Authority.

4. No plant, equipment, services or architectural features other than those shown on the endorsed plans are permitted above the roof level of the building/s without the written consent of the Responsible Authority.
5. All pipes (excluding downpipes), fixtures, fittings and vents servicing any building on the site must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.
6. Before the occupation of the site commences, screening of windows including fixed privacy screens be designed to limit overlooking as required by Standard B22 and be installed and maintained to the satisfaction of the Responsible Authority thereafter for the life of the building.
7. The water sensitive urban design stormwater treatment system as shown on the endorsed plans must be retained and maintained at all times in accordance with the Urban Stormwater - Best Practice Environmental Management Guidelines, CSIRO 1999, to the satisfaction of the Responsible Authority.

Heritage

8. Before demolition works, a fully detailed Demolition Method Statement, from a qualified structural engineer must be submitted and endorsed by the responsible authority. The report must be prepared by a qualified structural engineer and demonstrate:
 - a) the engineer has inspected the existing building and has designed a suitable retention system to preserve the original facade taking account of the nature of the existing structure
 - b) how the structural integrity of the original dwelling will be maintained during demolition and construction. When approved, the statement will be endorsed and will then form part of the permit.

The 'demolition method statement' must fully describe and clearly demonstrate that the construction methods to be used on site will ensure that the building fabric required to be retained on the endorsed plans approved under Condition 1 of the permit will be safeguarded during and after the demolition process has occurred.

The demolition method statement may need to include reference to staging of demolitions on site in some instances. The statement must detail the necessary protection works required to retain individual walls, chimneys, flooring, roofing and other heritage features of significance during demolition.

9. A window schedule detailing each window and section(s) of wall to be reinstated to the heritage building at 25 Linacre Road including but not limited to; type, size, materials, glazing, colour and finish to demonstrate the acceptable reinstatement.
10. Prior to the partial demolition of the heritage dwelling at 25 Linacre Road Hampton, details showing the reconstruction of the chimney including, form, proportions and materials including the pattern in which the bricks are laid and the manner of pointing must be detailed in plans at a scale of 1:50 must be provided and approved by the Responsible Authority. These detailed notes must be shown on the plans for endorsement.

Once constructed, the chimneys shall be retained in place unless otherwise agreed in writing by the Responsible Authority.

Landscaping

11. Prior to the endorsement of plans pursuant to Condition 1, an amended 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 Eckersley Garden Architecture, dated 30 July 2020 and be drawn to scale with dimensions. The plan must show:

- a) a survey including botanical names of all existing trees to be retained on the site including 2, 3, 7, 10 & 25 and all Tree Protection Zones calculated in accordance with AS4970-2009
 - b) a survey including botanical names of all existing trees on neighbouring properties where the Tree Protection Zones of such trees calculated in accordance with AS4970-2009 fall partially within the subject site.
12. Before the occupation of the development the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.
13. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority, including that any dead, diseased or damaged plants are to be replaced.

Tree Management and Protection Plan

14. Before the development starts, including any related demolition or removal of vegetation, a Tree Management Report (TMR), prepared by a suitably qualified arborist, to the satisfaction of the Responsible Authority, must be submitted to and be endorsed by the Responsible Authority.

The applicant must undertake measures to ensure that all contractors, sub-contractors and tradespersons operating on the site are aware of the contents of this report.

The Tree Management Report must include a Tree Protection Plan (TPP) in accordance with AS4970-2009 Protection of Trees on Development Sites

Both the TMR & TPP must be part of one document that must be named as the Tree Management Report (TMR):

The TMR must include:

- a) details of Tree Protection Zones, as per AS4970-2009, for all trees to be retained on the site and for all trees on neighbouring properties where any part of the Tree Protection Zone falls within the subject site
- b) protection measures to be utilised and at what stage of the development they will be implemented
- c) appointment of a project arborist detailing their role and responsibilities
- d) stages of development at which the project arborist will inspect tree protection measures
- e) monitoring and certification by the project arborist of implemented protection measures.

