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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

There were no apologies submitted to the meeting.

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 16 October 2018.

Moved: Cr Long

Seconded: Cr del Porto

That the minutes of the Planning & Amenity Committee Meeting held on 16 October 2018, as previously circulated, be confirmed as an accurate record of proceedings.

CARRIED

4. Matters of Decision

4.1 209 BALCOMBE ROAD, BEAUMARIS NOTICE OF DECISION TO GRANT A PLANNING PERMIT APPLICATION NO: 2018/148/1 WARD: SOUTHERN

City Planning & Community Services - Development Services
File No: PSF/15/8755 – Doc No: DOC/18/231370

It is recorded that Mr George Modrich (via proxy Timothy Heafield), Mr Jeremy Clarke (via proxy Sean O'Malley), Mr Timothy Heafield, Ms Anni Ley, Mr Colin Martin and Mr Tony Preiato each spoke for three minutes on this item.

Moved: Cr Evans (Mayor)

Seconded: Cr Martin

That Council resolve to issue a **Notice of Decision to Grant a Planning Permit** under the provisions of the Bayside Planning Scheme in respect of **Planning application 2018/148/1** for the land known and described as **209 Balcombe Road, Beaumaris**, for the **construction of an additional dwelling on a lot, alterations to the existing dwelling and a two lot subdivision** 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 advertised plans prepared by Tony Preiato Associates referenced Sheets 3-9 Rev A inclusive and sheet 14 Rev A, all dated 15/05/18 but modified to show:
 - a) A driveway with a gradient no greater than 1 in 10.
 - b) Pedestrian sightline triangles where the driveway intersects with the footpath in accordance with AS2890.01 and/ or The Bayside Planning Scheme.
 - c) Tree protection zones and fencing dimensions for the street tree assets on ground floor and landscape plans in accordance with AS4979-2009 – Protection of Trees on Development Sites.
 - d) A Landscaping Plan in accordance with Condition 10 of this permit.
 - e) Water Sensitive Urban Design measures in accordance with Condition 8 of this permit.
 - f) The setbacks of dwelling 2 to be compliant with Res Code Standard B17 of the Bayside Planning Scheme.
 - g) The garage facade and door to be clad in a timber finish.
 - h) The removal of the asbestos fencing located on the eastern property boundary.All to the satisfaction of the Responsible Authority.
2. The layout of the site and the size, levels, design and location of buildings and works shown on the endorsed plans must not be modified for any reason (unless the Bayside Planning Scheme specifies that a permit is not required) without the

prior written consent of the Responsible Authority.

3. Before the occupation of the site commences or by such later date as is approved in writing by the Responsible Authority, all buildings and works must be carried out and completed to the satisfaction of the Responsible Authority.
4. No plant, equipment, services or architectural features other than those shown on the endorsed plans are permitted above the roof level of the building/s without the written consent of the Responsible Authority.
5. All pipes (excluding downpipes), fixtures, fittings and vents servicing any building on the site must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.
6. The walls on the boundary of the adjoining properties shall be cleaned and finished to the satisfaction of the Responsible Authority.

Water Sensitive Urban Design

7. Prior to the endorsement of plans pursuant to Condition 1, 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.

Landscaping

9. Prior to the endorsement of plans pursuant to Condition 1, a detailed landscape plan to the satisfaction of the Responsible Authority must be submitted to and be endorsed by the Responsible Authority. The plan must be generally in accordance with the landscape plan drawn by Tony Preiato Associates, Sheet 11 of 15, dated 09/03/18 and be drawn to scale with dimensions and three copies must be provided. The plan must show:
 - a) Tree protection zones and fencing dimension of street tree assets in accordance with AS4979-2009 – Protection of Trees on Development Sites.
 - b) A survey, including botanical names of all existing trees to be retained on the site, including Tree Protection Zones calculated in accordance with AS4970-2009.
 - c) A survey, including botanical names of all existing trees on neighbouring properties where the Tree Protection Zones of such trees calculated in accordance with AS4970-2009 fall partially within the subject site.

