



Minutes of the Planning & Amenity Committee Meeting

held in the Council Chamber
Boxshall Street, Brighton
on Tuesday 9 June 2015
at 7.00pm

PRESENT:

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

OFFICERS IN ATTENDANCE:

Shiran Wickramasinghe	-	Director City Strategy
Steven White	-	Director Infrastructure Services
Lili James	-	Manager Amenity Protection
Stuart Caldwell	-	Manager Statutory Planning
Connor Perrott	-	Statutory Planning Co-ordinator
Arthur Vatzakis	-	Acting Statutory Planning Co-ordinator
Terry Callant	-	Manager Governance & Performance Reporting
Janice Pouw	-	Governance Officer

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



APOLOGIES There were no apologies submitted to the meeting.

DECLARATIONS OF INTEREST:

- Cr Long declared a personal conflict of interest in item 4.8

Confirmation of the Minutes of the Planning & Amenity Committee Meeting 12 May 2015

Moved: Cr Stewart

Seconded: Cr Long

That the Minutes of the Planning & Amenity Committee Meeting held on 12 May 2015 be confirmed.

CARRIED

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REQUESTS TO BE HEARD:

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

Requests to be heard were received from the following people:

Item 4.3 Tree Removal Application – 22 Dendy Street, Brighton

1. Mr Christopher Trim (A)

Item 4.4 28 Tennyson Street, Sandringham

1. Mr Martin Patane (O)
2. Mr David Amling (S)
3. Mr Wayne Dawson (A)

Item 4.6 103 Dalgetty Road, Beaumaris

1. Mr Wayne Pastor (A)

Item 4.8 4 Beenak Avenue, Brighton East

1. Mrs Olena Demyanenko (O)
2. Mr Neil Stanford (O)
3. Mr Johan Moylan (A)

OFFICERS' REPORTS:**4.1 TREE REMOVAL APPLICATION – 1/57 BONANZA ROAD, BEAUMARIS****Moved: Cr Stewart****Seconded: Cr Evans**

That Council:

- resolves not to grant a permit for the removal of the Peppercorn (*Schinus molle*) tree located at 1/57 Bonanza Road, Beaumaris ;and
- resolves to grant a permit which allows for pruning of the tree roots of the Peppercorn (*Schinus molle*) tree located at 1/57 Bonanza Road, Beaumaris.

CARRIED**4.2 TREE REMOVAL APPLICATION – 3 BANKS AVENUE, HAMPTON****Moved: Cr Frederico****Seconded: Cr Heffernan**

That Council:

- resolves to grant a permit for the removal of a Sweet Gum (*Liquidambar styraciflua*) located at 3 Banks Street, Hampton; and
- plant a replacement tree to the satisfaction of the Manager Amenity Protection.

LOST**Moved: Cr Long****Seconded: Cr Lowe**

That Council:

- resolves not to grant a permit for the removal of a Sweet Gum (*Liquidambar styraciflua*) located at 3 Banks Street, Hampton; and
- resolves to grant a permit which allows for pruning of the tree roots upon request by the applicant of the Sweet Gum (*Liquidambar styraciflua*) located at 13 Banks Avenue, Hampton.

CARRIED

4.3 TREE REMOVAL APPLICATION – 22 DENDY STREET, BRIGHTON

It is recorded that Mr Christopher Trim spoke in relation to this matter.

Moved: Cr Lowe

Seconded: Cr Frederico

That Council:

- resolves to grant a permit for the removal of the Pin Oak located at 22 Dendy Street, Brighton; and
- plants replacement trees to the satisfaction of the Manager Amenity Protection.

CARRIED

4.4 28 TENNYSON STREET, SANDRINGHAM

It is recorded that Mr Martin Patane, Mr David Amling and Mr Wayne Dawson spoke in relation to this matter.

Moved: Cr Stewart

Seconded: Cr Evans

That Council having caused notice of Amend Planning Permit 2011/377/2 to be given under Section 52 of the Planning and Environment Act 1987 and having considered all the matters required under Section 60 of the Planning and Environment Act 1987 determine to Issue a Notice of Decision to Grant an Amended Permit under the provisions of the Bayside Planning Scheme in respect of the land known and described as 28 Tennyson Street, Sandringham for a Section 72 amendment to an additional dwelling on a lot approved by Planning Permit 2011/377/1 in accordance with the plans dated 23 October and 2 December 2014, 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 received 23 October and 2 December 2014 but modified to show:
 - a) The framed structure to the first floor north-facing al fresco and pool/ spa deleted and replaced with a canopy extending no more than 2 metres from the first floor front façade.

The ground floor supporting structures for the swimming pool / spa must be finished in a mix of contemporary and traditional coastal materials, textures and finishes, including render, timber, non-masonry sheeting, glazing, stone and brick.
 - b) Screening in accordance with Standard B22 (Overlooking) of Clause 55 of the Bayside Planning Scheme to:
 - the north-east and south-west facing living room windows;
 - the north-east and south-west facing al fresco area, pool / spa;
 - the north-east facing dining room window;
 - the south-west facing study window;
 - the south-west facing kitchen window;
 - the south-west facing master bedroom window; and
 - the south-west facing ensuite window.
 - c) The front fence reduced to maximum height of 1.7metres.
 - d) The first floor south-west side setback to the master bedroom increased to 4.18 metres. The raised ceiling element at this location must be relocated so as to sit centrally within the amended form of the rear of the dwelling.

