



Minutes of the Planning and Amenity Committee Meeting

held in the Council Chambers, Civic Centre,
Boxshall Street Brighton
on Tuesday 7 June 2016

The Meeting commenced at 7:00pm

Councillors	Cr Laurence Evans (Chairman) Cr Felicity Frederico Cr Michael Heffernan Cr James Long BM JP Cr Heather Stewart
In attendance	Shiran Wickramasinghe – Director City Planning & Amenity Rachel Lunn – Manager Development Services Arthur Vatzakis – Statutory Planning Coordinator Hew Gerrard – Statutory Planning Coordinator Terry Callant – Manager Governance Janice Pouw – Governance Officer

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5. Confidential Business
Nil



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

1. Apologies

Apologies were received from Cr del Porto and Cr Lowe

Moved: Cr Long

Seconded: Cr Heffernan

That the apologies from Cr del Porto and Cr Lowe be received and leave of absence be granted for 7 June 2016 Planning & Amenity Committee Meeting.

CARRIED

2. Disclosure of any 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 & Amenity Committee Meeting held on 10 May 2016.

Moved: Cr Heffernan

Seconded: Cr Long

That the minutes of the Planning & Amenity Committee Meeting held on 10 May 2016, as previously circulated, be confirmed as an accurate record of proceedings.

CARRIED

4. Matters of Decision

4.1 3 BENT PARADE, BLACK ROCK NOTICE OF DECISION TO GRANT A PLANNING PERMIT APPLICATION 2015/0683 WARD: SOUTHERN

City Planning and Amenity - Statutory Planning
File No: PSF/15/8755 – Doc No: DOC/16/76346

It is recorded that Ms Vicki Goodwin and Mr Brett Rose spoke in relation to this matter.

Moved: Cr Frederico

Seconded: Cr Heffernan

That the Committee under section 73(c) of the Governance Local Law 1, grant Mr Kiril Jovanoski the opportunity to speak for three minutes.

CARRIED

Moved: Cr Stewart

Seconded: Cr Long

That Council:

Issues a **Notice of Decision to Grant a Permit** under the provisions of the Bayside Planning Scheme in respect of Planning Permit application number **2015/683/1** for the land known and described as **3 Bent Parade, Black Rock**, for the **construction of a dwelling** in accordance with the endorsed plans and subject to the following conditions from the standard conditions:

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the plans dated 22 December 2015 but modified to show:
 - a) Elevation plans updated to show all proposed boundary fencing to a minimum height of 1.8 metres from finished floor level to comply with Clause 54 Standard A15.
 - b) The first floor hallway and bedroom 1 walls set back a minimum of 3.6 metres from the eastern boundary to achieve compliance with Clause 54 Standard A10.
 - c) A schedule of external construction materials, finishes and colours.
 - d) Location of all plant and equipment, including hot water services and air conditioners etc. Plant equipment is to be located away from habitable room windows of dwellings and the adjoining properties habitable rooms and must not be visible from the street.
 - e) An amendment to the Landscape Plan (dated 14/10/2015) to note that the existing tree to be removed is a Jacaranda and to show the proposed areas of protection of the existing vegetation to be retained, as well as the protection of the Native Street Tree (to be retained) and mid storey 3metre high shrubs along the front boundary and any other changes to comply with the conditions of this permit.
 - f) Any other changes required to comply with the conditions of this permit.

- g) Screening to the west side of the balcony compliant with Standard A15 of Clause 54 of the Bayside Planning Scheme.

All to the satisfaction of the Responsible Authority.

2. The development as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.
3. Before the occupation of the site commences, all buildings and works must be carried out and completed to the satisfaction of the Responsible Authority.
4. No plant, equipment, services or architectural features other than those shown on the endorsed plans are permitted above the roof level of the building/s without the written consent of the Responsible Authority
5. All pipes, fixtures, fittings and vents servicing any building on the site must be concealed in service ducts or otherwise hidden from street view to the satisfaction of the Responsible Authority.
6. The walls on the boundary of the adjoining properties shall be cleaned and finished to the satisfaction of the Responsible Authority.
7. The applicant must apply for the nominated legal point of discharge for the development where stormwater run-off must be collected and free drained to Council's drainage assets to Council standards.
8. Stormwater discharge must be retained for the portion above the discharge calculated using a Coefficient of Runoff of 0.35. The development is to have a Stormwater Detention System installed, the design capacity to be to the satisfaction of the Responsible Authority.
9. Any subsurface water captured on the site must be treated in accordance with Council's Policy for "Discharge of pumped Subterranean Water Associated with Basement or Below Ground Structures". Any seepage/agricultural drainage water must be filtered to rain water clarity and must be pumped to the nearest Council Drain/Pit and not be discharged to the kerb and channel unless directed otherwise.
10. All on-site stormwater is to be collected from the hard surface areas and must not be allowed to flow uncontrolled onto adjoining properties. The on-site drainage system must prevent discharge from each driveway onto the footpath. Such a system may include either:
 - i) A trench grate (150mm minimum internal width) located within the property and/or
 - ii) Shaping the driveway so that water is collected in a grated pit on the property and/or
 - iii) Another Council approved equivalent.
11. Before the development begins, detailed plans indicating the method of stormwater discharge to the nominated Legal Point of Discharge (and Stormwater Detention Systems where applicable) must be approved by Council's Infrastructure Assets department.
12. The driveway / Parking areas / paved courtyards / paths and 'pervious' pavements must be graded / drained to prevent stormwater discharge onto the front footpath and into adjacent properties.
13. Before the commencement of works, a Construction Management Plan (CMP), to the satisfaction of the Responsible Authority, must be submitted to and approved by the Responsible Authority.