The TPP must:

- f) be legible, accurate and drawn to scale
 - g) show the location of all tree protection measures to be utilised
 - h) include a key describing all tree protection measures to be utilised.
15. All protection measures identified in the Tree Management and Protection Plans must be implemented, and development works undertaken on the land must be undertaken in accordance with the Tree Management and Protection Plans, to the

satisfaction of the Responsible Authority.

16. Any modification to the report or plan must be approved by the project arborist. Such approval must be noted and provided to the Responsible Authority within seven days.
17. All actions and measures identified in the Tree Management Report must be implemented.
18. Before the development starts, including demolition or removal of vegetation, the name and contact details of the project Arborist responsible for implementing the Tree Management Plan must be submitted to the Responsible Authority.
19. Any pruning that is required to be done to the canopy of any tree to be retained is to be done by a qualified Arborist to Australian Standard – Pruning of Amenity Trees AS4373-1996. Any pruning of the root system of any tree to be retained is to be done by hand by a qualified Arborist.

Street tree protection

20. Soil excavation must not occur within 2 metres from the edge of any Council street tree asset's stem at ground level.
21. A tree protection fence is for the protection of a tree's canopy and root zone. Conditions for street tree protection fencing during development are as follows:
 - a) Fencing is to be secured and maintained prior to demolition and until all site works are complete.
 - b) Fencing must be installed to comply with AS4970-2009, Protection of trees on development sites.
 - c) Fencing should encompass the Tree Protection Zone (TPZ) for all street trees adjacent to the development.
 - d) Fencing is to be constructed and secured so its positioning cannot be modified by site workers.
 - e) If applicable, prior to construction of the Council approved crossover, TPZ fencing may be reduced to the edge of the new crossover to facilitate works.
22. Prior to soil excavation for a Council approved crossover within the TPZ, a trench must be excavated along the line of the crossover adjacent to the tree using root sensitive non-destructive techniques. All roots that will be affected by must correctly pruned.
23. Any installation of services and drainage within the TPZ must be undertaken using root sensitive non-destructive techniques.
24. Street trees must not be removed, lopped, damaged or pruned by any party other than Bayside City Council authorised tree care contractors.

Acoustic Report

25. Prior to the endorsement of plans, a detailed Acoustic Report prepared by a qualified Acoustic Engineer must be submitted and approved to the satisfaction of the Responsible Authority. The report must include, but not be limited to the following:
 - a) recommendations of specific acoustic attenuation measures to ensure that the development complies with Standard B40 - Noise impacts of 55.07-6 of the Bayside Planning Scheme, with specific regard respect to minimise noise transmission from the adjacent railway line

- b) details of the Acoustic fence proposed to the northern title boundary.

When submitted and approved to the satisfaction of the Responsible Authority, the Acoustic Report will be endorsed to form part of this permit.

- 26. The building must be constructed and maintained in accordance with the recommendations contained within the approved Acoustic Report to the satisfaction of the Responsible Authority. The Acoustic Report endorsed under this permit must be implemented and complied with at all times to the satisfaction of the Responsible Authority unless with the further written approval of the Responsible Authority.
- 27. Prior to the occupation of any dwelling approved under this permit, a report from the author of the Acoustic Report approved pursuant to this permit or similarly qualified person or company must be submitted to the Responsible Authority. The report must be to the satisfaction of the Responsible Authority and must confirm that all measures specified in the Acoustic Report have been implemented in accordance with the approved Acoustic Report.

Car Parking Management Plan

- 28. Prior to the endorsement of plans pursuant to condition 1, a car parking management plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the car parking management plan will be endorsed and will then form part of the permit. Traffic and parking operations on and adjacent to the site must conform to this endorsed plan. The plan must include:
 - a) the allocation of all car parking spaces to dwellings
 - b) servicing of the drainage and maintenance of car parking areas.