4.4 28 TENNYSON STREET, SANDRINGHAM (continued)

- e) The first floor rear setback increased to a minimum of 4.92 metres and the ground floor rear verandah redesigned to incorporate a flat roof not exceeding 3 metres in height above the finished floor level of the deck below.
 - f) The provision of 6m³ storage space on site.
 - g) Water Sensitive Urban Design measures in accordance with Condition 16;
 - h) A schedule of all external materials and finishes to be provided to the satisfaction of the Responsible Authority. The schedule shall show the materials, colour (including two colour samples) and finish of all external walls, roof, fascias, window frames and paving (including car park surfacing);
 - i) All plant and equipment (including air conditioning units, heating units, hotwater systems, etc.) which is proposed to be located externally shall be identified on the plans and located to the satisfaction of the Responsible Authority. Such equipment should be located away from habitable room windows of adjoining properties;
 - j) The dwelling including the first floor pool setback a minimum of 5.5 metres from the Tennyson Street frontage at its closest point. This must not result in alterations to other setbacks of the dwelling except for those required elsewhere by Condition 1 of this permit;
 - k) The ground floor theatre wall setback from the north-eastern property boundary in line with the ground floor stair and laundry of the dwelling;
 - l) The provision of a highlight window on the north-eastern wall of the ground floor theatre. The sill height of this window must be no less than 1.7 metres above finished floor level and glazing must be translucent; and
 - m) The provision of a window on the street front wall of the ground floor theatre.
 - n) All pool equipment located on the north-west side of the dwelling at ground floor level immediately behind the garage.
2. The development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.
 3. Before the occupation of the site commences or by such later date as is approved in writing by the Responsible Authority, all buildings and works and the conditions of this permit must be carried out and completed to the satisfaction of the Responsible Authority.
 4. All pipes, fixtures, fittings and vents servicing any building on the site must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.
 5. No plant, equipment, services or architectural features other than those shown on the endorsed plans are permitted above the roof level of the building without the written consent of the Responsible Authority.
 6. The walls on the boundary of the adjoining properties must be cleaned and finished to the satisfaction of the Responsible Authority.
 7. Car spaces, access lanes and driveways must be kept available for these purposes at all times.

4.4 28 TENNYSON STREET, SANDRINGHAM (continued)

8. Vehicular crossings must be constructed to the road to suit the proposed driveways to the satisfaction of the Responsible Authority and any existing crossing or crossing opening must be removed and replaced with footpath, nature strip, and kerb and channel to the satisfaction of the Responsible Authority.
9. All disused or redundant vehicle crossings must be removed and the area reinstated to kerb and channel to the satisfaction of the Responsible Authority.
10. Before the development starts, a landscape plan generally in accordance with Urban Solutions; Amling Residence, 28 Tennyson Street, Sandringham; Ground Floor Plan – Landscape Layout; Rev. C – Upgrade Plan To Planning Req; 14/10/14. 4099TP4, C must be submitted to and approved by the Responsible Authority but modified to show:
 - a) A canopy tree capable of reaching minimum dimensions at maturity of 8 metres high x 4 metres wide located in the front setback.
 - b) A survey including botanical names of all existing vegetation to be retained and/or removed
 - c) Buildings and trees including botanical names on neighbouring properties within three metres of the boundary
 - d) Details of surface finishes of pathways and driveways
 - e) A planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant
 - f) Landscaping and planting within all open areas of the site
All species selected must be to the satisfaction of the responsible authority.
The landscape plan must also indicate that an in-ground irrigation system is to be provided to all landscaped areas.
11. Tree Protection fencing must be installed approximately 2 metres inside the boundary fence around the following trees:
 - The row of *Prunus* sp. (*Prunus lusitanica*, Portugese laurel) located in the north/east corner of the neighbouring property at 26 Tennyson Street, adjacent to the shared boundary fence with 28 Tennyson Street.
 - A Lemon tree located in the north-west corner of the adjacent property 30 Fernhill Road, adjacent to the shared boundary fence with 28 Tennyson Street.
 - A *Pittosporum tenuifolium* (Kohuhu) located in the neighbouring property to the rear 32 Fernhill Road, adjacent to the shared boundary fence.
 - a) The tree protection fences must be installed before site works start and not be removed until the site is landscaped.
 - b) The fence should be 1.8 metres high chain mesh or similar.
 - c) No works are to occur inside the Tree Protection Fencing.

4.4 **28 TENNYSON STREET, SANDRINGHAM (continued)**

12. Tree Protection Fencing is to be established around the street tree prior to demolition and maintained until all works on site are complete.
 - a) The fencing is to be constructed and secured so its positioning cannot be modified by site workers.
 - b) The fencing is to encompass the entire naturestrip under the drip line of the tree.
 - c) The Tree Protection Zone is to be established and maintained in accordance with Australian Standards 4970 (Protection of trees on development sites).

No excavation may occur within 2.0 metres from the street tree's stem at ground level.

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.

13. Before the occupation of the development or by such later date as is approved by the Responsible Authority in writing, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.
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 commencement of works, detailed plans to the satisfaction of the Responsible Authority must be submitted to and be approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be in accordance with the guidelines outlined in Clause 22.08 of the Bayside Planning Scheme and must show:-
 - a) The type of water sensitive urban design stormwater treatment measures to be used;
 - b) The location of the water sensitive urban design stormwater treatment measures in relation to buildings, sealed surfaces and landscaping areas; and
 - c) Design details of 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.

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

4.4 28 TENNYSON STREET, SANDRINGHAM (continued)

16. The nominated legal point of discharge for the development is the front of the property where water must be collected and free drained via a pipe to the Council drain to Council standards. If the point of discharge cannot be located then notify Council's Asset Management Department.
17. Stormwater discharge is to be retained for that portion above the discharge calculated using a Coefficient runoff - 0.35. The development is to have a 'Stormwater Detention System' installed the design capacity to be Council approved.
18. Any seepage / agricultural drainage water (filtered to rain water clarity) must be discharged to the nearest Council Drain /Pit and not be discharged to the kerb and channel.
19. All on-site stormwater is to be collected from the hard surface areas and must not be allowed to flow uncontrolled into adjoining properties. The on-site drainage system must prevent discharge from each driveway onto the footpath. Such a system may include either:
 - a) A trench grate (150mm minimum internal width) located within the property; and/or
 - b) Shaping the driveway so that water is collected in a grated pit on the property; and/or
 - c) Another Council approved equivalent.
20. Before the development begins, detailed plans (3 sets) draw to scale and indicating the method of stormwater discharge to the nominated '*Legal Point of Discharge*' (and Stormwater Detention Systems where applicable), must be lodged with Council's Asset Management department for approval.
21. This permit will expire if one of the following circumstances applies:
 - a) The development is not started within two (2) years of the date of this permit.
 - b) The development is not completed within four (4) years of the date of this permit.