When approved, the plan will be endorsed and will then form part of the permit and shall thereafter be complied with. The CMP must specify and deal with, but not be limited to the following as applicable:

- a) A detailed schedule of works including a full project timing.
- b) A traffic management plan for the site, including when or whether any access points would be required to be blocked, an outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services, preferred routes for trucks delivering to the site, queuing/sequencing, excavation and swept-path diagrams.
- c) The location for the parking of all construction vehicles and construction worker vehicles during construction.
- d) Delivery of materials including times for loading/unloading, unloading points, expected frequency and details of where materials will be stored and how concrete pours would be managed.
- e) Proposed traffic management signage indicating any inconvenience generated by construction.
- f) Fully detailed plan indicating where construction hoardings would be located.
- g) A waste management plan including the containment of waste on site: disposal of waste, stormwater treatment and on-site facilities for vehicle washing.
- h) Containment of dust, dirt and mud within the site and method and frequency of clean up procedures in the event of build-up of matter outside the site.
- i) Site security.
- j) Public safety measures.
- k) Construction times, noise and vibration controls.
- l) Restoration of any Council assets removed and/or damaged during construction.
- m) Protection works necessary to road and other infrastructure (limited to an area reasonable proximate to the site).
- n) Remediation of any damage to road and other infrastructure (limited to an area reasonably proximate to the site).
- o) An emergency contact that is available for 24 hours per day for residents and the Responsible Authority in the event of relevant queries or problems experience.
- p) Traffic management measures to comply with provisions of AS 1742.3-2009 Manual of uniform traffic control devices – Part 3: Traffic control devices for works on roads.
- q) All contractors associated with the construction of the development must be made aware of the requirements of the Construction Management Plan.
- r) Details of crane activities, if any.



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

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

Permit Notes:

- This permit does not constitute any authority to carry out any building works or occupy the building or part of the building unless all relevant building permits are obtained.
- Prior to commencement of any building works, an Asset Protection Application must be taken out. Attention is drawn to the need to protect the native street tree. This can be arranged by calling Asset Protection Administrator on 9599 4638.
- The Building Surveyors attention is drawn to the structural integrity of the adjacent property.

CARRIED

**4.2 10 - 14 MAJOR STREET, HIGHETT
NOTICE OF DECISION TO GRANT A PERMIT
APPLICATION: 2015/776/1 WARD: CENTRAL**

City Planning and Amenity - Statutory Planning
File No: PSF/15/8755 – Doc No: DOC/16/57245

It is recorded that Mr Marco Negri spoke in relation to this matter.

Moved: Cr Frederico

Seconded: Cr Heffernan

That Council:

Grants a Permit under the provisions of the Bayside Planning Scheme in respect of Planning Permit application number **2015/776/1** for the land known and described as **10-14 Major Street, Highett** for the **construction of a three storey building and a front fence greater than 1.2m in height** in accordance with the endorsed plans and subject to the following conditions:

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the plans date stamped 26 April 2016 but modified to show:
 - a) Setbacks to the southern boundary increased to ensure comply with Standard B21 (Overshadowing) of Clause 55 with regards to overshadowing to 1/8 Major Street.
 - b) All habitable room windows and balconies to be treated to ensure there is no overlooking into neighbouring secluded private open space areas or habitable rooms in accordance with Standard B22 (Overlooking) of Clause 55. Details of treatment must be provided.
 - c) Show that screening treatment is provided to the windows of all dwellings that have internal views of habitable rooms or SPOS areas within the development comply with Standard B23 (Internal Views).
 - d) Dwelling G.06, 'enclosed 8m²' area to be converted into an internal living area by removing the internal walls.
 - e) Notation to show that all AC condenser units (not in basement or rooftop) to be relocated to the basement, rooftop or not to abut habitable rooms of other dwelling.
 - f) Notation for the rooftop plant and equipment screen to include an installation of one layer of 6m thick fibrous cement board to the inside of the rooftop plant screen.
 - g) The balconies and living areas of Dwellings 1.02 and 1.09 be setback 4.5m from their respective side boundary.
 - h) Skylights added above both stairwells.
 - i) Front fence heights reduced to 1.5m and screen planting, canopy trees, planter boxes, transparent blades or similar are to be used.
 - j) Addition of convex mirrors inside the basement to be included at the bends.

- k) A longitudinal section plan for the ramp showing all levels to AHD including grades, lengths, levels at change in grade and height clearance.
- l) Each dwelling provided with 6 cubed metres of externally accessible storage as per Clause 55.
- m) A schedule of external construction materials, finishes and colours. This must not include F.C. sheet.
- n) Water sensitive urban design measures in accordance with condition 7 of this permit.
- o) Details on boom gate or similar system to be installed on the ramp and in accordance with condition 12 of this permit.
- p) A detailed landscape plan generally in accordance with the landscape concept plan drawn by Tract dated 8/3/16 and be drawn to scale with dimensions and three copies must be provided. The plan must show:
 - i) 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 and condition 15 of this permit.
 - ii) 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.
 - iii) A planting schedule of all proposed trees and shrubs, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant.
 - iv) Landscaping and/or planting within all areas of the site not covered by buildings or hard surfaces.
 - v) Details of surface finishes of pathways and driveways
- q) Annotations and dimensions of all waste and recycling storage areas.
- r) Any other changes to be in accordance with all conditions in this permit.

All changes to plans must be to the satisfaction of the Responsible Authority.

2. The development as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.
3. All plant and equipment to be located away from habitable room windows of the dwellings and the adjoining properties habitable rooms. No plant, equipment, services or architectural features other than those shown on the endorsed plans are permitted above the roof level of the building/s without the written consent of the Responsible Authority.
4. All pipes, fixtures, fittings and vents servicing any building on the site must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.
5. The walls on the boundary of the adjoining properties shall be cleaned and finished to the satisfaction of the Responsible Authority.
6. Before occupation, screening of windows including fixed privacy screens be designed to limit overlooking as required by Standard B22 and be installed and maintained to the satisfaction of the Responsible Authority thereafter for the life of the building.