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

Construction Management Plan

- 29. Prior to commencement of any building works, a construction management plan prepared 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 this permit. The plan must provide for (but not limited to):
 - a) a pre-conditions survey (dilapidation report) of the land and all adjacent Council roads frontages and nearby road infrastructure
 - b) works necessary to protect road and other infrastructure
 - c) remediation of any damage to road and other infrastructure
 - d) containment of dust, dirt and mud within the land and method and frequency of clean up procedures to prevent the accumulation of dust, dirt and mud outside the land
 - e) facilities for vehicle washing, which must be located on the land; the location of loading zones, site sheds, materials, cranes and crane/hoisting zones, gantries and any other construction related items or equipment to be located in any street
 - f) site security
 - g) management of any environmental hazards including, but not limited to:

- i) contaminated soil and ground water
- ii) materials and waste
- iii) dust
- iv) stormwater contamination from run-off and wash-waters
- v) sediment from the land on roads
- vi) washing of concrete trucks and other vehicles and machinery
- vii) spillage from refuelling cranes and other vehicles and machinery
- h) the construction program
- i) preferred arrangements for trucks delivering to the land, including delivery and unloading points and expected duration and frequency
- j) parking facilities for construction workers
- k) measures to ensure that all work on the land will be carried out in accordance with the construction management plan
- l) an outline of requests to Council/public authorities to occupy public footpaths or roads, or anticipated disruptions to local services
- m) an emergency contact that is available for 24 hours per day for residents and the Responsible Authority in the event of relevant queries or problems experienced
- n) the provision of a traffic management plan to comply with provisions of AS 1742.3-2002 Manual of uniform traffic control devices - Part 3: Traffic control devices for works on roads
- o) include details of bus movements throughout the precinct during the construction period
- p) a noise and vibration management plan showing methods to minimise noise and vibration impacts on nearby properties and to demonstrate compliance with Noise Control Guideline 12 for Construction (Publication 1254) as issued by the Environment Protection Authority in October 2008. The noise and vibration management plan must be prepared to the satisfaction of the Responsible Authority. In preparing the noise and vibration management plan, consideration must be given to:
 - i) using lower noise work practice and equipment
 - ii) the suitability of the land for the use of an electric crane
 - iii) silencing all mechanical plant by the best practical means using current technology
 - iv) fitting pneumatic tools with an effective silencer
 - v) other relevant considerations
 - vi) any site-specific requirements

During the construction:

- q) any stormwater discharged into the stormwater drainage system must be in compliance with Environment Protection Authority guidelines
- r) stormwater drainage system protection measures must be installed as required to ensure that no solid waste, sediment, sand, soil, clay or stones from the land enters the stormwater drainage system

- s) vehicle borne material must not accumulate on the roads abutting the land
- t) the cleaning of machinery and equipment must take place on the land and not on adjacent footpaths or roads
- u) all litter (including items such as cement bags, food packaging and plastic strapping) must be disposed of responsibly.

If required, the construction management plan may be approved in stages. Construction of each stage must not commence until a construction management plan has been endorsed for that stage, to the satisfaction of the Responsible Authority.

Drainage

- 30. Before the development starts, the permit holder must apply to Council for the Legal Point of Discharge for the development from where stormwater is drained under gravity to the Council network.
- 31. Before the development, detailed plans indicating, but not limited to, the method of stormwater discharge to the nominated Legal Point of Discharge (and On-Site Detention System where applicable) must be submitted to and approved by Council's City Assets and Projects Department.
- 32. Council Stormwater drainage is for surface rainwater, no water below the Ground Water Table is accepted into the Council Stormwater system. Only occasional, clean, uncontaminated seepage water (associated with a rain event) is accepted to an appropriate Council underground drain OR this subterranean water must be suitably retained on-site.
- 33. The surface of all balconies and terraces are to be sloped to collect the stormwater run-off into stormwater drainage pipes that connect into the underground drainage system of the development to the satisfaction of the Responsible Authority.

Development Contribution

- 34. Prior to endorsement of the plans required under condition 1 of this permit, the permit holder must pay a drainage levy in accordance with the amount specified under the Bayside Drainage Development Contributions Plan. The levy amount payable will be adjusted to include the Building Price Index applicable at the time of payment.

The levy payment shall be submitted to Council with the Bayside Drainage Development Levy Charge Sheet and it must include the Building Price Index applicable at the time of payment.