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

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

CARRIED

4.5 1 FLORIDA AVENUE, BEAUMARIS

Moved: Cr Stewart

Seconded: Cr Evans

That Council, having caused notice of Planning Application No 2014/61/1 to be given in accordance with Section 52 of the *Planning and Environment Act 1987* and having considered all the matters required by Section 60 of the Act decides to issue a Notice of Refusal to Grant a Permit in respect of the land known and described as 1 Florida Avenue, Beaumaris for the construction of two double storey dwellings and removal of native vegetation for the following reasons:

1. The proposal does not comply with the character objectives under Precinct H4 of Clause 22.06 (Neighbourhood Character Policy) of the Bayside Planning Scheme due to the lack of rhythm of spacious visual separation between buildings, dominance of parking structures, loss of front garden space, loss of vegetation and lack of space for replanting.
2. The removal of native vegetation from the site will impact adversely upon the landscape character of the immediate surrounding area in contravention of Vegetation Protection Overlay, Schedule 3 of the Bayside Planning Scheme.
3. The development contravenes the following objectives of Clause 55 (Two or more dwellings on a lot) of the Bayside Planning Scheme:
 - a) Standard B6 – Street setback objective – The front setback for dwelling 1 is 7.29m in lieu of the 7.7m.
 - b) Standard B13 – Landscaping objective – There is a substantial loss in vegetation and insufficient space for replanting.
 - c) Standard B17 – Side and rear setbacks objective – The ground floor setbacks do not comply and as a result cause detriment to neighbouring properties, limits visual separation and minimises landscaping opportunities.
 - d) Standard B22 – Overlooking objective – Overlooking opportunities from the first floor there are overlooking concerns from both dwellings.
 - e) Standard B31 – Design detail objective – The design of the dwellings does not comply with the existing and preferred design for the area.

LOST

4.5 1 FLORIDA AVENUE, BEAUMARIS (continued)

Moved: Cr Stewart

Seconded: Cr Lowe

That Council having caused notice of Planning Application No. 2014/61/1 to be given under Section 52 of the Planning and Environment Act 1987 and having considered all the matters required under Section 60 of the Planning and Environment Act 1987 decides to Issue a Notice of Decision to Grant a Permit under the provisions of the Bayside Planning Scheme in respect of the land known and described as 1 Florida Avenue Beaumaris, for the construction of two double storey dwellings and removal of native vegetation in accordance with the amended plans dated 16 September 2014 subject to the following conditions, including the specified conditions set out in the Council's "Town Planning Standard Conditions" adopted by the Council on 28 November 2006:

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the amended plans dated 16 September 2014 but modified to show:
 - a) The garages of both dwellings reduced to the minimum double garage width of 5.5 metres.
 - b) The reduction of the on-site driveways to accommodate the reduction in the width of the garages noted in Condition 1(a) and to ensure the retention of trees 22, 24, 29, 30 and 43.
 - c) The garages and building envelope of both dwellings setback from the side boundaries a minimum of 2 metres.
 - d) The front setback of the garage of dwelling 2 increased to a minimum 8.5 metres from the property frontage to ensure the retention of trees 22, 24, 29, 30 and 43.
 - e) The front entrance deck and common party wall of both dwellings setback a minimum of 8.5 metres from the property frontage to ensure the retention of trees 22, 24, 29 and 30.
 - f) The reduction and associated modification of the rear decks of dwellings 1 and 2 and the living area of dwelling 2 to ensure the retention of trees 3, 8, 9, 10, 11, 12 and 13.
 - g) New crossovers are to be constructed for both dwellings, being no more than 3 metres wide, with the crossover for dwelling 1 offset a minimum of 2 metres from the western boundary and both located to ensure they are 12 metres apart.
 - h) Notation on plan that the eastern boundary fence where it meets the footpath is to be tapered down to a height of 0.900mm for a length of 2.5 metres.
 - i) The rumpus room window for dwelling 1 to be screened to minimise overlooking compliant with comply with Standard B22 of Clause 55.04-5 (Overlooking) of the Bayside Planning Scheme.
 - j) The location of any air-conditioning dwellings and other plant equipment, including any screening.

4.5 1 FLORIDA AVENUE, BEAUMARIS (continued)

- k) A schedule of all proposed exterior decorations, materials, finishes and colours, including colour samples (3 copies in a form that can be endorsed and filed).
 - l) A Landscape Plan in accordance with Condition 7 of this permit.
 - m) A Tree Protection Plan in accordance with Conditions 10, 11, 12 and 13 of this permit.
2. The development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.
 3. Before the occupation of the site commences or by such later date as is approved in writing by the Responsible Authority, all buildings and works and the conditions of this permit must be carried out and completed to the satisfaction of the Responsible Authority.
 4. All pipes, fixtures, fittings, air conditioning dwellings and vents servicing any building on the site must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.
 5. No plant, equipment, services or architectural features other than those shown on the endorsed plans are permitted above the roof level of the building without the written consent of the Responsible Authority.
 6. Vehicular crossings must be constructed to the road to suit the proposed driveways to the satisfaction of the Responsible Authority and any existing crossing or crossing opening must be removed and replaced with footpath, nature strip, and kerb and channel to the satisfaction of the Responsible Authority.
 7. Before the development starts, a landscape plan to the satisfaction of the Responsible Authority must be submitted to and be approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and three copies must be provided. The landscaping plan must show:
 - a) The retention of trees 3, 8, 9, 10, 11, 12, 13, 22, 24, 29, 30 and 43.
 - b) Two indigenous trees to Bayside within the front setback of each dwelling.
 - c) An indigenous tree to Bayside in the rear private open space area for each dwelling. Timber deck areas may need to be reduced to accommodate these trees. No planting is to occur in the easement.
 - d) For (b) and (c) two trees selected must reach a minimum height of 6 metres at maturity and two trees must reach a minimum height of 12 metres at maturity.
 - e) Demonstrate to the satisfaction of the Responsible Authority that the planting locations of the new canopy trees provides adequate soil volume to allow these trees to reach maturity and considers probable interactions of the root systems and canopies with proposed and existing built form and vegetation.
 - f) A survey (including botanical names) of all existing vegetation to be retained and/or removed.
 - g) Trees (including botanical names) on neighbouring properties within three (3) metres of the boundary.