7. Before the endorsement of condition 1 plans, detailed plans to the satisfaction of the Responsible Authority must be submitted to and be endorsed by the Responsible Authority. The plan must be drawn to scale with dimensions and three copies must be provided. The plans must show:
 - a) The type of water sensitive urban design stormwater treatment measures to be used.
 - b) The location of the water sensitive urban design stormwater treatment measures in relation to buildings, sealed surfaces and landscaped areas.
 - c) Design details of the water sensitive urban design stormwater treatment measures, including cross sections.

These plans must be accompanied by a report from an industry accepted performance measurement tool which details the treatment performance achieved and demonstrates the level of compliance with the Urban Stormwater Best Practice Environmental Management Guidelines, CSIRO 1999.

8. The water sensitive urban design stormwater treatment system as shown on the endorsed plans must be retained and maintained at all times in accordance with the Urban Stormwater - Best Practice Environmental Management Guidelines, CSIRO 1999, to the satisfaction of the Responsible Authority.
9. Before the occupation of the development starts, the area(s) set aside for vehicle parking and accessways must be constructed, drained and line marked to the satisfaction of the Responsible Authority. Such areas must be kept available for these purposes at all times.
10. Before the occupation of the development starts, new or altered vehicle crossing servicing the development must be constructed to the satisfaction of the Responsible Authority and any existing disused or redundant crossing or crossing opening must be removed and replaced with footpath/nature strip/ kerb and channel, to the satisfaction of the Responsible Authority.
11. Should mechanical stackers be required, they must be kept in good working order to the satisfaction of the Responsible Authority to ensure access to all car spaces is available at all times and to prevent adverse noise emissions.
12. Any security boom, barrier or similar device controlling vehicular access to the premises must be located a minimum of six metres inside the property to allow vehicles to prop clear of Major Street.
13. Before the occupation of the development the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.
14. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority, including that any dead, diseased or damaged plants are to be replaced.
15. Before the development starts, including any related demolition or removal of vegetation, a Tree Management Plan (report) and Tree Protection Plan (drawing), to the satisfaction of the Responsible Authority, must be submitted to and be endorsed by the Responsible Authority. The Tree Management Plan must be specific to the trees shown on the Tree Protection Plan, in accordance with AS4970-2009, prepared by a suitably qualified arborist and provide details of tree protection measures that will be utilised to ensure all trees to be retained remain viable post-construction.



Stages of development at which inspections are required to ensure tree protection measures are adhered to must be specified.

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

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

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



20. Provision must be made on the land for the storage and collection of garbage and other solid waste. This area must be graded and drained and screened from public view to the satisfaction of the Responsible Authority.
21. All waste material not required for further on-site processing must be regularly removed from the site. All vehicles removing waste must have fully secured and contained loads so that no wastes are spilled or dust or odour is created to the satisfaction of the Responsible Authority.
22. Before the commencement of works, a Construction Management Plan (CMP), to the satisfaction of the Responsible Authority, must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit and shall thereafter be complied with. The CMP must specify and deal with, but not be limited to the following as applicable:
 - a) A detailed schedule of works including a full project timing.
 - b) A traffic management plan for the site, including when or whether any access points would be required to be blocked, an outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services, preferred routes for trucks delivering to the site, queuing/sequencing, excavation and swept-path diagrams.
 - c) The location for the parking of all construction vehicles and construction worker vehicles during construction.
 - d) Delivery of materials including times for loading/unloading, unloading points, expected frequency and details of where materials will be stored and how concrete pours would be managed.
 - e) Proposed traffic management signage indicating any inconvenience generated by construction.
 - f) Fully detailed plan indicating where construction hoardings would be located.
 - g) A waste management plan including the containment of waste on site: disposal of waste, stormwater treatment and on-site facilities for vehicle washing.
 - h) Containment of dust, dirt and mud within the site and method and frequency of clean up procedures in the event of build-up of matter outside the site.
 - i) Site security.
 - j) Public safety measures.
 - k) Construction times, noise and vibration controls.
 - l) Restoration of any Council assets removed and/or damaged during construction.
 - m) Protection works necessary to road and other infrastructure (limited to an area reasonable proximate to the site).
 - n) Remediation of any damage to road and other infrastructure (limited to an area reasonably proximate to the site).
 - o) An emergency contact that is available for 24 hours per day for residents and the Responsible Authority in the event of relevant queries or problems experience.



- p) Traffic management measures to comply with provisions of AS 1742.3-2009 Manual of uniform traffic control devices – Part 3: Traffic control devices for works on roads.
 - q) All contractors associated with the construction of the development must be made aware of the requirements of the Construction Management Plan.
 - r) Details of crane activities, if any.
23. This permit will expire if one of the following circumstances applies:
- a) The development is not started within two years of the date of this permit.
 - b) The development is not completed within four years of the date of this permit.

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

Permit Notes:

- A permit must be obtained from Council for all vehicular crossings. These must be constructed under Council's supervision for which 24 hours notice is required.
- This permit does not constitute any authority to carry out any building works or occupy the building or part of the building unless all relevant building permits are obtained.
- Prior to commencement of any building works, an Asset Protection Application must be taken out. This can be arranged by calling Asset Protection Administrator on 9599 4638.

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

DIVISION: **FOR:** Crs Evans, Frederico, Heffernan and Stewart (4)
 AGAINST: Cr Long (1)

CARRIED

**4.3 17 WILLANSBY AVENUE, BRIGHTON
NOTICE OF DECISION TO GRANT A PERMIT
APPLICATION NO.: 2015/789/1 WARD: NORTHERN**

City Planning and Amenity -
File No: PSF/15/8755 – Doc No: DOC/16/61487

It is recorded that Mr Michael Wald and Mr Vlad Grinberg spoke in relation to this matter.