Permit Expiry

- 35. This permit will expire if one of the following circumstances applies:
 - a) The development is not started within two years of the date of this permit.
 - b) The development is not completed within four years of the date of this permit.

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

Permit Notes:

- Council records indicate that there is no easement within the property.

- Subsurface water must be treated in accordance with Council's Policy for 'Discharge of Pumped Subterranean Water Associated with Basements or Below Ground Structures'.
- This permit does not constitute any authority to carry out any building works or occupy the building or part of the building unless all relevant building permits are obtained.
- A permit must be obtained from Council for all vehicular crossings. These must be constructed under Council's supervision for which 24 hours' notice is required.
- Construction of any fence/wall/letterbox structures may necessitate removal/damage of some sections of footpath. If this is the case, a road opening permit must be obtained to facilitate such work.
- A road opening/stormwater tapping permit is to be obtained from Council's infrastructure department prior to the commencement of the connection to the Council drain/kerb/channel.
- Council is the responsible authority for the allocation of street addressing in accordance with the Rural and Urban Addressing Standards (4819:2011). It is the applicant/property owner's obligation to comply with the street address allocations prior to the completion of construction. For more information on street numbering, please contact Council's revenue services team on 9599 4444.
- All future property owners and residents within the development approved under this permit will not be permitted to obtain resident or visitor car parking permits.
- Subsurface water must be treated in accordance with Council's policy for Discharge of Pumped Subterranean Water Associated with Basements or Below Ground Structures.

Date of Amendment	Details
18 May 2022	<p>Amendment to the permit under Section 72 of the Planning and Environment Act 1987 to:</p> <ul style="list-style-type: none"> • Amend the permit preamble to read as follows: <ul style="list-style-type: none"> ○ <i>construction of a three (3) storey apartment building containing dwellings and exceeding a building height of more than 10 metres in a Design and Development Overlay, Schedule 12 over three (3) lots and above two (2) levels of basement carparking; a front fence exceeding 1.5 metres in height; the partial demolition of and construction of an extension and associated works to the existing heritage building in Heritage Overlay (HO217).</i> • Addition of Condition 1x to read as follows: <ul style="list-style-type: none"> ○ <i>The provision of four visitor car parking spaces demonstrating compliance with the requirements of Clause 52.06 for visitor parking.</i> • Approval of amended plans to make the following changes: <ul style="list-style-type: none"> ○ Internal changes to apartments, including amalgamation of apartments resulting in a reduction of apartments from 25 to 23.

	<ul style="list-style-type: none"> ○ Changes to the basement layout, including a reduction in the total number of parking spaces provided. ○ Minor fenestration changes to the elevations.
12 October 2022	<p>Amendment to the permit under Section 72 of the Planning and Environment Act 1987 to:</p> <ul style="list-style-type: none"> ● Approval of amended plans to make the following changes: <ul style="list-style-type: none"> ○ Redesign of bulkhead slab to the north-west corner of the development (Unit B102).
13 February 2023	<p>Amendment to the permit under Section 72 of the Planning and Environment Act 1987 to:</p> <ul style="list-style-type: none"> ● Approval of amended plans to make the following changes: <ul style="list-style-type: none"> ○ Basement L2 wine room deleted, additional car space included ○ Basement L1 two storage spaces relocated ○ Partial roofline demolition, with new dormer roofline and balcony/terrace added to first floor level of Unit AG04 ○ Internal layout changes to second floor of Building B, including new communal bathroom, updated layout for Unit B203, and stairwell design and access ○ Rooftop services enclosure to Building B reduced in scale, with altered access via stairwell below ○ Updated material schedule
10 October 2023	<p>Amendment to the permit under Section 72 of the Planning and Environment Act 1987 to:</p> <ul style="list-style-type: none"> ● Approval of amended plans to make the following changes: <ul style="list-style-type: none"> ○ Deletion of one basement storage cage. ○ Addition of rooftop planter boxes to part of the southern portion of the development ○ Amend the development plans to include a non-communal rooftop terrace on the northern portion of the development associated with Apartment AG04. ○ Addition of condition 1 y).