4.5 1 FLORIDA AVENUE, BEAUMARIS (continued)

- h) Details of surface finishes of pathways and driveways.
- i) A planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant. The planting must consist of 80% indigenous plantings.
- j) Landscaping and planting within all open areas of the site.
- k) The planting of 4 coastal tea trees.

All species selected must be to the satisfaction of the Responsible Authority.

- 8. Before the occupation of the development or by such later date as is approved by the Responsible Authority in writing, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.
- 9. 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.
- 10. A plan showing Tree Protection Zones (TPZ) in accordance with AS 4970-2009 *Protection of Trees on Development Sites* of all trees proposed for retention on the site and within three meters of the common boundary.
- 11. Where the built form encroaches the TPZ of a tree to be retained the applicant is required to specify the design and construction methods which will be used. This includes how the timber decks are to be constructed.
- 12. Before the development (including demolition) starts, a tree protection fence must be erected around any tree on site greater than 2.0m in height to be retained, any tree on neighbouring land where works encroach into the TPZ and the two street trees. The tree protection fence must extend to the edge of the TPZ of these trees and must be constructed of star pickets and chain mesh or similar to the satisfaction of the Responsible Authority. The fence must be in accordance with AS 4970-2009. The tree protection fences must remain in place until construction is completed and be a minimum height of 1.8 metres. 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.
- 13. The potential impacts of encroachment into TPZ are to be assessed with reference to AS 4970-2009 *Protection of Trees on Development Sites*, Section 3.3.4. *TPZ encroachment considerations*. The applicant must demonstrate to the satisfaction of the Responsible Authority that trees to be retained will remain viable post-construction.
- 14. Before the commencement of works, detailed plans to the satisfaction of the Responsible Authority must be submitted to and be approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be in accordance with the guidelines outlined in Clause 22.08 of the Bayside Planning Scheme and must show:
 - a) The type of water sensitive urban design stormwater treatment measures to be used;

4.5 1 FLORIDA AVENUE, BEAUMARIS (continued)

- b) The location of the water sensitive urban design stormwater treatment measures in relation to buildings, sealed surfaces and landscaping 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.

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

- 15. 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.
- 16. 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.
- 17. 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.
- 18. 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"
- 19. All on-site stormwater is to be collected from the hard surface areas and must not be allowed to flow uncontrolled onto adjoining properties. The on-site drainage system must prevent discharge from each driveway onto the footpath. Such a system may include either:
 - a) A trench grate (150mm minimum internal width) located within the property; and/or
 - b) Shaping the driveway so that water is collected in a grated pit on the property; and/or
 - c) Another Council approved equivalent.
- 20. Before the development begins, three sets of detailed plans indicating the method of stormwater discharge to the nominated Legal Point of Discharge (and Stormwater Detention Systems where applicable) must be lodged with Council's Engineering Services department for approval.
- 21. 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.

4.5 1 FLORIDA AVENUE, BEAUMARIS (continued)

22. This permit expires if one of the following applies:

- a) The development has not commenced within two years of the date of this permit
- b) The development is not completed within four years of the date of this permit.

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

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

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.

Building approval must be obtained prior to the commencement of the above approved works.

Consultation should take place with Council respect of the removal of the vehicular crossing and reinstatement works.

The applicant must clearly identify what impact, if any, the proposed vehicle crossing will have on Council assets including pits and trees.

The applicant is to bear the cost to remove and reinstate any street furniture or infrastructure items to provide the required access to the proposed development.

The existing street tree/s must not be removed or damaged.

Reticulated sewerage must be provided to the requirements of the Sewerage Authority.

Council records indicate that there is an easement to the rear of the property. Plans indicate there are no proposals to build over or encroach into the easement with any building/structure of note. Proposals to be built over the easement will require Build Over Easement approval from the Responsible Authority.

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

4.6 103 DALGETTY ROAD, BEAUMARIS

It is recorded that Mr Wayne Pastor spoke in relation to this matter.

Moved: Cr Evans

Seconded: Cr Stewart

That Council having caused notice of Planning Application No. 2014/303/1 to be given under Section 52 of the Planning and Environment Act 1987 and having considered all the matters required under Section 60 of the Planning and Environment Act 1987 decides to Issue a Notice of Decision to Grant a Permit under the provisions of the Bayside Planning Scheme in respect of the land known and described as 103 Dalgetty Road Beaumaris, for the construction of two double storey dwellings with basement car parking, a front fence exceeding 1.2 metres and the removal of native vegetation in a Vegetation Protection Overlay 3 in accordance with the application dated 12 May 2014 subject to the following conditions, including the specified conditions set out in the Council's "Town Planning Standard Conditions" adopted by the Council on 28 November 2006:-

1. Before the 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 20 October 2014 and the revised ground floor and elevation plan dated 13 April 2015 and landscape plan dated 28 April 2015 but modified to show:
 - a) A landscape plan in accordance with condition 6 of this permit.
 - b) A schedule of construction materials, external finishes and colours (incorporating two (2) paint samples).
 - c) All plant and equipment (including air conditioning units, heating units, hotwater systems, etc.) which is proposed to be located externally identified on the plans.
 - d) The first floor west facing master bedroom window to Unit 2 to be screened in accordance with Standard B22 of Clause 55 of the Bayside Planning Scheme.
 - e) Water sensitive urban design stormwater treatment measures providing a minimum rating of 100% in accordance with Condition 15 of this permit.
 - f) The basement ramp to have a 1 in 10 grade for the first 2 metres, a 1 in 5 main grade and a 1 in 8 grade for the final 2 metres.
 - g) A longitudinal section of the basement ramp from the footpath that shows all grades, length of grades and levels.
 - h) 2.2 metre minimum headroom clearance at the entrance and throughout the basement garage.
 - i) The basement ramp to be a minimum of 3.6 metres wide.
 - j) The basement ramp where it intersects with the footpath must be 3.6 metres wide with at least a 1metre offset from the southern property boundary.
 - k) A 3.6 metre wide crossover must be constructed with a 1 metre minimum offset from the southern property boundary centred on the ramp. The crossover must have a minimum 2 metre offset from the southern street tree and minimum 2.9 metre offset from the northern street tree.