Moved: Cr Heffernan

Seconded: Cr Long

That Council:

Issues a **Notice of Decision to Grant a Permit** under the provisions of the Bayside Planning Scheme in respect of Planning Permit application number **2015/789/1** for the land known and described as **17 Willansby Avenue, Brighton**, for the **construction of a dwelling on a lot less than 500 square metres** generally in accordance the endorsed plans and subject to the following conditions from the standard conditions:

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the advertised plans by prepared by Wald Architects, Drawing No.s TP01 - TP-09 (inclusive) and Council date stamped 18 February 2016, but modified to show:
 - a) A schedule of construction materials, external finishes and colours (incorporating for example paint samples). The material colours must only be neutral.
 - b) The proposed driveway where it intersects with the footpath must have a minimum width of 3m and must be setback at least 1m from the northern boundary.
 - c) The garage to have a minimum 5.06m setback from the street. The additional space must be taken from the internal floor area of the proposed dwelling, resulting in no further loss of outdoor space to accommodate this requirement.
 - d) The pedestrian entry of the garage amended to open outwards to the hallway.
 - e) A minimum 4.8m wide garage door to be provided.
 - f) Adequate sight lines to be provided where the proposed driveway intersects with the front footpath generally in accordance with AS2890.1.
 - g) The proposed front fence reduced in height to a maximum 1.5 metres and the proposed slatted driveway and pedestrian gates to incorporate a minimum permeability of 25%.
 - h) Boundary fencing (excluding the front fence) nominated as being a minimum height of 1.8m to meet the exemption requirement of Clause 54.04-6 (Overlooking) of the Bayside Planning Scheme. Alternatively, the ground floor windows must be screened to comply with Standard A15 (Overlooking).
 - i) Deletion of the bathroom and terrace of the second floor level.

Any subsequent alterations to the studio windows must comply with the Standards of Clause 54 of the Bayside Planning Scheme.

- j) The second floor northern wall to achieve compliance with the requirements of Standard A10 (Side and Rear Setbacks) of the Bayside Planning Scheme.
- k) A landscape plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The plan must be in accordance the landscape plan submitted with the application (prepared by Cycas Landscape Design, Council date stamped 18 February 2016) but modified to show the following amendments:
 - i. 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.
 - ii. A survey including botanical names, of all trees on neighbouring properties where the Tree Protection Zones of such trees calculated in accordance with AS4970-2009 fall partially within the subject site.
 - iii. A planting schedule of all proposed trees and shrubs, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant.
 - iv. Landscaping and / or planting within all area of the site not covered by buildings or hard surfaces.
 - v. Details of surface finishes of pathways and driveways.
 - vi. Provision of at least one large tree in the front setback (10m height x 6m spread at maturity).
 - vii. Provision of a minimum of one small tree in the rear private open space (6m height x 4m spread at maturity).
 - viii. The proposed decking to be permeable within the north western corner of the site.
 - ix. The proposed permeable paving within the front setback replaced with a garden bed.
- l) A Tree Management Plan (report) and Tree Protection Plan (drawing), to the satisfaction of the Responsible Authority, must be submitted to and be endorsed by the Responsible Authority. The Tree Management Plan must be specific to the trees shown on the Tree Protection Plan, in accordance with AS4970-2009, prepared by a suitably qualified arborist and provide details of tree protection measures that will be utilised to ensure all trees to be retained remain viable post-construction. Stages of development at which inspections are required to ensure tree protection measures are adhered to must be specified.

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

- i. The Tree Protection Zone and Structural Root Zone for all trees to be retained on the site and for all trees on neighbouring properties where any part of the Tree Protection Zone falls within the subject site, particularly with regards to the Ornamental Pear trees (*Pyrus calleryana*) growing in 15 Willansby Avenue adjacent to the southern boundary.
- ii. The location of tree protection measures to be utilised.



m) Any changes required by any other Condition of this permit.

All to the satisfaction of the Responsible Authority.

2. The development as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.
3. Before the occupation of the site commences or by such later date as is approved in writing by the Responsible Authority, all buildings and works must be carried out and completed to the satisfaction of the Responsible Authority.
4. No plant, equipment, services or architectural features other than those shown on the endorsed plans are permitted above the roof level of the building/s without the written consent of the Responsible Authority.
5. All pipes, fixtures, fittings and vents servicing any building on the site must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.
6. The walls on the boundary of the adjoining properties shall be cleaned and finished to the satisfaction of the Responsible Authority.
7. Before occupation, screening of windows including fixed privacy screens be designed to limit overlooking as required by Standard A15 and be installed and maintained to the satisfaction of the Responsible Authority thereafter for the life of the building.
8. Before plans are endorsed in accordance with Condition 1 of this permit, detailed plans to the satisfaction of the Responsible Authority must be submitted to and be endorsed by the Responsible Authority. The plan must be drawn to scale with dimensions and three copies must be provided. The plans must show:
 - a) The type of water sensitive urban design stormwater treatment measures to be used.
 - b) The location of the water sensitive urban design stormwater treatment measures in relation to buildings, sealed surfaces and landscaped areas.
 - c) Design details of the water sensitive urban design stormwater treatment measures, including cross sections.

These plans must be accompanied by a report from an industry accepted performance measurement tool which details the treatment performance achieved and demonstrates the level of compliance with the Urban Stormwater Best Practice Environmental Management Guidelines, CSIRO 1999.

9. The water sensitive urban design stormwater treatment system as shown on the endorsed plans must be retained and maintained at all times in accordance with the Urban Stormwater - Best Practice Environmental Management Guidelines, CSIRO 1999, to the satisfaction of the Responsible Authority.
10. Before the occupation of the development starts, new or altered vehicle crossings servicing the development must be constructed to the satisfaction of the Responsible Authority and any existing disused or redundant crossing or crossing opening must be removed and replaced with footpath/nature strip/ kerb and channel, to the satisfaction of the Responsible Authority.
11. Before the occupation of the development the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.



12. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority, including that any dead, diseased or damaged plants are to be replaced.
13. Before 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.
14. 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.
15. This permit will expire if one of the following circumstances applies:
 - a) The development is not started within two years of the date of this permit.
 - b) The development is not completed within four years of the date of this permit.