- d) A planting schedule of all proposed trees and shrubs, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant. Plantings must be 80% indigenous by species type and count.
 - e) Replacement canopy trees in accordance with the Bayside Landscape Design Guidelines June 2016.
 - f) Landscaping and/or planting within all areas of the site not covered by buildings or hard surfaces.
 - g) Details of surface finishes of pathways and driveways.
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.

Street tree protection

12. Soil excavation must not occur within 3 metres from the edge of each of the three street tree asset's stems at ground level.
13. Street trees must not be removed, lopped, damaged or pruned by any party other than Bayside City Council authorised tree care contractors.
14. Any installation of services and drainage within the TPZ of street tree assets must be undertaken using root sensitive, non-destructive techniques.
15. Before the development starts, including demolition, tree protection fencing shall be established around the street tree assets. Tree protection fencing is required for the protection of a tree's canopy and root zone. Conditions for street tree protection fencing during development are as follows:
- a) Fencing is to be secured and maintained prior to demolition and until all site works are complete.
 - b) Fencing must be installed to comply with AS4970-2009, Protection of trees on development sites.
 - c) Fencing should encompass the Tree Protection Zone (TPZ) for all street trees adjacent to the development.
 - d) Fencing is to be constructed and secured so its positioning cannot be modified by site workers.
 - e) If applicable, prior to construction of the Council approved crossover, TPZ fencing may be reduced to the edge of the new crossover to facilitate works.
16. Prior to soil excavation for a Council approved crossover within the TPZ, a trench must be excavated along the line of the crossover adjacent to the tree using root sensitive non-destructive techniques. All roots that will be affected must be correctly pruned.
17. Any installation of services and drainage within the TPZ must be undertaken using root sensitive non-destructive techniques.

Traffic

18. Before the occupation of the development starts, the area(s) set aside for vehicle parking and accessways must be constructed and drained to the satisfaction of

the Responsible Authority. Such areas must be kept available for these purposes at all times.

19. The gradient of the driveway of the new dwelling shall not exceed 1 in 10.

Drainage

20. 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.
21. Before the development, detailed plans indicating, but not limited to, the method of stormwater discharge to the nominated Legal Point of Discharge (and On-Site Detention System where applicable) must be submitted to and approved by Council's City Assets and Projects Department.

Development Contribution

22. Prior to endorsement of the plan/s required under Condition 1 of this permit, the permit holder must pay a drainage levy of \$2,020 in accordance with the Bayside Drainage Development Contributions Plan. The levy amount payable will be adjusted to include the Building Price Index applicable at the time of payment.

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

Permit Expiry

23. This permit will expire if one of the following circumstances applies:
- The development is not started within two years of the date of this permit.
 - 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.

24. This permit will expire if:
- The plan of subdivision is not certified within two years of the date of this permit.
 - The plan of subdivision is not registered within five years of the original date of certification.

The Responsible Authority may extend the time if a request is made in writing before the permit expires or within six months afterwards.

Subdivision

25. The subdivision on the endorsed plans must not be altered without the written consent of the Responsible Authority.
26. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity and gas services to each lot shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.
27. All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created.

28. The plan of subdivision submitted for certification under the *Subdivision Act 1988* must be referred to the relevant authority in accordance with Section 8 of that Act.
29. The owner of the land must enter into an agreement with:
 - a) A telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and
 - b) A suitably qualified person for the provision of fibre-ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.
30. Before the issue of a Statement of Compliance for any stage of the subdivision under the *Subdivision Act 1988*, the owner of the land must provide written confirmation from:
 - a) A telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and
 - b) A suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.
31. Prior to the Plan of Subdivision being certified by the Responsible Authority, unless otherwise agreed in writing by the Responsible Authority or the construction on site reaching a minimum of a completed frame stage, the owner of the land must enter into an agreement pursuant to Section 173 of the *Planning and Environment Act 1987* with the Responsible Authority to the effect that:
 - a) The development of the land indicated on the plan of subdivision shall be in accordance with approved plans forming part of Planning Permit No. 2018/148/1 or any amendment to the plans approved by the Responsible Authority.
 - b) The agreement shall be prepared and executed at the owners cost.
32. This permit will expire if:
 - a) The plan of subdivision is not certified within two (2) years of the date of this permit.
 - b) The registration of the subdivision is not completed within five (5) years of the date of certification of the plan of subdivision.