4.6 103 DALGETTY ROAD, BEAUMARIS (continued)

- l) The bins to be relocated to the stores to allow convenient vehicular access and egress.
 - m) The car spaces to be line marked and allocated to each Unit.
 - n) Compliance with sight line requirements of AS2890.1 for the area where the driveway/ramp intersects with the footpath. All structures including foliage, front fences etc within the triangle must be limited to a height of 900mm.
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 development starts, a schedule of construction materials, external finishes and colours to the satisfaction of the Responsible Authority must be submitted to and approved by the responsible authority. When approved, the schedule will be endorsed and will then form part of the permit.
 4. All pipes, fixtures, fittings and vents servicing any building on the site must be concealed in service ducts or otherwise hidden from view to the satisfaction of the responsible authority.
 5. No plant, equipment, services or architectural features other than those shown on the endorsed plans are permitted above the roof level of the building without the written consent of the responsible authority.
 6. Before the development starts, a landscape plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and three copies must be provided.

The landscaping plan must be generally in accordance with the proposed landscape plan dated 5 August 2014 prepared by BJB Landscaping except that the plan must show:-

- a) A survey including botanical names of all existing vegetation to be retained and/or removed
 - b) Buildings and trees including botanical names on neighbouring properties within three metres of the boundary
 - c) Details of surface finishes of pathways and driveways
 - d) A planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant
 - e) Landscaping and planting within all open areas of the site.
7. Before the occupation of the development starts or by such later date as is approved by the Responsible Authority in writing, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.

4.6 103 DALGETTY ROAD, BEAUMARIS (continued)

8. 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.
9. The proposed internal drainage must be connected to the existing legal point of discharge. The applicant may apply for legal point of discharge and local drain information, or carry out on site verification.
10. The applicant must apply for the nominated legal point of discharge for the development where stormwater run-off must be collected and free drained to Council's drainage assets to Council's standards.
11. Stormwater discharge must be retained for the portion above the discharge calculated using a Coefficient of Runoff of 0.35. The development is to have a Stormwater Detention System installed, the design capacity of which is to be to the satisfaction of the Responsible Authority.
12. 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.

13. All on-site stormwater is to be collected from the hard surface areas and must not be allowed to flow uncontrolled onto adjoining properties. The on-site drainage system must prevent discharge from each driveway onto the footpath. Such a system may include either:
 - a) A trench grate (150mm minimum internal width) located within the property; and/or
 - b) Shaping the driveway so that water is collected in a grated pit on the property; and/or
 - c) Another Council approved equivalent.
14. The driveway / parking areas / paved courtyards / paths and any 'pervious' pavers must be graded / drained to prevent stormwater discharge onto the front footpath and into adjacent properties.
15. Before the development begins, three sets of detailed plans indicating the method of stormwater discharge to the nominated Legal Point of Discharge (and Stormwater Detention Systems where applicable) must be lodged with Council's Engineering Services department for approval.
16. Before the commencement of works, detailed plans to the satisfaction of the Responsible Authority must be submitted to and be 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.

4.6 103 DALGETTY ROAD, BEAUMARIS (continued)

The plans must be in accordance with the guidelines outlined in Clause 22.08 of the Bayside Planning Scheme and must show:-

- a) The type of water sensitive urban design stormwater treatment measures to be used;
- b) The location of the water sensitive urban design stormwater treatment measures in relation to buildings, sealed surfaces and landscaping areas;
- c) Design details of the water sensitive urban design stormwater treatment measures, including cross sections; and

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

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

17. The protection requirements for Tree 9 (*Pittosporum undulatum* (Sweet Pittosporum)) growing in 101 Dalgetty Road and for Tree 16 (*Melaleuca styphelioides* (Prickly-leaved Paperbark)) as outlined in the Construction Impact and Tree Protection Assessment Report prepared by Treelogic, dated 15 December 2014 must be implemented to the satisfaction of the Responsible Authority to ensure the survival of these trees during and after the construction process.
18. Tree Protection Fencing is to be established around the street trees prior to demolition and maintained until all works on site are complete.
 - a) The fencing is to be constructed and secured so its positioning cannot be modified by site workers.
 - b) The fencing is to encompass the entire naturestrip under the dripline of the trees.
 - c) The Tree Protection Zone is to be established and maintained in accordance with Australian Standards 4970 (Protection of trees on development sites).
 - d) During construction of the crossover, tree protection fencing may be reduced to the edge of the council approved crossover to facilitate the construction of the crossover.
19. Root pruning within the TRZ (Tree Protection Zone)
 - a) Prior to soil excavation, a trench along the line of the proposed crossover must be dug by hand.
 - b) All affected roots must be correctly pruned according to AS 4373-2007

4.6 103 DALGETTY ROAD, BEAUMARIS (continued)

20. This permit will expire if one of the following circumstances applies:

- a) The development is not started within two years of the date of this permit.
- b) The development is not completed within four years of the date of this permit.

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

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

Permit Notes

N1 Crossover permit

N2 Building approval

N10 Asset Protection

Build over easement:

There is no easement within the property although records suggest there is a sewer drain at the rear of the property and a stormwater pit in the south west corner of the property. Unit 2 has pool / structures over the sewer drain which will require approval from the responsible authority as part of the Building Permit process to build over.

Permits to be acquired:

- a) Construction of any fence/wall/letterbox structures may necessitate removal/damage of some sections of footpath. If this is the case, a '*Road Opening/Stormwater Tapping Permit*' is to be obtained to facilitate such works.
- b) A '*Road Opening/Stormwater Tapping Permit*' is to be obtained from the Infrastructure Department prior to connection to the Council drain/kerb/channel.