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

Permit Notes:

- A permit must be obtained from Council for all vehicular crossings. These must be constructed under Council's supervision for which 24 hours notice is required.
- Prior to commencement of any building works, an Asset Protection Application must be taken out. This can be arranged by calling Asset Protection Administrator on 9599 4638.
- 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.

AMENDMENT

Moved: Cr Frederico

Seconded: Cr Stewart

That Council:

Issues a **Notice of Decision to Grant a Permit** under the provisions of the Bayside Planning Scheme in respect of Planning Permit application number **2015/789/1** for the land known and described as **17 Willansby Avenue, Brighton**, for the **construction of a dwelling on a lot less than 500 square metres** generally in accordance the endorsed plans and subject to the following conditions from the standard conditions:

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the advertised plans by prepared by Wald Architects, Drawing No.s TP01 - TP-09 (inclusive) and Council date stamped 18 February 2016, but modified to show:
 - a) A schedule of construction materials, external finishes and colours (incorporating for example paint samples). The material colours must only be neutral.

- b) The proposed driveway where it intersects with the footpath must have a minimum width of 3m and must be setback at least 1m from the northern boundary.
- c) The garage to have a minimum 5.5m setback from the street. The additional space must be taken from the internal floor area of the proposed dwelling, resulting in no further loss of outdoor space to accommodate this requirement.
- d) The pedestrian entry of the garage amended to open outwards to the hallway.
- e) A minimum 4.8m wide garage door to be provided.
- f) Adequate sight lines to be provided where the proposed driveway intersects with the front footpath generally in accordance with AS2890.1.
- g) The proposed front fence reduced in height to a maximum 1.5 metres and the proposed slatted driveway and pedestrian gates to incorporate a minimum permeability of 25%.
- h) Boundary fencing (excluding the front fence) nominated as being a minimum height of 1.8m to meet the exemption requirement of Clause 54.04-6 (Overlooking) of the Bayside Planning Scheme. Alternatively, the ground floor windows must be screened to comply with Standard A15 (Overlooking).
- i) Deletion of the bathroom and terrace of the second floor level. Any subsequent alterations to the studio windows must comply with the Standards of Clause 54 of the Bayside Planning Scheme.
- j) The second floor northern wall to achieve compliance with the requirements of Standard A10 (Side and Rear Setbacks) of the Bayside Planning Scheme.
- k) A landscape plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The plan must be in accordance the landscape plan submitted with the application (prepared by Cycas Landscape Design, Council date stamped 18 February 2016) but modified to show the following amendments:
 - i. 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.
 - ii. A survey including botanical names, of all trees on neighbouring properties where the Tree Protection Zones of such trees calculated in accordance with AS4970-2009 fall partially within the subject site.
 - iii. A planting schedule of all proposed trees and shrubs, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant.
 - iv. Landscaping and / or planting within all area of the site not covered by buildings or hard surfaces.
 - v. Details of surface finishes of pathways and driveways.
 - vi. Provision of at least one large tree in the front setback (10m height x 6m spread at maturity).
 - vii. Provision of a minimum of one small tree in the rear private open space (6m height x 4m spread at maturity).



- viii. The proposed decking to be permeable within the north western corner of the site.
- ix. The proposed permeable paving within the front setback replaced with a garden bed.
- l) A Tree Management Plan (report) and Tree Protection Plan (drawing), to the satisfaction of the Responsible Authority, must be submitted to and be endorsed by the Responsible Authority. The Tree Management Plan must be specific to the trees shown on the Tree Protection Plan, in accordance with AS4970-2009, prepared by a suitably qualified arborist and provide details of tree protection measures that will be utilised to ensure all trees to be retained remain viable post-construction. Stages of development at which inspections are required to ensure tree protection measures are adhered to must be specified.

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

- i. The Tree Protection Zone and Structural Root Zone for all trees to be retained on the site and for all trees on neighbouring properties where any part of the Tree Protection Zone falls within the subject site, particularly with regards to the Ornamental Pear trees (*Pyrus calleryana*) growing in 15 Willansby Avenue adjacent to the southern boundary.
- ii. The location of tree protection measures to be utilised.
- m) Any changes required by any other Condition of this permit.

All to the satisfaction of the Responsible Authority.

2. The development as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.
3. Before the occupation of the site commences or by such later date as is approved in writing by the Responsible Authority, all buildings and works must be carried out and completed to the satisfaction of the Responsible Authority.
4. No plant, equipment, services or architectural features other than those shown on the endorsed plans are permitted above the roof level of the building/s without the written consent of the Responsible Authority.
5. All pipes, fixtures, fittings and vents servicing any building on the site must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.
6. The walls on the boundary of the adjoining properties shall be cleaned and finished to the satisfaction of the Responsible Authority.
7. Before occupation, screening of windows including fixed privacy screens be designed to limit overlooking as required by Standard A15 and be installed and maintained to the satisfaction of the Responsible Authority thereafter for the life of the building.
8. Before plans are endorsed in accordance with Condition 1 of this permit, detailed plans to the satisfaction of the Responsible Authority must be submitted to and be endorsed by the Responsible Authority. The plan must be drawn to scale with dimensions and three copies must be provided. The plans must show:
 - a) The type of water sensitive urban design stormwater treatment measures to be used.



- b) The location of the water sensitive urban design stormwater treatment measures in relation to buildings, sealed surfaces and landscaped areas.
- c) Design details of the water sensitive urban design stormwater treatment measures, including cross sections.

These plans must be accompanied by a report from an industry accepted performance measurement tool which details the treatment performance achieved and demonstrates the level of compliance with the Urban Stormwater Best Practice Environmental Management Guidelines, CSIRO 1999.