The Responsible Authority may extend the time if a request is made in writing before the permit expires or within six months afterwards.

Subdivision Permit Notes

Compliance

- The land may be inspected by Council to ensure compliance with this planning permit and any plans and documents endorsed to this permit. Investigations and

possible prosecutions may apply if you fail to accord with all requirements of this Planning Permit and any relevant Building Regulation, Local Law or other legislation. This includes the need for the retention and maintenance of any building, hard and soft landscaping assets and all building services.

Telecommunications infrastructure in new developments

- Developers are responsible for providing telecommunications infrastructure in their developments. To provide this infrastructure, you must contract a carrier to install and operate a telecommunications network. As the Infrastructure Provider of Last Resort (IPOLR) for your area, you should be able to have the NBN™ broadband access network connected to your development - but you need to apply.
- Telstra is the Infrastructure Provider of Last Resort (IPOLR) supporting voice services for developments with less than 100 lots in areas where the NBN has not established its network.
- Developers are asked to apply six months before the required service date to ensure a connection is ready when residents move in.

Development 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.
- A permit must be obtained from Council for all vehicular crossings. These must be constructed under Council's supervision for which 24 hours' notice is required.
- Construction of any fence / wall / letterbox structures may necessitate removal / damage of some sections of footpath. If this is the case, a Road Opening Permit must be obtained to facilitate such work.
- Subsurface water must be treated in accordance with Council's Policy for Works on Assets within the Road Reserve Policy 2018.
- Council records indicate that there is a 1.83m wide drainage and sewerage easement along the south property boundary as indicated on the drawings provided. The plans indicate that a side timber fence and gate crossing will be constructed over the easement. Any proposal to encroach into the easement will require Build Over Easement consent from the Responsible Authority/ Authorities.
- 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.
- No work must be commenced in, on, under or over the road reserve without having first obtaining all necessary approval under the *Road Management Act* 2004, the *Road Safety Act* 1986, and any other relevant acts or regulations created under those Acts.

CARRIED

**4.2 372 BEACH ROAD, BEAUMARIS
NOTICE OF DECISION TO GRANT A PLANNING PERMIT
APPLICATION NO: 2018/163/1 WARD: SOUTHERN**

City Planning & Community Services - Development Services
File No: PSF/15/8755 – Doc No: DOC/18/233694

It is recorded that Mr Jamie Paterson, Mrs Fiona Austin, Mrs Caroline Lawton (via proxy Jamie Paterson), Ms Annie Price (via proxy Fiona Austin), Ms Laura Beilby and Mr Shem Curry each spoke for three minutes on this item.

Moved: Cr Evans (Mayor)

Seconded: Cr Martin

That Council, having caused notice of **Planning Application No. 2018/163/1** 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 Planning Permit** in respect of the land known and described as **372 Beach Road, BEAUMARIS for the construction of two double storey dwellings removal of native vegetation in a Vegetation Protection Overlay (Schedule 3) and creation of access to a road in a Road Zone, Category 1** for the following reasons:

1. The proposal fails to comply with the objective of Clause 15.01-5S of the Bayside Planning Scheme, specifically it does not sufficiently recognise or support the existing neighbourhood character or sense of place.
2. The proposal fails to respond to the objectives of Clause 22.06 (Neighbourhood Character, Precinct H4) of the Bayside Planning Scheme, on the following grounds:
 - a) The development fails to respond to the existing and preferred neighbourhood character for this precinct.
 - b) The development fails to maintain or enhance the garden setting of the dwelling.
 - c) The development fails to maintain the rhythm of spacious visual separation between dwellings.
 - d) The development fails to minimise the dominance of car parking structures.
 - e) The built form dominates the respective streetscapes and does not adopt innovative architecture that reflects the site's coastal setting.
3. The proposal fails to comply with the Objectives and Standards of Clause 55 of the Bayside Planning Scheme, in particular:
 - a) Standard B1 (Neighbourhood Character) – The proposal fails to respond to the existing and preferred neighbourhood character for this precinct.
 - b) Standard B6 (Street Setback) – The variations sought are not respectful of the existing or preferred neighbourhood character.
 - c) Standard B8 (Site Coverage) – The variations sought are not respectful of the existing or preferred neighbourhood character or site features.
 - d) Standard B14 (Access)

**4.3 163 BAY ROAD, SANDRINGHAM
NOTICE OF DECISION TO GRANT A PLANNING PERMIT
APPLICATION NO: 2018/118/1 WARD: CENTRAL**

City Planning & Community Services - Development Services
File No: PSF/15/8755 – Doc No: DOC/18/247097

It is recorded that Ms Natalie Evans spoke for three minutes on this item.

Moved: Cr Castelli

Seconded: Cr Long

That Council resolve to issue a **Notice of Decision to Grant a Planning Permit** under the provisions of the Bayside Planning Scheme in respect of **Planning application 2018/118/1** for the land known and described as **163 Bay Road, Sandringham** for the **display of business identification signage** in accordance with the endorsed plans and subject to the following conditions from the standard conditions:

1. The location and details of the sign/s, including those of the supporting structure, as shown on the endorsed plans, must not be altered without the written consent of the Responsible Authority.
2. All signs must be located wholly within the title boundaries of the land.
3. The signs must not be illuminated by external or internal light except with the written consent of the Responsible Authority.
4. The signs must be constructed and maintained to the satisfaction of the Responsible Authority.
5. This permit expires 15 years from the date of issue.

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.

CARRIED

**4.4 46 DENDY STREET, BRIGHTON
NOTICE OF DECISION TO GRANT A PLANNING PERMIT
APPLICATION NO: 2018/242/1 WARD: CENTRAL**

City Planning & Community Services - Development Services
File No: PSF/15/8755 – Doc No: DOC/18/247479

It is recorded that Cr del Porto left the meeting at 8.46 pm. Cr del Porto returned to the meeting at 8.49 pm.

It is recorded that Ms Anna Riley, Mrs Tatiana Bourke, Ms Fiona Quinn (via proxy Julia Quinn), Mrs Sue Smart and Miss Monica Cameron each spoke for three minutes on this item.

It is recorded that Ms Anna Riley (proxy for Mr Matthew Bull and Miss Lily Bull) and Mr Kevin Smart did not pursue their right to speak on this matter.

It is recorded that Mr Michael Levenda was not present at the meeting.

Moved: Cr Castelli

Seconded: Cr del Porto

That Council resolve to issue a **Notice of Decision to Grant a Planning Permit** under the provisions of the Bayside Planning Scheme in respect of **Planning application 2018/242/1** for the land known and described as **46 Dendy Street, Brighton** for the **display of business identification signage** 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 decision plans but modified to show:
 - a) The deletion of signs two and three attached to the front fence.
2. The location and details of the sign/s, including those of the supporting structure, as shown on the endorsed plans, must not be altered without the written consent of the Responsible Authority.
3. All signs must be located wholly within the title boundaries of the land.
4. The signs must not contain any flashing light.
5. The signs must not be illuminated by external or internal light except with the written consent of the Responsible Authority.
6. The signs must be constructed and maintained to the satisfaction of the Responsible Authority.
7. This permit expires 15 years from the date of issue.

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.