CARRIED

4.7 23 CLOYNE STREET, HIGHTT

Moved: Cr Frederico

Seconded: Cr Lowe

That Council having caused notice of Planning Application No. 2014/468/1 to be given under Section 52 of the Planning and Environment Act 1987 and having considered all the matters required under Section 60 of the Planning and Environment Act 1987 decides to Issue a Notice of Decision to Grant a Permit under the provisions of the Bayside Planning Scheme in respect of the land known and described as 23 Cloyne Street, Hightt for the construction of two dwellings generally in accordance with the submitted plans in accordance with the application dated 23/06/2014, subject to the following conditions, including the specified conditions set out in the Council's "Town Planning Standard Conditions" adopted by the Council on 28 November 2006:-

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the plans submitted with the application but modified to show:
 - a) The proposed crossover to 'house 1' setback 2.7 metres from the trunk of the *Melia Azedarach* (White Cedar) within the road reserve.
 - b) The existing crossover to 'house 2' to be re-constructed in accordance with Condition 7 of this permit.
 - c) Visibility splays provided in accordance with Design Standard 1 of Clause 52.06-8.
 - d) A report prepared by a suitably qualified arborist detailing the tree protection zones to the two *Betula pedula* (Silver Birch) on 21 Cloyne Street adjacent to the common property, Small trees and shrubs on 25 Cloyne Street adjacent to the common boundary and *Acer negundo* (Box Elder) on 22 Beaumaris Parade adjacent to the common boundary.
 - e) A schedule of construction materials, external finishes and colours.
 - f) The provision of 6 cubic metres of storage space to each dwelling in accordance with Standard B30 of Clause 55.05-6 'Storage objective'.
 - g) An amended Landscape plan in accordance with Condition 9 of this permit.
2. The development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.
3. All pipes, fixtures, fittings and vents servicing any building on the site must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.
4. No plant, equipment, services or architectural features other than those shown on the endorsed plans are permitted above the roof level of the building(s) without the written consent of the Responsible Authority.

4.7 23 CLOYNE STREET, HIGHETT (continued)

5. The walls on the boundary of the adjoining properties shall be cleaned and finished to the satisfaction of the Responsible Authority.
6. Before the occupation of the development starts, the areas set aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:
 - a) Constructed;
 - b) Properly formed to such levels that they can be used in accordance with the plans;
 - c) Surfaced with an all-weather-seal coat;
 - d) Drained;
 - e) Line marked to indicate each car space and all access lanes;
 - f) Clearly marked to show the direction of traffic along access lanes and driveways;

To the satisfaction of the Responsible Authority.

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

7. Vehicular crossings must be constructed to the road to suit the proposed driveway(s) to the satisfaction of the Responsible Authority and any existing crossing or crossing opening must be removed and replaced with footpath, nature strip, and kerb and channel to the satisfaction of the Responsible Authority.
8. All disused or redundant vehicle crossings must be removed and the area reinstated to kerb and channel to the satisfaction of the Responsible Authority.
9. Before the development starts, an amended landscape plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and three copies must be provided.

The plan must show:

- a) A survey of all existing vegetation to be retained and/or removed.
- b) Buildings and trees including botanical names on neighbouring properties within three metres of the boundary.
- c) Details of surface finishes of pathways and driveways.
- d) A planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant.
- e) Landscaping and planting within all open areas of the site.
- f) The Dwarf Yellow Gum (*Eucalyptus leucoxylon* 'Euky Dwarf') replaced with two trees capable of reaching a mature height of at least 8 metres.
- g) Details of any relevant tree protection zones.

4.7 23 CLOYNE STREET, HIGHETT (continued)

- h) That sufficient soil volume is provided to allow proposed canopy tree plantings to reach their potential mature height and spread.

All species selected must be to the satisfaction of the Responsible Authority.

The landscape plan must also indicate that an in-ground irrigation system is to be provided to all landscaped areas.

10. Before the occupation of the development starts or by such later date as is approved by the Responsible Authority in writing, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.
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 the commencement of works, detailed plans to the satisfaction of the Responsible Authority must be submitted to and be approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be in accordance with the guidelines outlined in Clause 22.08 of the Bayside Planning Scheme and must show:-
 - a) The type of water sensitive urban design stormwater treatment measures to be used;
 - b) The location of the water sensitive urban design stormwater treatment measures in relation to buildings, sealed surfaces and landscaping areas;
 - 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.

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

13. Before the development starts, a tree protection fence must be erected around the *Melia Azedarach* (White Cedar) in the road reserve to the satisfaction of the Responsible Authority. The fence must be constructed and secured so its positioning cannot be modified by site workers. The fencing is to encompass the entire road reserve under the drip line of each tree. The Tree Protection Zone is to be established and maintained in accordance with Australian Standards 4970 *Protection of trees on development sites*. During construction of the cross-over, tree protection fencing may be reduced to the edge of the Council approved cross-over to facilitate the construction of the cross-over.

4.7 23 CLOYNE STREET, HIGHETT (continued)

14. No vehicular or pedestrian access, trenching or soil excavation is to occur within the Tree Protection Zone without the written consent of the Responsible Authority. No storage or dumping of tools, equipment or waste is to occur within the Tree Protection Zone.
15. 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.
16. The existing street trees must not be removed or damaged to the satisfaction of the Responsible Authority.
17. All existing vegetation shown on the endorsed plans to be retained must not be removed, destroyed, pruned or lopped without the written consent of the Responsible Authority, all tree pruning must be carried out by a qualified Arborist to AS 4373, Pruning of Amenity Trees.
18. 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.
19. 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.
20. 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.
21. All on-site stormwater is to be collected from the hard surface areas and must not be allowed to flow uncontrolled onto adjoining properties. The on-site drainage system must prevent discharge from 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.
22. Before the development begins, three sets of detailed plans indicating the method of stormwater discharge to the nominated Legal Point of Discharge (and Stormwater Detention Systems where applicable) must be lodged with Council's Engineering Services department for approval.
23. 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.

4.7 23 CLOYNE STREET, HIGHETT (continued)

Melbourne Water conditions (Nos. 24)

24. Pollution and sediment laden runoff shall not be discharged directly or indirectly into Melbourne Water's drains or waterways.

Permit Expiry

25. This planning permit will expire if one of the following circumstances applies:
- a) The development is not started within two years of the date of this permit.
 - b) The development is not completed within four years of the date of this permit.
- The Responsible Authority may extend the periods referred to above if a request is made in writing:
- Before the permit expires; or
 - Within 6 months afterwards if development has not commenced; or
 - Within 12 months afterwards if the development has lawfully commenced.