9. The water sensitive urban design stormwater treatment system as shown on the endorsed plans must be retained and maintained at all times in accordance with the Urban Stormwater - Best Practice Environmental Management Guidelines, CSIRO 1999, to the satisfaction of the Responsible Authority.
10. Before the occupation of the development starts, new or altered vehicle crossings servicing the development must be constructed to the satisfaction of the Responsible Authority and any existing disused or redundant crossing or crossing opening must be removed and replaced with footpath/nature strip/ kerb and channel, to the satisfaction of the Responsible Authority.
11. Before the occupation of the development the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.
12. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority, including that any dead, diseased or damaged plants are to be replaced.
13. Before 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.
14. 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.
15. This permit will expire if one of the following circumstances applies:
 - a) The development is not started within two years of the date of this permit.
 - b) The development is not completed within four years of the date of this permit.

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

Permit Notes:

- A permit must be obtained from Council for all vehicular crossings. These must be constructed under Council's supervision for which 24 hours notice is required.
- Prior to commencement of any building works, an Asset Protection Application must be taken out. This can be arranged by calling Asset Protection Administrator on 9599 4638.
- This permit does not constitute any authority to carry out any building works or occupy the building or part of the building unless all relevant building permits are obtained.



The Amendment was PUT and **CARRIED**.

The Amendment became the Motion before the Chair.

The Motion moved by Cr Frederico and seconded by Cr Stewart was PUT and **CARRIED**



**4.4 77 HALDANE STREET, BEAUMARIS
NOTICE OF DECISION TO GRANT A PERMIT
APPLICATION NO.: 2015/733/1 WARD: SOUTHERN**

City Planning and Amenity -
File No: PSF/15/8755 – Doc No: DOC/16/74730

It is recorded that Mr Rohan Murley spoke in relation to this matter. It is further recorded that Ms Helen McKay was not present in the Chamber.

Moved: Cr Stewart

Seconded: Cr Frederico

That Council:

Issues a **Notice of Decision to Grant a Permit** under the provisions of the Bayside Planning Scheme in respect of Planning Permit application number **2015/733/1** for the land known and described as **77 Haldane Street, Beaumaris**, for the **construction of two double storey dwellings** in accordance with the endorsed plans and subject to the following conditions from the standard conditions:

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the Murley Design, Drawing No.s 1607, Revision A, TP01 – TP06 (inclusive) and received by Council on 20 May 2016 but modified to show:
 - a) The opening of the proposed garage doors to be a minimum width of 3m.
 - b) The proposed driveway grade to be no more than 1 in 16.
 - c) The proposed crossovers to comply with Council's Standard Crossover Details demonstrated in BCC401 Revision B.
 - d) A schedule of construction materials, external finishes and colours (incorporating for example paint samples), ensuring there is a mixture of materials and finishes at ground and first floor level.
 - e) The proposed front fence modified to show a maximum height of 1.2 metres and minimum permeability of 25%.
 - f) The inclusion of all plant, equipment, services and architectural features to be included on the plans and located appropriately to avoid impacts on the adjoining dwellings.
 - g) Before the development starts, a landscape plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The plan must be in accordance the landscape plan submitted with the application (known as Drawing No. 1607 TP06, prepared by Murley Design, submitted to Council on 20 May 2016) but modified to include the following amendments:
 - i. A minimum of 80% suitable native / indigenous planting(s).
 - ii. Increased landscaping along the north and south side boundaries of each driveway.
 - iii. The inclusion of a permeable surface for the driveways to be constructed at existing grade with no excavation.

iv. Removal of any hard landscaping from within the SRZ and TPZ of Tree #2 and replacement with a deck or soft landscaping, including lawn or a garden bed, consistent with the recommendation outlined in the Arborist Report prepared by McLeod Trees, submitted to Council date stamped 6 January 2016.

h) Before the development starts, including any related demolition or removal of vegetation, a Tree Management Plan (report) and Tree Protection Plan (drawing), to the satisfaction of the Responsible Authority, must be submitted to and be endorsed by the Responsible Authority.

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

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

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

ii. The location of tree protection measures to be utilised.

iii. Recommendations outlined in the arborist's report prepared by McLeod Trees, dated 19/12/2015, Council date stamped 6 January 2016.

iv. Pruning of the Pin Oak (*Quercus palustris*) growing approximately 6m from the eastern site boundary and 3m from the northern boundary must be carried out by an arborist trained to AQF Level 3 in Arboriculture, or above, or equivalent recognised and relevant experience. No more than 15% of the canopy volume must be removed and all pruning must be in accordance with Australian Standard No.4373, 2007 Pruning of Amenity Trees.

i) Any changes required by Condition 8 of this permit.

All to the satisfaction of the Responsible Authority.

2. The development as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.
3. Before the occupation of the site commences or by such later date as is approved in writing by the Responsible Authority, all buildings and works must be carried out and completed to the satisfaction of the Responsible Authority.
4. No plant, equipment, services or architectural features other than those shown on the endorsed plans are permitted above the roof level of the building/s without the written consent of the Responsible Authority.
5. All pipes, fixtures, fittings and vents servicing any building on the site must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.
6. The walls on the boundary of the adjoining properties shall be cleaned and finished to the satisfaction of the Responsible Authority.



7. Before occupation, screening of windows including fixed privacy screens be designed to limit overlooking as required by Standard B22 and be installed and maintained to the satisfaction of the Responsible Authority thereafter for the life of the building.
8. Before plans are endorsed in accordance with Condition 1 of this permit, detailed plans to the satisfaction of the Responsible Authority must be submitted to and be endorsed by the Responsible Authority. The plan must be drawn to scale with dimensions and three copies must be provided. The plans must show:
 - a) The type of water sensitive urban design stormwater treatment measures to be used.
 - b) The location of the water sensitive urban design stormwater treatment measures in relation to buildings, sealed surfaces and landscaped areas.
 - c) Design details of the water sensitive urban design stormwater treatment measures, including cross sections.