AMENDMENT**Moved: Cr Long****Seconded: Cr Evans (Mayor)**

That Council resolve to issue a **Notice of Decision to Grant a Planning Permit** under the provisions of the Bayside Planning Scheme in respect of **Planning application 2018/242/1** for the land known and described as **46 Dendy Street, Brighton** for the **display of business identification signage** 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 decision plans but modified to show:
 - a) The deletion of sign one attached to the building and sign three attached to the front fence.
2. The location and details of the sign/s, including those of the supporting structure, as shown on the endorsed plans, must not be altered without the written consent of the Responsible Authority.
3. All signs must be located wholly within the title boundaries of the land.
4. The signs must not contain any flashing light.
5. The signs must not be illuminated by external or internal light except with the written consent of the Responsible Authority.
6. The signs must be constructed and maintained to the satisfaction of the Responsible Authority.
7. This permit expires 15 years from the date of issue.

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

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

DIVISION: **FOR:** Crs Laurence Evans (Mayor), James Long, Clarke Martin, Sonia Castelli and Rob Grinter (5)

AGAINST: Crs Alex del Porto and Michael Heffernan (2)

CARRIED

The **AMENDMENT** then became the **MOTION**.

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

DIVISION: **FOR:** Crs Laurence Evans (Mayor), James Long, Clarke Martin, Sonia Castelli and Rob Grinter (5)

AGAINST: Crs Alex del Porto and Michael Heffernan (2)

CARRIED

**4.5 1/140 AND 2/140 ESPLANADE BRIGHTON
SUPPORT THE GRANT OF A PLANNING PERMIT (CONSENT ORDER)
APPLICATION NO. 5/2016/629/1 WARD: NORTHERN**

City Planning & Community Services - Development Services
File No: PSF/15/8755 – Doc No: DOC/18/254825

Moved: Cr del Porto

Seconded: Cr Heffernan

That Council resolve to **Support the Grant of a Planning Permit** under the provisions of the Bayside Planning Scheme in respect of Planning application **5/2016/629/1** for the land known and described as **1/140 and 2/140 Esplanade, Brighton**, for the **Construction of two new dwellings on a lot, and roof decks in a Design and Development Overlay, Schedule 1, alteration of access to a road within a Road Zone, Category 1, and removal of easements** in accordance with the endorsed plans and subject to the following conditions from the standard conditions:

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the plans prepared by Elevli Plus Project No: 16789, Issue Date 18/10/2018 but modified to show:
 - a) Mail boxes to be provided adjacent to the pedestrian access gates fronting the Esplanade.
 - b) A minimum 2.1m headroom to be provided at the basement access entrance and throughout the basement as per Design Standard 2 of Clause 52.06 of the Bayside Planning Scheme.
 - c) Minimum head clearance over the roof deck access stair to be provided.
 - d) The sight triangles on the right hand side of the ramp (where it intersects with the common driveway) should not encroach into the other properties. A minimum 2m x 2.5m sight triangle to be provided on both sides in accordance with AS2890.1, ideally without encroaching into neighbouring properties. Common areas may be utilised to achieve sight lines.
 - e) Location of all plant and equipment, including hot water services and air conditioners etc. Plant and equipment is to be located in the designated area on the roof or within the basement level unless otherwise approved.
 - f) Evidence that Storm water from Lot 1/140 and 2/140 can be discharged to council nominated legal point of discharge.
 - g) Evidence that the Storm water from the main access can be discharged to council nominated legal point of discharge.
 - h) Water Sensitive Urban Design measures in accordance with Condition 8.
 - i) A Landscaping Plan in accordance with Condition 10.All to the satisfaction of the Responsible Authority.
2. The layout of the site and the size, levels, design and location of buildings and works shown on the endorsed plans must not be modified for any reason (unless the Bayside Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.

3. Before the occupation of the site commences or by such later date as is approved in writing by the Responsible Authority, all buildings and works must be carried out and completed to the satisfaction of the Responsible Authority.
4. No plant, equipment, services or architectural features other than those shown on the endorsed plans are permitted above the roof level of the building/s without the written consent of the Responsible Authority.
5. All pipes (excluding downpipes), fixtures, fittings and vents servicing any building on the site must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.
6. Before the occupation of the site commences, screening of windows including fixed privacy screens be designed to limit overlooking as required by Standard B22 and be installed and maintained to the satisfaction of the Responsible Authority thereafter for the life of the building.
7. The walls on the boundary of the adjoining common property shall be cleaned and finished to the satisfaction of the Responsible Authority.
8. The plan of removal of easement must not be altered without the written consent of the Responsible Authority.

Water Sensitive Urban Design

9. Prior to the endorsement of plans pursuant to Condition 1, 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.

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

Landscaping

11. Prior to the endorsement of plans pursuant to Condition 1, a detailed landscape plan to the satisfaction of the Responsible Authority must be submitted to and be endorsed by the Responsible Authority. The plan must be generally in accordance with the Landscape Plan prepared by John Patrick Landscape Architects, Job No 18-0422, VCAT01 Rev E, dated 19/10/2018, and be drawn to scale with dimensions and three copies must be provided. The plan must show:
 - a) Two canopy trees in the front setbacks to the Esplanade. The species selected must be tolerant of coastal conditions and have the capacity to reach a mature height of 10 metres with a spread of 6 metres at maturity.

- b) A planting schedule of all proposed trees and shrubs, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant.
- c) Landscaping and/or planting within all areas of the site not covered by buildings or hard surfaces.

Details of surface finishes of pathways and driveways.

- 12. Before the occupation of the development, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.
- 13. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority, including that any dead, diseased or damaged plants are to be replaced.

Drainage

- 14. Before the development starts, the permit holder must apply to Council for the Legal Point of Discharge for the development from where storm-water is drained under gravity to the Council network.
- 15. 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.

Construction Management Plan

- 16. 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 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.

South East Water

Potable Water

- 17. The owner of the subject land must enter into an agreement with South East Water for the provision of potable water supply and fulfil all requirements to its satisfaction.

Sewer

- 18. The owner of the subject land must enter into an agreement with South East Water for the provision of sewerage and fulfil all requirements to its satisfaction.

General

- 19. Prior to certification, the Plan of Subdivision must be referred to South East Water, in accordance with Section 8 of the *Subdivision Act 1988*.
- 20. South East Water has no objection to the proposed removal of easement/s as South East Water's reticulation assets are external to the property.

VicRoads

- 21. The disused or redundant vehicle crossings must be removed and the area reinstated with kerb and channel to the satisfaction of Council and at no cost to the Roads Corporation, prior to the commencement of the use.

Permit Expiry

- 22. 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.

23. This permit will expire if:

- a) The plan of removal of easement is not certified within two (2) years of the date of this permit.
- b) The registration of the plan of removal of easement is not completed within five (5) years of the date of certification of the plan.

The Responsible Authority may extend the time if a request is made in writing before the permit expires or within six months afterwards.

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.
- A permit must be obtained from Council for all vehicular crossings. These must be constructed under Council's supervision for which 24 hours' notice is required.
- Construction of any fence / wall / letterbox structures may necessitate removal / damage of some sections of footpath. If this is the case, a 'Road Opening Permit' must be obtained to facilitate such work.
- A 'Road Opening / Stormwater Tapping Permit' is to be obtained from the Infrastructure Department prior to the commencement of the connection to the Council Drain / kerb / channel.
- The owner of the subject land is required to obtain a 'Notice of Agreement' from South East Water. All requirements must be fulfilled to its satisfaction prior to South East Water consenting to the issuing of a Statement of Compliance.
- Subsurface water must be treated in accordance with Council's Policy for "Discharge of Pumped Subterranean Water Associated with Basements or Below Ground Structures.

CARRIED

5. Confidential Business

Nil

Following consideration of Confidential Business, the Chairperson declared the meeting closed at 9.57pm.