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

DIVISION: **FOR:** Crs Alex del Porto, Laurence Evans OAM, Clarke Martin, Sonia Castelli, Jo Samuel-King (Deputy Mayor) and Fiona Stitfold (6)

AGAINST: Cr Hanna El Mouallem (Mayor) (1)

CARRIED

**4.8 15 THIRD STREET, BLACK ROCK
SECONDARY CONSENT - APPROVE
APPLICATION: 2023/80/1 WARD: EBDEN**

City Planning and Amenity - Development Services
File No: PSF/23/171 – Doc No: DOC/23/283259

Moved: Cr Evans OAM

Seconded: Cr del Porto

That Council resolves:

1. to Approve the amended plans in accordance with Secondary Consent provisions of Planning Permit 2023/80/1
2. that plans identified as TP004 (ground floor plan) and TP007 (elevations), prepared by Iroamd3 and dated 1 September 2023 be endorsed. These plans are to be read in conjunction with plans endorsed on 5 September 2023 identified as Sheet 1, 3, 4, 6, 7, 8, 9, 10, 11 and 12
3. that plans endorsed on 5 September 2023 identified as Sheet 2 and 5 be superseded.

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

DIVISION: **FOR:** Crs Alex del Porto, Laurence Evans OAM, Clarke Martin, Sonia Castelli, Jo Samuel-King (Deputy Mayor), Fiona Stitfold and Hanna El Mouallem (Mayor) (7)
AGAINST: Nil (0)

CARRIED

**4.9 211 BALCOMBE ROAD, BEAUMARIS
EXTENSION OF TIME - APPROVE
APPLICATION: 2015/556/2 WARD: BECKETT**

City Planning and Amenity - Development Services
File No: PSF/23/171 – Doc No: DOC/23/234910

It is recorded that Mr Peter Kromlidis and Mr Alex Havkin each spoke for 2 minutes in relation to this item.

Moved: Cr Martin

Seconded: Cr Castelli

That Council resolves to Approve the Extension of Time of one (1) year to Planning Permit 2015/556/2, so that the development must now commence no later than 12 July 2024 and be completed no later than 12 July 2025.

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

DIVISION: **FOR:** Crs Alex del Porto, Laurence Evans OAM, Clarke Martin, Sonia Castelli, Jo Samuel-King (Deputy Mayor), Fiona Stitfold and Hanna El Moullem (Mayor) (7)
AGAINST: Nil (0)

CARRIED

**4.10 212-216 BAY ROAD, SANDRINGHAM
EXTENSION OF TIME - APPROVE
APPLICATION: 2011/357/10 WARD: EBDEN**

City Planning and Amenity - Development Services
File No: PSF/23/171 – Doc No: DOC/23/277869

It is recorded that Ms Claire Helfer spoke for 2 minutes in relation to this item.

Moved: Cr Evans OAM

Seconded: Cr Martin

That Council resolves to Approve the Extension of Time of three (3) years to Planning Permit 2011/357/10, so that the development must now be completed no later than 16 March 2027.

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

DIVISION: **FOR:** Crs Alex del Porto, Laurence Evans OAM, Clarke Martin, Sonia Castelli, Jo Samuel-King (Deputy Mayor), Fiona Stitfold and Hanna El Moullem (Mayor) (7)
AGAINST: Nil (0)

CARRIED

4.11 STATUTORY PLANNING - MONTHLY REPORT (AUGUST 2023)

City Planning and Amenity - Development Services
File No: PSF/23/171 – Doc No: DOC/23/291031

Moved: Cr del Porto

Seconded: Cr Martin

That Council resolves to:

- receive and note the report
- note the outcome of VCAT decisions on the planning applications handed down during August 2023.

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

DIVISION: **FOR:** Crs Alex del Porto, Laurence Evans OAM, Clarke Martin, Sonia Castelli, Jo Samuel-King (Deputy Mayor), Fiona Stitfold and Hanna El Mouallem (Mayor) (7)

AGAINST: Nil (0)

CARRIED

The Chair declared the meeting closed at 9.43pm.