Permit Notes

Build over easement

Records indicate there is an easement running across the property with sewer assets and Melbourne Water drainage assets. There appears to be no structure of note to be built over the easement. Any proposals, building over or near this asset will require approval from the Responsible Authority as part of the Building Permit process.

Permits to be acquired

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.

Flood zone

Property is partly within an area designated as land liable to flooding. Floor levels and requirements can be obtained from Land Development Team, Melbourne Water.

CARRIED

It is recorded Cr Long declared a personal interest in item 4.8

Cr Long was not present in the Chamber when this item was considered and vacated the Chamber at 8.04pm.

4.8 4 BEENAK AVENUE, BRIGHTON EAST

It is recorded that Mrs Olena Demyanenko, Mr Neil Stanford and Ms Claire Warren on behalf of Mr Johan Moylan spoke in relation to this matter.

Moved: Cr Frederico

Seconded: Cr Long

That Council having caused notice of Planning Application No. 2014/425/1 to be given under Section 52 of the Planning and Environment Act 1987 and having considered all the matters required under Section 60 of the Planning and Environment Act 1987 decides to Issue a Notice of Decision to Grant a Permit under the provisions of the Bayside Planning Scheme in respect of the land known and described as 4 Beenak Avenue, Brighton East, for the Construction of two double storey dwellings in accordance with the endorsed plans and subject to the following conditions:-

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the plans submitted with the application but modified to show:
 - a) The tandem car spaces provided reduced in length to 5.4m measured from the southern end of the garages. The remaining area between these tandem car spaces and the southern boundary is to be landscaped.
 - b) Compliance with Standard B17 of ResCode in relation to all first floor side and rear setbacks.
 - c) Visibility splays provided in accordance with Design Standard 1 of Clause 52.06-8.
 - d) The location of all plant equipment to be positioned at ground floor level away from the location of habitable room windows of neighbouring dwellings
 - e) The proposed porch provided for Dwelling 2 deleted and replaced with a cantilevered porch over the entrance.
 - f) A schedule of external materials and finishes in accordance with Condition 3 of this planning permit.
 - g) A Tree Protection Plan (drawing) and Tree Management Plan (report) in accordance with Condition 8 of this planning permit.
 - h) A landscape plan in accordance with Condition 9 of this planning permit
 - i) Compliance with Melbourne Water Conditions 22-26 (inclusive) of this planning permit.

4.8 4 BEENAK AVENUE, BRIGHTON EAST (continued)

- j) The porch of dwelling 2 reduced in length so as to not encroach within the title boundaries of No. 2 Beenak Avenue, Brighton East. This must be demonstrated through a survey plan prepared by a suitably qualified Land Surveyor.
 - k) The ground floor north facing wall (living and dining room) of dwelling 2 setback 5 metres from the title boundary with No.2 Beenak Avenue, Brighton East.
 - l) The first floor north facing wall (bedroom 2 and hallway) of dwelling 2 setback 5 metres from the title boundary with No.2 Beenak Avenue, Brighton East.
 - m) Increase the boundary fence heights to ensure there is not overlooking from the ground floor to adjoining properties in accordance with Standard B22 of Clause 55
2. The development as shown on the endorsed plans must not be altered without the written consent of the responsible authority.
 3. Before the development starts, a schedule of construction materials, external finishes and colours (incorporating paint samples) to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the schedule will be endorsed and will then form part of the permit.
 4. 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 and the conditions of this permit must be carried out and completed to the satisfaction of the responsible authority.
 5. All pipes, fixtures, fittings and vents servicing the dwellings must be concealed in service ducts or otherwise hidden from view to the satisfaction of the responsible authority.
 6. No plant, equipment, services or architectural features other than those shown on the endorsed plans are permitted above the roof level of the dwellings without the written consent of the responsible authority.
 7. The walls on the boundary of the adjoining properties shall be cleaned and finished to the satisfaction of the Responsible Authority.
 8. Before the development begins (including demolition), the applicant is to provide a Tree Protection Plan (drawing) and Tree Management Plan (report) for trees to be retained on the site and on neighbouring properties which have Tree Protection Zones (TPZ) that project into the subject site. This is to ensure that trees to be retained remain viable post-construction. The following information is to be provided:
 - a) The Tree Protection Plan must be drawn to scale and provide details of the TPZ for trees to be retained on the site and neighbouring properties.
 - b) Where encroachment of the TPZ is greater than 10% the structural root zone (SRZ) must also be shown on the Tree Protection Plan.
 - c) The location of tree protection fencing must be specified on the Tree Protection Plan.

4.8 4 BEENAK AVENUE, BRIGHTON EAST (continued)

- d) There must be a notation on the Tree Protection Plan referencing the Tree Management Plan document.
 - e) The Tree Management Plan must be prepared by a suitably qualified and experienced arborist in accordance with AS 4970-2009 *Protection of Trees on Development Sites*. This document must provide details of the activities required during the development process to protect trees to be retained on the site and neighbouring properties. The applicant must demonstrate to the satisfaction of the Responsible Authority trees that to be retained will remain viable post-construction.
9. Before the development starts, a landscape plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and three copies must be provided. The landscaping plan must show:
- a) A survey (including botanical names) of all existing vegetation to be retained and/or removed
 - b) Buildings and trees (including botanical names) on neighbouring properties within three metres of the boundary
 - c) Details of surface finishes of pathways and driveways
 - d) Details of water sensitive urban design elements to be incorporated and the plant species to be used
 - e) A planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant. All species selected must be to the satisfaction of the Responsible Authority.
 - f) Landscaping and planting within all open areas of the site
 - g) An in-ground irrigation system to all landscaped areas.
 - h) A minimum two canopy trees capable of reaching a minimum mature height of 8m.
10. Before the occupation of the development starts or by such later date as is approved by the responsible authority in writing, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the responsible authority.
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.