These plans must be accompanied by a report from an industry accepted performance measurement tool which details the treatment performance achieved and demonstrates the level of compliance with the Urban Stormwater Best Practice Environmental Management Guidelines, CSIRO 1999.

9. The water sensitive urban design stormwater treatment system as shown on the endorsed plans must be retained and maintained at all times in accordance with the Urban Stormwater - Best Practice Environmental Management Guidelines, CSIRO 1999, to the satisfaction of the Responsible Authority.
10. Before the occupation of the development starts, new or altered vehicle crossings servicing the development must be constructed to the satisfaction of the Responsible Authority and any existing disused or redundant crossing or crossing opening must be removed and replaced with footpath/nature strip/ kerb and channel, to the satisfaction of the Responsible Authority.
11. Before the occupation of the development the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.
12. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority, including that any dead, diseased or damaged plants are to be replaced.
13. All protection measures identified in the Tree Management and Protection Plans must be implemented, and development works undertaken on the land must be undertaken in accordance with the Tree Management and Protection Plans, to the satisfaction of the Responsible Authority.
14. Before the development starts, including demolition or removal of vegetation, the name and contact details of the project arborist responsible for implementing the Tree Management Plan must be submitted to the Responsible Authority.
15. Before development commences (including demolition) the applicant must pay \$2,974.80 to the Responsible Authority for the removal and replacement of the existing street tree. This amount has been determined in accordance with Council's current policy for the removal of street trees. This amount may be increased by the Responsible Authority if an extension of time to commence work is granted and the amenity value of the street tree has increased.



The Responsible Authority, or contractor or agent engaged by the Responsible Authority, must undertake the removal and replacement of the street tree. Any replacement planting will be at the discretion of the Responsible Authority.

16. 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.
17. Before the development, detailed plans indicating, but not limited to, the method of stormwater discharge to the nominated Legal Point of Discharge (and On-Site Detention System where applicable) must be submitted to and approved by Council's Infrastructure Assets Department.
18. This permit will expire if one of the following circumstances applies:
 - a) The development is not started within two years of the date of this permit.
 - b) The development is not completed within four years of the date of this permit.

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

Permit Notes:

- A permit must be obtained from Council for all vehicular crossings. These must be constructed under Council's supervision for which 24 hours notice is required.
- This permit does not constitute any authority to carry out any building works or occupy the building or part of the building unless all relevant building permits are obtained.
- Prior to commencement of any building works, an Asset Protection Application must be taken out. This can be arranged by calling Asset Protection Administrator on 9599 4638.
- Council records indicate that there is a 1.83m wide drainage and sewerage easement along the western property boundary as indicated on the drawings provided. The plans indicate no proposals to encroach into the easement with any buildings or structures of note. Proposals to be built over the easement will require Build Over Easement consent from the responsible Authority/Authorities.
- 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.

CARRIED

**4.5 11 CHAMPION STREET BLACK ROCK
NOTICE OF DECISION TO GRANT A PERMIT
APPLICATION NO 2015/599/1 WARD: SOUTHERN**

City Planning and Amenity - Statutory Planning
File No: PSF/15/8755 – Doc No: DOC/16/79059

It is recorded that Ms Kirsten Grant spoke in relation to this matter. It is further recorded that Mr Ian O'Loughlin was not present in the Chamber.

Moved: Cr Stewart

Seconded: Cr Frederico

That Council:

Issues a **Notice of Decision to Grant a Permit** under the provisions of the Bayside Planning Scheme in respect of Planning permit application number **2015/599/1** for the land known and described as **11 Champion Street, Black Rock**, for the **construction of two double storey dwellings and removal of native vegetation** in accordance with the endorsed plans and subject to the following conditions:

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the plans date stamped 15 September 2015 but modified to show:
 - a) The garage, accessway and study layout for northern dwelling reconfigured by swapping the study and garage locations. The study to be setback a minimum of 10.7m from the street and garage a minimum of 9.45m from the street.
 - b) The street setback for southern dwelling increased to a minimum of 9.0m.
 - c) The first floor setbacks increased to be a minimum of 9.5m from the street.
 - d) The site coverage not exceeding 50% and any changes to reduce the development to accommodate the requirements of the landscape plan and tree protection measures as required by this permit.
 - e) The study for the southern dwelling to be setback from the southern boundary by 1.0m.
 - f) The first floor side setbacks (other than rumpus and bath for the northern dwelling and the bench seat for the southern dwelling) to be setback in accordance with Standard B17 of Clause 55 of the Bayside Planning Scheme.
 - g) Screening treatment to prevent overlooking into all applicable habitable room windows including the first floor western facing windows in accordance with Standard B22 of the Bayside Planning Scheme.
 - h) The ground floor rear setbacks to be no less than 6.9m.
 - i) A storage area of 6m³ provided for each dwelling which is externally accessible.
 - j) Mailboxes, clotheslines and water tanks provided for each dwelling.

- k) Location of all plant and equipment, including hot water services and air conditioners etc. Plant equipment is to be located away from habitable room windows of dwellings and the adjoining properties habitable rooms.
- l) A colour schedule of construction materials, finishes and colours.
- m) Notation that there is to be no soil excavation within 2.6m of the street tree.
- n) A detailed landscape plan to the satisfaction of the Responsible Authority must be submitted to and be endorsed by the Responsible Authority. The plan must be drawn to scale with dimensions and three copies must be provided. The plan must show:
 - i. 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.
 - ii. 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.
 - iii. A planting schedule of all proposed trees and shrubs, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant. Plantings must be 80% indigenous by species type and count.
 - iv. Landscaping and/or planting within all areas of the site not covered by buildings or hard surfaces.
 - v. Details of surface finishes of pathways and driveways.
 - vi. A native canopy tree capable of reaching a height of 12.0m in height in the front setback.
 - vii. A native canopy tree capable of reaching a height of 12.0m in height in the rear setback of the southern dwelling.
 - viii. A native canopy tree capable of reaching a height of 8.0m at the rear of the site for the northern dwelling.
 - ix. A native canopy tree capable of reaching a height of 6.0m at the rear of each dwelling.
 - x. The retention of Tree 4 (Lilly Pilly).
- o) Detailed plans to the satisfaction of the Responsible Authority must be submitted to and be endorsed by the Responsible Authority. The plan must be drawn to scale with dimensions and three copies must be provided. The plans must show:
 - i. The type of water sensitive urban design stormwater treatment measures to be used.
 - ii. The location of the water sensitive urban design stormwater treatment measures in relation to buildings, sealed surfaces and landscaped areas.
 - iii. Design details of the water sensitive urban design stormwater treatment measures, including cross sections.



These plans must be accompanied by a report from an industry accepted performance measurement tool which details the treatment performance achieved and demonstrates the level of compliance with the Urban Stormwater Best Practice Environmental Management Guidelines, CSIRO 1999.

- n) A Tree Management Plan (report) and Tree Protection Plan (drawing), to the satisfaction of the Responsible Authority, must be submitted to and be endorsed by the Responsible Authority.

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

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

- i. The Tree Protection Zone and Structural Root Zone for all trees to be retained on the site and for all trees on neighbouring properties where any part of the Tree Protection Zone falls within the subject site.
- ii. The location of tree protection measures to be utilised.
- iii. The construction techniques and methods adopted for any works inside the Tree Protection Zone, e.g. pier and beam. This mainly applies to the garage and study for the northern dwelling and the rear of the northern dwelling being the pool and deck.

All to the satisfaction of the Responsible Authority.

2. The development as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.
3. No plant, equipment, services or architectural features other than those shown on the endorsed plans are permitted above the roof level of the building/s without the written consent of the Responsible Authority.
4. All pipes, fixtures, fittings and vents servicing any building on the site must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.
5. The walls on the boundary of the adjoining properties shall be cleaned and finished to the satisfaction of the Responsible Authority.
7. The water sensitive urban design stormwater treatment system as shown on the endorsed plans must be retained and maintained at all times in accordance with the Urban Stormwater - Best Practice Environmental Management Guidelines, CSIRO 1999, to the satisfaction of the Responsible Authority
8. Before the occupation of the development starts, the area(s) set aside for vehicle parking and accessways must be constructed, drained and line marked to the satisfaction of the Responsible Authority. Such areas must be kept available for these purposes at all times.
9. Before the occupation of the development starts, new or altered vehicle crossing(s) servicing the development must be constructed to the satisfaction of the Responsible Authority and any existing disused or redundant crossing or crossing opening must be removed and replaced with footpath/nature strip/ kerb and channel, to the satisfaction of the Responsible Authority.



10. Before the occupation of the development the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.
11. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority, including that any dead, diseased or damaged plants are to be replaced.
12. Before occupation, screening of windows including fixed privacy screens be designed to limit overlooking as required by Standard B22 and be installed and maintained to the satisfaction of the Responsible Authority thereafter for the life of the building.
13. All protection measures identified in the Tree Management and Protection Plans must be implemented, and development works undertaken on the land must be undertaken in accordance with the Tree Management and Protection Plans, to the satisfaction of the Responsible Authority.
14. 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.

All in accordance with any plans endorsed to condition of this permit.

15. Before the development starts tree protection fencing is to be established around the street trees marked for retention prior to demolition and maintained until all works on site are complete. The fencing is to be constructed and secured so its positioning cannot be modified by site workers. The fencing is to encompass the entire nature strip under the drip line of the tree. The Tree Protection Zone is to be established and maintained in accordance with AS 4970-2009. During construction of the crossover, tree protection fencing may be reduced to the edge of the Council approved crossover to facilitate the construction of the crossover.
16. Before the development, detailed plans indicating, but not limited to, the method of stormwater discharge to the nominated Legal Point of Discharge (and On-Site Detention System where applicable) must be submitted to and approved by Council's Infrastructure Assets Department.
17. Before the development starts, the permit holder must apply to Council for the Legal Point of Discharge for the development from where stormwater is drained under gravity to the Council network.
18. This permit will expire if one of the following circumstances applies:
 - a) The development is not started within two years of the date of this permit.
 - b) The development is not completed within four years of the date of this permit.

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

Permit Notes

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



- Prior to commencement of any building works, an Asset Protection Application must be taken out. This can be arranged by calling Asset Protection Administrator on 9599 4638.
- The existing street tree/s must not be removed or damaged.

CARRIED



**4.6 7 CENTRE ROAD, BRIGHTON EAST
SECONDARY CONSENT - APPROVE
APPLICATION NO.: 2006/1023 WARD: NORTHERN**

City Planning and Amenity - Statutory Planning
File No: PSF/15/8755 – Doc No: DOC/16/77066

Moved: Cr Heffernan

Seconded: Cr Frederico

That Council:

Approve the Amended Plans in accordance with the Secondary Consent provisions of Planning Permit Number **2006/1023/1** issued for **alterations and additions to an existing aged care facility, including the construction of three storey buildings in a Design and Development Overlay Schedule 2, basement parking in a Special Building Overlay and alterations to a crossing in a Road Zone Category 1** and the following table be added at the end of the permit.

Date	Amendments
7 June 2016	<p><u>Secondary Consent Amended Plans</u></p> <ul style="list-style-type: none"> • Replacing terracotta tiles with Colourbond sheeting; • Existing timber and aluminium framed windows replaced with double glazed aluminium frames; • Existing balustrade replaced with glass detailing to match balustrading details of the existing development; • Alterations to façade which includes applied render at certain locations to replicate the finish found within the development.

CARRIED

5. Confidential Business

Nil

Following consideration of Confidential Business the Chairperson declared the meeting closed at 8.23pm.

CONFIRMED THIS INSERT 12 DAY OF JULY 2016

CHAIRPERSON:

