

Planning and Amenity Delegated Committee Meeting

Council Chamber
Civic Centre – Boxshall Street Brighton

Tuesday 12 March 2024
at 6.30pm



Minutes

PRESENT:

Chairperson: Cr Hanna El Mouallem

Councillors: Cr Sonia Castelli
Cr Alex del Porto (Deputy Mayor)
Cr Laurence Evans OAM
Cr Clarke Martin
Cr Jo Samuel-King
Cr Fiona Stitfold (Mayor)

Officers: Mick Cummins – Chief Executive Officer
Matthew Cripps – Director City Planning and Amenity
Michael Kelleher – A/Manager Development Services
Scott Matheson – Statutory Planning Coordinator
Rosie Nolan – A/ Statutory Planning Coordinator
Robert Lamb – Council Business Lead
Sophie McCann – Statutory Planner
Laura Pocock – Senior Statutory Planner

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 7 Councillors present.

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Prayer

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The Chair, Cr El Mouallem 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

The Mayor, Cr Stitfold 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 13 February 2024.

Moved: Cr del Porto (Deputy Mayor)

Seconded: Cr Evans OAM

That the minutes of the Planning and Amenity Delegated Committee Meeting held on 13 February 2024, 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 (Deputy Mayor), Laurence Evans OAM, Clarke Martin, Sonia Castelli, Jo Samuel-King, Fiona Stitfold (Mayor) and Hanna El Mouallem (7)

AGAINST: Nil (0)

CARRIED

4. Matters of Decision

4.1 9 EBDEN AVENUE, BLACK ROCK LOCAL LAW TREE REMOVAL APPLICATION: 2024/13

City Planning and Amenity - Development Services
File No: PSF/24/96 – Doc No: DOC/24/29302

Moved: Cr Evans OAM

Seconded: Cr Martin

That Council:

1. notes that the applicant has withdrawn the application for a Local Law Tree Removal Permit for removal of one (1) Liquidambar styraciflua (Sweet gum) and two (2) Lagunaria patersonia (Norfolk Island Hibiscus) at 9 Ebden Avenue, Beaumaris
2. resolves that the item be withdrawn from consideration at the 12 March 2024 Planning and Amenity Delegated Committee meeting.

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

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

CARRIED

**4.2 3 COLLEGE GROVE, BLACK ROCK
LOCAL LAW TREE REMOVAL
APPLICATION: 2024/1**

City Planning and Amenity - Development Services
File No: PSF/24/96 – Doc No: DOC/24/32469

Moved: Cr Castelli

Seconded: Cr del Porto (Deputy Mayor)

That Council resolves to Refuse to Issue a Local Law Tree Removal Permit for removal of one (1) (English Elm) *Ulmus procera* at 3 College Grove, Black Rock.

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

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

AGAINST: Nil (0)

CARRIED

NOTE: Item 4.2 was **CARRIED** as part of a block motion.

**4.3 22 THIRD STREET, BLACK ROCK
LOCAL LAW TREE REMOVAL
APPLICATION: 2024/16**

City Planning and Amenity - Development Services
File No: PSF/24/96 – Doc No: DOC/24/44482

Moved: Cr Castelli

Seconded: Cr del Porto (Deputy Mayor)

That Council resolves to Refuse to Issue a Local Law Tree Removal Permit for removal of one (1) (Chinese Elm) *Ulmus parvifolia* at 22 Third Street, Black Rock.

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

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

CARRIED

NOTE: Item 4.3 was **CARRIED** as part of a block motion.

**4.4 8 AND 10 OCEAN STREET, HAMPTON
NOTICE OF DECISION TO GRANT A PERMIT
APPLICATION: 2023/386/1 WARD: BOYD**

City Planning and Amenity - Development Services
File No: PSF/24/96 – Doc No: DOC/24/64581

It is recorded that Ms Ines Bryant, Mr Rob Dagnall & Ms Sally Cox, and Ms Sheila O'Shea & Mr Francis Leipper each submitted a written statement in relation to this item.

It is recorded that Ms Melany Antcliffe (for Ocean St Residents Action Group), Mr Callum Bryant (for SongBowden Planning, obo Helen Graham), Mr John Hanslow, and Mr Jason Barnfather (for Squareback) each spoke for 2 minutes in relation to this item.

Moved: Cr Stitfold (Mayor)

Seconded: Cr Martin

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 2023/386/1 for the land known and described as 8 and 10 Ocean Street, Hampton to construct a three-storey building consisting of 18 apartments and a front fence that exceeds 1.5 metres in a General Residential Zone Schedule 2 (GRZ2) and buildings and works that exceeds 9 metres in height and roof decks in a Design and Development Overlay Schedule 12 (DDO12) 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 plans prepared by Martin Friedrich Architects referenced and dated 20 December 2023 but modified to show:
 - a. the site coverage to be reduced to a maximum of 60% to be achieved through reductions in floor area to the north and east sides of the building
 - b. the southern wall of Apartment 15 (second storey) to comply with Standard B20 (north facing windows) of Clause 55.04-4 of the Bayside Planning Scheme
 - c. the proposed front fence to Ocean Street to be reduced to a maximum height of 1.8 metres
 - d. pedestrian visual splays to be annotated on both sides of the proposed accessway in accordance with Clause 52.06-9 of the Bayside Planning Scheme
 - e. a cross-section of the basement ramp updated to include all intermediate levels, grades, length of grades in accordance with Clause 52.06-9 of the Bayside Planning Scheme
 - f. an amended Sustainable Management Plan in accordance with Condition 12
 - g. an amended Landscaping Plan in accordance with Condition 15
 - h. a Tree Management and Protection Plan in accordance with Condition 18
 - i. an amended Waste Management Plan in accordance with Condition 27

- j. provision of the development contributions fee in accordance with Condition 33 all to the satisfaction of the Responsible Authority
 - k. deletion of the communal roof deck and associated staircase and lift structures as shown on TP1.04 dated 19 February 2024
 - l. provision of a rooftop services area that is accessible via a hatch as shown on TP1.04 dated 19 February 2024. The height of the acoustic louvered screen, lift overrun and staircase access hatch not to exceed 1.5 metres
 - m. provision of a 30 square metre (minimum) communal area of open space within the site frontage as shown on TP1.01 dated 19 February 2024
 - n. provision of a 45 square metre (minimum) communal area within the basement as shown on TP1.00 dated 19 February 2024
 - o. demonstrate full compliance with Standard B22 (Overlooking) of Clause 55 for all windows and balconies on the northern, eastern and southern elevations and where required provide privacy screening that accords with the Standard
 - p. in addition to the requirement of condition 1 o., provide as a minimum additional privacy screening to the north side of the balcony of Apartment 13 and the east side of the balcony of Apartment 10. The additional privacy screen is to extend to a height of 1.4 metres above the finished floor level of the balcony and is to be installed on the outside edge of the planter boxes
 - q. in addition to the requirement of condition 1 o., provide as a minimum additional privacy screening to the east side of the balconies of Apartments 11 and 12. The additional privacy screen is to extend to a height of 1.7 metres above the finished floor level of the balcony and is to be installed on the outside edge of the planter boxes
 - r. pool equipment associated with Apartment 7 within the southern end of the services enclosure that defines part of the front boundary as shown on TP1.01 dated 19 February 2024
 - s. provision of 2.5 metre high timber paling fencing to the side and rear boundaries, consisting of 2.0 metre high palings and 500 millimetres of lattice. This fencing is to be provided by the development and at no cost to the surrounding property owners
 - t. colour photo samples and details to be provided for all materials used externally.
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, to the site must be installed underground and located to the satisfaction of the relevant servicing authority and the Responsible Authority.

Sustainable Management Plan

12. Prior to the endorsement of plans pursuant to Condition 1, a Sustainable Management Plan (SMP) must be submitted to and approved by the Responsible Authority. All Environmentally Sustainable Design (ESD) measures within the SMP must be documented appropriately on revised plans. The SMP should be generally in accordance with the Sustainable Management Plan prepared by ecoResults dated 06 September 2023 but modified to include:
 - a. Water Sensitive Urban Design (WSUD) initiatives to comply with the best practice performance objective set out in the Urban Stormwater Best Practice Environmental Management Guidelines, Victoria Stormwater Committee 1999
 - b. a STORM or MUSIC model report demonstrating Best Practice stormwater management to the satisfaction of the responsible authority
 - c. a complete BESS report demonstrating the initiatives selected to
 - d. achieve the 50% or greater standard committed to in the summary report
 - e. consideration of provision of EV charging infrastructure.
 - f. preliminary building energy ratings to align with plans
 - g. commitment to a 6.5-star average NatHERS rating annotated on the Plans
 - h. demonstration that stormwater detention volume requirements are in addition to stormwater retention

- i. clearly state that in addition to producing a Building User's Guide that will be provided to occupants
 - j. endorsed SMP Report initiatives to be fully integrated with architectural and building services plans and specifications for building approval
 - k. all ESD Initiatives shown in the Environmentally Sustainable Development (ESD) Management Plan to be shown and annotated on the Plans all to the satisfaction of the Responsible Authority.
13. All works must be undertaken in accordance with the endorsed Environmentally Sustainable Development (ESD) Management Plan to the satisfaction of the Responsible Authority. No alterations to the ESD Management Plan may occur without the written consent of the Responsible Authority.
14. Prior to the occupation of any dwelling approved under this permit, a report from the author of the Environmentally Sustainable Development (ESD) Management Plan 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 Environmentally Sustainable Development (ESD) Management Plan have been implemented in accordance with the approved Plan.

Landscaping

15. 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 Pty Ltd, reference Job number 23-244, dated 11 September 2023 and the Bayside Landscaping Guidelines and be drawn to scale with dimensions. The plan must show:
- a. species of canopy trees to be amended to include a minimum of 80% indigenous species
 - b. soil volumes of proposed canopy tree plantings to be noted
 - c. inclusion of green walls where practical.
16. Before the occupation of the development the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.
17. The landscaping shown on the endorsed plans must be inspected by the project arborist post completion of the development once every 3 months for a period of 12 months to ensure the landscaping continues to remain viable and any dead, diseased or damaged plants are to be replaced.
18. 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

19. Before the demolition of the dwellings at 8 Ocean Street and development starts, including any related demolition or removal of vegetation, a TPMP, prepared by Mark Reynolds of Arbor Survey 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, the Chinese Elm at 7 Wave St, all existing trees and vegetation at all sides of the boundary) where any part of the Tree Protection Zone falls within the subject site and the two trees at 5A Ocean St which are also on the Council significant tree register
- b. protection measures to be utilised and at what stage of the development they will be implemented
- c. appointment of Mark Reynolds as the project arborist detailing their role, responsibilities and relevant qualifications
- d. stages of development at which the project arborist will inspect tree protection measures, including but not limited to prior to the demolition of the dwellings at 8 Ocean Street and during the construction
- e. monitoring and certification by the project arborist of implemented protection measures during construction
- f. post completion monitoring once every 3 months for a period of 12 months of all trees on neighbouring properties (including the Chinese Elm at 7 Wave St, all existing trees and vegetation at all sides of the boundary) where any part of the Tree Protection Zone falls within the subject site and the two trees at 5A Ocean St which are also on the Council significant tree register
- g. a detailed photographic diagram and pruning plan specifying all remedial pruning works that are required to be performed to Tree 6. The pruning comments must reference Australian Standards 4373:2007, Pruning of Amenity Trees and a detailed photographic diagram specifying what pruning will occur.

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:

- h. be legible, accurate and drawn to scale
 - i. indicate the location of all tree protection measures to be utilised
 - j. include the development stage (demolition, construction, landscaping) of all tree protection measures to be utilised
 - k. include a key describing all tree protection measures to be utilised.
20. All actions and measures identified in the Tree Management Report must be implemented.

21. 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.
22. 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.

Protection of trees for services

23. 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 nondestructive digging techniques, under the supervision of a project arborist and with the written approval of the Responsible Authority.

Street tree protection

24. Soil excavation must not occur within 2 metres from the edge of the Weeping Bottlebrush (Tree1) street tree asset's stem at ground level.
25. 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.
26. 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.
27. Any installation of services and drainage within the TPZ must be undertaken using root sensitive non-destructive techniques.

Waste Management Plan

28. Prior to the endorsement of the plans, a Waste Management Plan must be submitted to and approved by the Responsible Authority that is generally in accordance with the Waste Management Plan, prepared by Ecoresults and dated 7 September 2023 but modified to include:
 - a. All waste collections regardless of frequency are to be done from 7am- 6pm Monday-Friday.

The plan will be endorsed and will then form part of the permit.

29. Waste collection from the development must be in accordance with the plan, 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 Infrastructure Assets Department.
32. 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.
33. Subsurface water must be treated in accordance with Council's Policy for Discharge of Pumped Subterranean Water Associated with Basements or Below Ground Structures.

Development Contribution

34. 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.

SiteHive

35. Prior to the commencement of construction, a 'SiteHive' or similar device must be installed and maintained to the satisfaction of the Responsible Authority. This device must remain operational throughout construction to monitor noise, dust and similar construction activity.

Construction Management Plan

36. Prior to commencement of any building works or the issue of a Building Permit, a Construction Management Plan (CMP) 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 form part of this permit. The plan must provide for (but not limited to):
- 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

- f. 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
- g. site security
- h. 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
- i. the construction program
- j. preferred arrangements for trucks delivering to the land, including delivery and unloading points and expected duration and frequency
- k. parking facilities for construction workers
- l. measures to ensure that all work on the land will be carried out in accordance with the Construction Management Plan
- m. an outline of requests to Council /Public authorities to occupy public footpaths or roads, or anticipated disruptions to local services
- n. 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
- o. 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
- p. include details of bus movements throughout the precinct during the construction period
- q. where multiple development sites may occur in proximity to one another on the same street, a cumulative impact assessment must be submitted to and approved by the Responsible Authority
- r. 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:

- s. any stormwater discharged into the stormwater drainage system must be in compliance with Environment Protection Authority guidelines
- t. 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 vehicle borne material must not accumulate on the roads abutting the land
- u. the cleaning of machinery and equipment must take place on the land and not on adjacent footpaths or roads
- v. all litter (including items such as cement bags, food packaging and plastic strapping) must be disposed of responsibly
- w. low level background music only
- x. management of trees as per the approved Tree Management and Protection Plan.

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.

Permit Expiry

37. 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 – Units 1-7/8 Ocean Street HAMPTON (Clockwise direction)

First Floor – Units 101-107/8 8 Ocean Street HAMPTON (Clockwise starting from apt 8 on plans)

Second Floor – Units 201-204/8 8 Ocean Street HAMPTON (Clockwise starting from apt 15 on plans)

Common Property – 8 Ocean Street HAMPTON

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.

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

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

CARRIED

**4.5 1 NORWOOD AVENUE, BRIGHTON
NOTICE OF DECISION TO GRANT AN AMENDMENT TO A PERMIT
APPLICATION: 2022/138/2 WARD: DENDY**

City Planning and Amenity - Development Services
File No: PSF/24/96 – Doc No: DOC/24/61897

It is recorded that Mr Roger Tyler submitted a written statement in relation to this item.

It is recorded that Mr Ben Coughlan, Mr Roger Tyler, and Mr Medi Aorasani each spoke for 2 minutes in relation to this item.

Procedural Motion

Moved: Cr del Porto

Seconded: Cr del Porto

That Mr Medi Aorasani be permitted to speak for 2 minutes in relation to this item.

CARRIED

Moved: Cr del Porto (Deputy Mayor)

Seconded: Cr Castelli

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 2022/138/2 for the land known and described as 1 Norwood Avenue, Brighton for the construction of buildings and works comprising a roof deck, and floor to ceiling heights of more than 3.5 metres associated with a dwelling in a Design and Development Overlay Schedule 1 in accordance with the endorsed plans and subject to the following conditions from the standard conditions:

- 1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the plans (prepared by DW Architects, Revision C, Sheets TP10 to Sheet TP24) but modified to show:**
 - a) deleted**
 - b) deleted**
 - c) access to the lift from the roof terrace to be clearly shown without any enclosed habitable space**
 - d) the preparation of a Landscape Plan in accordance with Condition 4**
 - e) material of the roof of the proposed dwelling to comply with Covenant 1103871**

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.

Landscape Plan

- 4. Before the commencement of any works associated with the approved development, a landscape plan must be endorsed by the Responsible Authority. The plan must be drawn to scale with dimensions. The plan must show:**
 - a) a planting schedule of all proposed trees and shrubs, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant**
 - b) a minimum of two (2) canopy trees within the front setback capable of reaching a mature height of 10 metres**
 - c) plantings must be 80% indigenous by species type and count**
 - d) details of all landscaping, water sensitive urban design elements (as applicable) and surface finishes**
 - e) green walls where practical.**
- 5. Before the occupation of the development, landscaping on the endorsed plans must be completed to the satisfaction of the Responsible Authority.**
- 6. The landscaping on the endorsed plans must be maintained. Landscaping that is dead, diseased or damaged must be replaced to the satisfaction of the Responsible Authority.**
7. 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.
8. 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.

Permit Expiry

9. 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.
- This permit application was not assessed against the provisions of Clause 54 – One Dwelling on a Lot (ResCode) of the Bayside Planning Scheme. It is the responsibility of the applicant/owner to appoint a Registered Building Surveyor to determine compliance of the endorsed plans associated with the issue of this Planning Permit against Part 5 of the Building Regulations 2018. Non-compliance with any regulation will require dispensation from Council's Building Department.

| Date of Amendment | Details |
|--|--|
| 12 March 2024 | <p>Amendment to the permit under Section 72 of the <i>Planning and Environment Act 1987</i> to:</p> <ul style="list-style-type: none">• Alteration to the wording of Condition 1.• Removal of Conditions 1a and 1b.• Additions of Conditions 1c, 1d, 1e, 4, 5 and 6 and subsequent renumbering.• Amending the approved built form which includes altering the approved footprint, setbacks, height of the building and materials.• Altering the location and size of the approved roof top deck. |
| <p>The Motion was PUT and a <u>DIVISION</u> was called:</p> <p><u>DIVISION:</u> FOR: Crs Alex del Porto (Deputy Mayor), Laurence Evans OAM, Clarke Martin, Sonia Castelli and Hanna El Mouallem (5)</p> <p> AGAINST: Crs Jo Samuel-King and Fiona Stitfold (Mayor) (2)</p> <p style="text-align: right;"><u>CARRIED</u></p> | |

**4.6 15 TRAMWAY PARADE, BEAUMARIS
NOTICE OF DECISION TO GRANT A PERMIT
APPLICATION: 2023/295/1 WARD: BECKETT**

City Planning and Amenity - Development Services
File No: PSF/24/96 – Doc No: DOC/24/56610

It is recorded that Mr Grant Berry, and Mr Callum Bryant (for SongBowden Planning) each spoke for 2 minutes in relation to this item.

Moved: Cr Martin

Seconded: Cr Evans OAM

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 2023/295/1 for the land known and described as 15 Tramway Parade, Beaumaris to construct two (2) double storey dwellings and a front fence that exceeds 1.2 metres in a Neighbourhood Residential Zone Schedule 3 (NRZ3) and removal of vegetation native to Australia within a Vegetation Protection Overlay Schedule 3 (VPO3) 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 Geselle referenced Project Number GA-22001, date February 2024 but modified to show:
 - a) the minimum front setback of Dwelling 1 from Dalgetty Road to be increased to 3 metres and be achieved through a reduction in floor area
 - b) the upper western elevation of Dwelling 2 associated with Bedroom 3 and associated bathroom to be setback an additional 1.5 metres and be achieved through a reduction in floor area
 - c) the proposed front fence to Tramway Parade to be reduced to a maximum height of 1.8 metres
 - d) the retention of Tree 9 (Lilly Pilly) and the associated reduction of the proposed paving and swimming pool to ensure the proposed encroachment into the Tree Protection Zone of this tree is 10% or less. Alternatively, an amended Arboricultural impact assessment generally in accordance with the one submitted with the application (prepared by Tree Tec, dated 7 July 2023) detailing measures to ensure the health of this tree could be maintained through an encroachment greater than 10%
 - e) a Sustainable Design Assessment in accordance with Condition 11
 - f) an amended Landscape Plan in accordance with Condition 12
 - g) a Tree Management and Protection Plan in accordance with Condition 14
 - h) provision of the development contributions fee in accordance with Condition 25all 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. 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.
10. During construction of the permitted buildings & works, the subject site and adjacent nature strip must be maintained in an orderly manner to the satisfaction of the Responsible Authority. This includes maintaining the nature strip grass, rubbish to be stored on-site in covered waste receptacles and construction materials being managed to reduce adverse visual amenity impacts.

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 Avant gardener, reference L120, dated 16 October 2023 and the Bayside Landscaping Guidelines and be drawn to scale with dimensions. The plan must show:
- a) retention of Tree 7 and 9
 - b) built form alterations required by Condition 1.

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 Protection Management Plan

14. 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.
15. All actions and measures identified in the Tree Management Report must be implemented.
 16. 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.
 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 is to be done by hand by a qualified Arborist.

Protection of trees for services

18. 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

19. Before the development starts, tree protection fencing is to be established around the street trees marked for retention prior to demolition and maintained until all works on site are complete. The fencing is to be constructed and secured so its positioning cannot be modified by site workers. The Tree Protection Zone is to be established and maintained in accordance with AS 4970–2009. The fencing is to be as close to the TPZ boundary as practically possible provided that it does not encroach onto the road, footpath, crossover or proposed works.
20. Street trees must not be removed, lopped, damaged or pruned by any party other than Bayside City Council authorised contractors. There must be no soil excavation within the specified SRZ (Structured Root Zone) and the Exclusion zone (no excavation permitted) in line with council guidelines for working near council trees. Any installation of services and drainage within the TPZ must be undertaken using root-sensitive, non-destructive techniques.

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. Council records indicate that there is a council stormwater drain running parallel to the North side of the property boundary. Council considers this asset to be protected by an implied easement. The plans indicate no proposals to encroach into the implied 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 easement needs to be verified or proof of easement needs to be shown in the title plan.
24. 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

25. 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

26. 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.

Northern Dwelling – 7B Dalgetty Road BEAUMARIS 3193

Southern Dwelling – 7C Dalgetty 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.
- The permit holder must obtain approval from the relevant authorities to build over the easement(s).

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

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

CARRIED

**4.7 140 BEACH ROAD, SANDRINGHAM
NOTICE OF DECISION TO GRANT A PERMIT
APPLICATION: 2023/399/1 WARD: BOYD**

City Planning and Amenity - Development Services
File No: PSF/24/96 – Doc No: DOC/24/54277

It is recorded that Mr Alistair Perry (for Perry Town Planning) submitted a written statement in relation to this item.

It is recorded that Mr Prateek Verma, Mr Alistair Perry (for Perry Town Planning), and Mr Mick Meyer (for Urbis) each spoke for 2 minutes in relation to this item.

Moved: Cr Stitfold (Mayor)

Seconded: Cr del Porto (Deputy Mayor)

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 2023/399/1 for the land known and described as 140 Beach Road, Sandringham for the construction of two dwellings on a lot and create access to a Transport 2 Zone 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 amended plans prepared by Finnis Architecture referenced TP00-TP11, dated 16/02/2024 and revision number 3 but modified to show:
 - a) a cross-sectional diagram demonstrating no views from the north-eastern primary suite window within 9m to the secluded private open spaces of adjoining properties, or the provision of fixed screening to this window, in accordance with Standard B22
 - b) mailboxes to all dwellings to be notated on the ground floor plan
 - c) a greater sense of personal address for each dwelling through the use of larger numbering or other methods
 - d) internal fencing 1.8 metres in height between areas of secluded private open space to be nominated on the ground floor
 - e) an additional medium canopy tree (with mature height of 6m or greater) within the rear setback of each dwelling
 - f) a Sustainable Design Assessment in accordance with Condition 11
 - g) a Landscaping Plan in accordance with Condition 12
 - h) a Tree Management and Protection Plan in accordance with Condition 15
 - i) provision of the development contributions fee in accordance with Condition 24
 - j) the street setback to comply with Standard B6 of the Bayside Planning Schemeall 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. 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.
8. 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.
9. 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

10. 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

11. 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 Faulkner & Chapman, reference 140BeachLP2, dated 31/01/2024 and the Bayside Landscaping Guidelines and be drawn to scale with dimensions. The plan must show:
- a) changes required by Condition 1 above, including the addition of two medium canopy trees; these are to be of an indigenous sandbelt 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
 - 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
 - i) the two (2) Evergreen magnolia in the rear setback to be replaced by an indigenous sandbelt species of a similar height and canopy spread
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 Protection Management Plan

14. 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.
15. All actions and measures identified in the Tree Management Report must be implemented.
 16. 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.
 17. 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.

Drainage

18. Before the development starts, the permit holder must apply to Council for the Legal Point of Discharge for the development from where stormwater is drained under gravity to the Council network.
19. 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.
20. 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.
21. Council records indicate that there is no easement within the property.
22. Subsurface water must be treated in accordance with Council's Policy for "Discharge of Pumped Subterranean Water Associated with Basements or Below Ground Structures.

Development Contribution

23. 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.

Head, Transport for Victoria Conditions

24. Prior to the occupation of buildings and/or works the crossover and driveway are to be constructed to the satisfaction the Responsible Authority and at no cost to the Head, Transport for Victoria.
25. Prior to occupation of buildings and/or works the access lanes, driveways, crossovers and associated works must be provided and available for use and be:
 - (a) Formed to such levels and drained so that they can be used in accordance with the endorsed plans.
 - (b) Treated with an all-weather seal or some other durable surface.
26. 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.
27. All vehicles must always enter and exit the site in a forward direction.
28. Any security boom, barrier, gate, or similar device controlling vehicular access to the premises must be setback a minimum of 6m inside the property boundary to allow vehicles to store clear of the Beach Road pavement and footpath.
29. Prior to occupation of buildings and works, the redundant crossovers must be removed, and the area reinstated to kerb and channel to the satisfaction of the Responsible Authority, at no cost to the Head, Transport for Victoria.

Permit Expiry

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.

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.

Northern Dwelling – 140A Beach Road SANDRINGHAM 3191

Southern Dwelling – 140B Beach Road SANDRINGHAM 3191

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.

Head, Transport for Victoria Notes:

- The proposed development may require works within the road reserve, separate approval may be required under the Road Management Act 2004 for this activity will be required from the Head, Transport.

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

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

CARRIED

**4.8 462–470 BLUFF ROAD, HAMPTON EAST
HOMES VICTORIA SOCIAL HOUSING PROJECT
SUPPORT THE GRANT OF A PERMIT WARD: IVISON**

City Planning and Amenity - Development Services
File No: PSF/24/96 – Doc No: DOC/24/50699

Moved: Cr Castelli

Seconded: Cr del Porto (Deputy Mayor)

That Council resolves to advise the Minister for Energy, Environment and Climate that Council's position is to Support the Grant of a Permit in respect of the land known and described as 462–470 Bluff Road, Hampton East for the construction of eight buildings containing 285 dwellings with associated community centre, retail (Café) premises and office 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 submitted prepared by Six Degrees Architects, project No. 22012, date 29/01/24 and revision number P6 but modified to show:
 - a) storage details in accordance with Clause 52.20-6.18 and Clause 52.20-7.11 of the Bayside Planning Scheme annotated on the plans
 - b) fencing elevations detailing all fencing maximum heights and materials.
 - c) the projecting porch element associated with the lobby of Building H to be setback at least 3.5 metres from the western boundary (along Bluff Road)
 - d) deletion of the proposed car share parking spaces from on street parking and reallocated to within the subject site
 - e) an amended Stormwater Management Strategy Report in accordance with Condition 11
 - f) an amended Sustainable Management Plan in accordance with Condition 12
 - g) a Landscaping Plan in accordance with Condition 13
 - h) a Tree Management and Protection Plan in accordance with Condition 16
 - i) a Public Realm Improvement Plan in accordance with Condition 24
 - j) a Car Park Management Plan in accordance with Condition 26all 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 Clause 52.20-6.13 and be installed and maintained to the satisfaction of the Responsible Authority thereafter for the life of the building.
7. 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.
8. All basic services, including water, electricity, 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.
9. Storage areas within car parks visible from common areas to be enclosed within a metal cladding to ensure they are secure and goods within the storage area are not visible and in accordance with Clause 52.20-6.18 of the Bayside Planning Scheme.
10. During construction of the permitted buildings & works, the subject site and adjacent nature strip must be maintained in an orderly manner to the satisfaction of the Responsible Authority. This includes maintaining the nature strip grass, rubbish to be stored on-site in covered waste receptacles and construction materials being managed to reduce adverse visual amenity impacts.

Stormwater Management Strategy Report

11. Prior to the endorsement of plans pursuant to Condition 1, a Sustainability Management Plan must be submitted to and approved by the Responsible Authority. The plan must be generally in accordance with the Environmental Sustainable Design Statement prepared by WSP dated 15 July 2021 and include, but not be limited to the following:
 - a) provide more detail of the MUSIC modelling to include required individual rainwater tank capacities for each building and the linkages to both irrigation and toilet flushing
 - b) report to state that it meets the Urban Stormwater Best Practice Environmental Management Guidelines, Victoria Stormwater Committee 1999.

Sustainability Management Plan

12. Prior to the endorsement of plans pursuant to Condition 1, a Sustainability Management Plan must be submitted to and approved by the Responsible Authority. The plan must be generally in accordance with the Sustainable Management Plan prepared by Introba dated January 2024 and include, but not be limited to the following:
 - a) include a summary of all ESD Commitments that can also be annotated on the plans

- b) specify showerheads to be minimum 4 Star WELS efficiency (not 3 Star WELS)
- c) specify the required rainwater tank capacity to be provided to each building
- d) provide maintenance procedures for the rainwater tanks and raingardens
- e) provide Preliminary NatHERS rating certificates for sample apartments and townhouses to demonstrate that an average NatHERS rating of at least 7 stars with no dwelling falling below 6 stars and maximum cooling load of no more than 21 MJ/m² per annum in all residential dwellings can be achieved
- f) include ESD opportunities for the private townhouses, for example to consider opportunities to improve daylight and ventilation in the bathrooms, shower rooms and walk in robes on level 1 by providing e.g. openable double glazed roof skylights

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 GLAS Landscape Architecture, dated 29/01/2024 and the Bayside Landscaping Guidelines 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 Tree Protection Zones calculated in accordance with AS4970-2009
 - b) a survey including botanical names, of all existing trees on neighbouring properties where the Tree Protection Zones of such trees calculated in accordance with AS4970-2009 fall partially within the subject site
 - c) a planting schedule of all proposed trees and shrubs, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant
 - d) landscaping and/or planting within all areas of the site not covered by buildings or hard surfaces
 - e) details of surface finishes of pathways and driveways
 - f) where practicable, the inclusion of green walls at appropriate locations
 - g) 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. 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.

Public Realm Improvement Plan

24. Prior to the endorsement of plans pursuant to Condition 1, a Public Realm Improvement Plan must be prepared and developed in collaboration with Council's Statutory Planning Department. It must be submitted and approved to the satisfaction of the Responsible Authority, showing:
 - a) the upgrade of the existing Council footpaths on Bluff Road, Widdop Crescent, Cooke Avenue and Wickham Road
 - b) the new or upgraded vehicle crossovers and roads/laneways
 - c) new street furniture, including seats, rubbish bins, etc.
 - d) new bicycle parking spaces
 - e) the remarking of the lines of the on-street car parking spaces in front of the site to align with any new vehicle crossings or removed vehicle crossings
 - f) the relocation of any existing street parking signs to align with any new vehicle crossings or removed vehicle crossings
 - g) new public lighting on Bluff Road, Widdop Crescent, Cooke Avenue and Wickham Road.
 - h) the undergrounding of the powerlines, NBN and cable TV cables on the power poles directly in front of the site on Brickwood Street, New Street and Rusden Street.

When approved, such plan will form part of the endorsed plans under this permit.

Prior to the occupation of the site associated with the development hereby approved, all public works associated with that stage must be completed in

accordance with the endorsed Public Works Plan to the satisfaction of the Responsible Authority and Council. The cost of all works associated with the endorsed plan must be borne by the developer/owner(s) of the land.

Construction Management Plan

25. Prior to commencement of any building works, a Construction Management Plan (CMP) 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 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
 - f) 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
 - g) site security
 - h) 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
 - i) the construction program
 - j) preferred arrangements for trucks delivering to the land, including delivery and unloading points and expected duration and frequency
 - k) parking facilities for construction workers
 - l) measures to ensure that all work on the land will be carried out in accordance with the Construction Management Plan
 - m) an outline of requests to Council /Public authorities to occupy public footpaths or roads, or anticipated disruptions to local services

- n) 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
- o) 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
- p) include details of bus movements throughout the precinct during the construction period
- q) where multiple development sites may occur in proximity to one another on the same street, a cumulative impact assessment must be submitted to and approved by the Responsible Authority
- r) 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:

- s) any stormwater discharged into the stormwater drainage system must be in compliance with Environment Protection Authority guidelines
- t) 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
- u) vehicle borne material must not accumulate on the roads abutting the land
- v) the cleaning of machinery and equipment must take place on the land and not on adjacent footpaths or roads
- w) 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

Car Parking Management Plan

26. 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 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) methodology as to how the visitors will use the proposed visitor car parking spaces
 - b) allocation of parking for all individual tenancies and visitor car parking space
 - c) any signs and/or line marking of car parking spaces within the basement
 - d) provision and maintenance of a suitable lighting/warning system within the laneway and basement car park areas to control access/egress at each ramp
 - e) the proposed 'Stop-Go' signals system needs to prioritise vehicles entering from the street into basement. The lighting infrastructure must be provided onsite and must be designed with minimal impact upon existing residential amenity in the area.

Drainage

27. 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.
28. 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.
29. 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.

Addressing

30. A letterbox must be provided for each of the premises within the lobbies. The dimensions, placement and numbering must comply with the Australia Post – Letterbox Security and Specification as published on its website to the satisfaction of the Responsible Authority. Letterboxes must match the addressing stipulated in the relevant permit note.

Reticulated Gas Service Connection

31. Any new apartment development allowed by this permit must not be connected to a reticulated gas service (within the meaning of clause 53.03 of the relevant planning scheme). This condition continues to have force and effect after the development authorised by this permit has been completed.

Permit Expiry

32. 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 is not started within five years of the date of this permit
- d) the use is discontinued for a period of two years or more.

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.

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

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

CARRIED

**4.9 63 ARDOYNE STREET, BLACK ROCK
SECONDARY CONSENT - APPROVE
APPLICATION: 2017/478/2 WARD: EBDEN**

City Planning and Amenity - Development Services
File No: PSF/24/96 – Doc No: DOC/24/52159

Moved: Cr Castelli

Seconded: Cr del Porto (Deputy Mayor)

That Council resolves:

1. to Approve the amended plans in accordance with Secondary Consent provisions of Planning Permit 2017/478/2
2. that plans identified as Landscape Concept Plan, prepared by memLa and dated 22/2/2024 be endorsed. Plans identified as 101E and 103E, prepared by Point Architects and dated 27/02/2024 be endorsed. These plans are to be read in conjunction with plans 100D, 102D, 200B & 300B dated 04/17 endorsed on 7 April 2022
3. that plans 101D, 103D and Landscape Concept Plan endorsed on 7 April 2022 be superseded.

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

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

CARRIED

NOTE: Item 4.9 was **CARRIED** as part of a block motion.

**4.10 UNIT 1 & 2 / 9 NORTH ROAD, BRIGHTON
SECONDARY CONSENT - APPROVE
APPLICATION: 2020/224/2 WARD: DENDY**

City Planning and Amenity - Development Services
File No: PSF/24/96 – Doc No: DOC/24/57117

Moved: Cr Castelli

Seconded: Cr del Porto (Deputy Mayor)

That Council resolves:

1. to Approve the amended plans in accordance with Secondary Consent provisions of Planning Permit 2020/224/2
2. that plans identified as PD05, PD06, PD11 and PD13, prepared by Christopher Doyle Architects and dated 14/11/2023 be endorsed. These plans are to be read in conjunction with plans 3-6,8,9,and 11-17 of 17 endorsed on 6 Feb 2023
3. that plans 1,2,7, and 10 of 17 endorsed on 6 Feb 2023 be superseded.

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

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

CARRIED

NOTE: Item 4.10 was **CARRIED** as part of a block motion.

**4.12 14 LABURNUM STREET, BRIGHTON
EXTENSION OF TIME - APPROVE
APPLICATION: 2017/432/1 WARD: BLEAZBY**

City Planning and Amenity - Development Services
File No: PSF/24/96 – Doc No: DOC/24/52605

Moved: Cr Castelli

Seconded: Cr del Porto (Deputy Mayor)

That Council resolves to Approve the Extension of Time of two (2) years to Planning Permit 2017/432/1, so that the development must now commence no later than 4 April 2026 and be completed no later than 4 April 2028.

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

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

CARRIED

NOTE: Item 4.12 was **CARRIED** as part of a block motion.

4.13 STATUTORY PLANNING - MONTHLY REPORT (JANUARY 2024)

City Planning and Amenity - Development Services
File No: PSF/23/171 – Doc No: DOC/24/63325

Moved: Cr del Porto (Deputy Mayor)

Seconded: Cr Evans OAM

That Council resolves to:

- receive and note the report
- note the outcome of VCAT decisions on the planning applications handed down during January 2024.

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

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

AGAINST: Nil (0)

CARRIED

**4.14 BRIGHTON GRAMMER JUNIOR SCHOOL
APPLICATION TO DEPARTMENT OF TRANSPORT AND PLANNING**

City Planning and Amenity - Development Services
File No: PSF/24/96 – Doc No: DOC/24/72577

Moved: Cr del Porto (Deputy Mayor)

Seconded: Cr Stitfold (Mayor)

That Council:

- 1) objects to the proposed use of the land at 1 McCallum Street, 18 Young Street, and 20 Young Street, Brighton for the purpose of an education centre on the following grounds:
 - a) the use will not deliver proper and orderly planning outcomes for the area
 - b) the use of the sites will introduce commercial activity into the residential street which will erode the primary purpose and activity in the street
 - c) the use will undermine the residential integrity and have a negative impact on the amenity of the area
 - d) the granting of the use could strengthen the argument for future unacceptable commercial or institutional buildings and works outcomes.
- 2) in the event that the Minister for Planning were to support the proposed use of the land at 1 McCallum Street, 18 Young Street, and 20 Young Street, Brighton for the purpose of an education centre, would be in support, subject to the inclusion of conditions:
 - a) restricting the number of staff and students on the properties
 - b) that the approval does not permit the increase in the number of staff and students at the school site.

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

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

AGAINST: Nil (0)

CARRIED

The Chairperson declared the meeting closed at 8.48pm.