4.8 4 BEENAK AVENUE, BRIGHTON EAST (continued)

12. Tree Protection Fencing is to be established around the street tree 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 Australian Standards 4970 Protection of trees on development sites. 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.
13. Prior to soil excavation, a trench along the line of the proposed crossover must be dug by hand. All affected roots must be correctly pruned according to AS 4373-2007.
14. Vehicular crossing/s must be constructed to the road to suit the proposed driveway/s to the satisfaction of the Responsible Authority and any existing crossing or crossing opening must be removed and replaced with footpath, nature strip, and kerb and channel to the satisfaction of the Responsible Authority.
15. Before the commencement of works, detailed plans to the satisfaction of the Responsible Authority must be submitted to and be approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be in accordance with the guidelines outlined in Clause 22.08 of the Bayside Planning Scheme and must show:-
 - a) The type of water sensitive urban design stormwater treatment measures to be used;
 - b) The location of the water sensitive urban design stormwater treatment measures in relation to buildings, sealed surfaces and landscaping areas;
 - 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.

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

16. 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.
17. Stormwater discharge must be retained for the portion above the discharge calculated using a Coefficient of Runoff of 0.35. The development is to have a Stormwater Detention System installed, the design capacity to be to the satisfaction of the Responsible Authority.

4.8 4 BEENAK AVENUE, BRIGHTON EAST (continued)

18. 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.
19. All on-site stormwater is to be collected from the hard surface areas and must not be allowed to flow uncontrolled onto adjoining properties. The on-site drainage system must prevent discharge from each driveway onto the footpath. Such a system may include either: a trench grate (150mm minimum internal width) located within the property and/or shaping the driveway so that water is collected in a grated pit on the property and/or another Council approved equivalent.
20. Before the development begins, three sets of detailed plans indicating the method of stormwater discharge to the nominated Legal Point of Discharge (and Stormwater Detention Systems where applicable) must be lodged with Council's Engineering Services department for approval.
21. The driveway / Parking areas / paved courtyards / paths and 'pervious' pavements must be graded / drained to prevent stormwater discharge onto the front footpath and into adjacent properties.

Melbourne Water Conditions (Nos. 22 – 33)

22. The dwellings must be constructed with finished floor levels a minimum of 300mm above the applicable flood level which is a minimum of 20.60 metres to Australian Height Datum (AHD).
23. The garages must be constructed with finished surface levels a minimum of 150mm above the applicable flood level which is a minimum of 20.45 metres to AHD.
24. Melbourne Water requires a setback from the northern property to be a minimum of 19.19 metres.
25. No fill is permitted outside the proposed dwelling envelope with the exception of minimal ramping required for vehicles to enter the proposed garage.
26. Any new fence must be constructed of open style with a minimum of 50% of openings.
27. Prior to Council endorsement, the proposed development plan must be submitted to Melbourne Water that show Melbourne Water's freeboard requirement have been met.
28. Prior to the commencement of works a separate application, direct to Melbourne Water, must be made for any new or modified storm water connection to Melbourne Water's drains or watercourses. Prior to accepting an application, evidence must be provided demonstrating that Council considers that it is not feasible to connect to the local drainage system.

Contact Asset Services on telephone 9679 6614 for Melbourne Water's connection requirements, including payment of appropriate fees.

4.8 4 BEENAK AVENUE, BRIGHTON EAST (continued)

29. A legal Buildover Agreement for structures/works over Melbourne Water's asset must be entered into with Melbourne Water. Please contact Asset Services on 9679 6614.
30. Landscaping plans affecting the drainage easement/drain must be submitted to Melbourne Water for approval.
31. Prior to a Building Permit being issued, a separate Buildover Application must be made directly to Melbourne Water for detailed terms and conditions. Design plans must be submitted to include the following:
 - a) Driveway type, thickness etc.
 - b) Method of works.
 - c) Fencing/Landscaping.
 - d) Any other structures/works that re within easement or affecting the drain.Please note, fees and bonds will be applicable for asset protection works.
32. Prior to the issue of an Occupancy Permit, a certified survey plan showing finished floor levels (as constructed) reduced to the Australian Height Datum must be submitted to Melbourne Water. The Plan must demonstrate that the floor levels have been constructed in accordance with Melbourne Water's requirements.
33. Pollution and sediment laden runoff shall not be discharged directly or indirectly into Melbourne Water's drains or waterways.
34. This permit will expire if one of the following circumstances applies:
 - a) The development is not started within two years of the date of this permit.
 - b) The development is not completed within four years of the date of this permit.The Responsible Authority may extend the periods referred to above if a request is made in writing:
 - Before the permit expires; or
 - Within 6 months afterwards if development has not commenced; or
 - Within 12 months afterwards if the development has lawfully commenced.

Permit Notes

Build over easement

Records indicate there is an easement running across the property with sewer assets and Melbourne Water drainage assets. There appears to be no structure of note to be built over the easement. Any proposals, building over or near this asset will require approval from the Responsible Authority as part of the Building Permit process.

Permits to be acquired

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.

4.8 4 BEENAK AVENUE, BRIGHTON EAST (continued)

Flood zone

Property is partly within an area designated as land liable to flooding. Floor levels and requirements can be obtained from Land Development Team, Melbourne Water.

Melbourne Water

The applicable flood level for this property that has a probability of occurrence of 1% in any one year is 20.30 metres to Australian Height Datum (AHD).

If further information is required in relation to Melbourne Water's conditions shown above, please contact the Land Development on 9679 7517 quoting Melbourne Water's Reference 76593.

For the purpose of the Building Code of Australia – Building in Flood Hazard Areas, Melbourne Water has determined that during a flood event that has a probability of occurrence of 1% in any one year, the maximum flow rate of flood water (velocity) will be below 1.5 metres per second.

Please note that flooding may be associated with the Melbourne Water regional drainage system and/or the local Council drainage systems. Melbourne Water does not have any information in relation to flow velocities associated with the local Council drainage system.

CARRIED

It is recorded that Cr Long vacated the Chamber immediately prior to the discussion on this item and was not present in the Chamber whilst the vote was taken on this matter.

The Chairman declared the meeting closed at 8.20pm.

CONFIRMED THIS 14 DAY OF JULY 2015

CHAIRPERSON: