



**Minutes of the
Planning and Amenity Committee Meeting**

held in the Council Chambers, Civic Centre,
Boxshall Street Brighton
on Tuesday 12 September 2017

The Meeting commenced at 7.00pm

Councillors	Cr Alex del Porto (Mayor) Cr Laurence Evans Cr Michael Heffernan Cr James Long BM JP Cr Clarke Martin Cr Rob Grinter Cr Sonia Castelli
In attendance	Hamish Reid – Director City Planning and Community Services Arthur Vatzakis – Acting Manager Development Services Michael Henderson – Statutory Planning Coordinator Michael Kelleher – Statutory Planning Coordinator Terry Callant – Manager Governance Karen Brown – Governance Coordinator Mandy Bartlett – Governance Officer

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5. Confidential Business
Nil

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

1. Apologies

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 15 August 2017.

Moved: Cr Long

Seconded: Cr Martin

That the minutes of the Planning & Amenity Committee Meeting held on 15 August 2017, as previously circulated, be confirmed as an accurate record of proceedings.

CARRIED

4. Matters of Decision

**4.1 123 - 127 MARTIN STREET, BRIGHTON
SUPPORT THE GRANT OF A PLANNING PERMIT
APPLICATION NO: 2016/144/1 WARD: NORTHERN**

City Planning & Community Services - Development Services
File No: PSF/15/8755 – Doc No: DOC/17/185363

It is recorded that Mr Richard Lingard spoke for three minutes on this item.

Councillor del Porto (Mayor) left the Meeting at 7:01 pm

Councillor del Porto (Mayor) returned to the Meeting at 7:03 pm

Moved: Cr del Porto (Mayor)

Seconded: Cr Heffernan

That Council:

Determines to **Support** the application under the provisions of the Bayside Planning Scheme in respect of **Planning Application 2016/144/1** for the land known and described as **123 – 127 Martin Street, Brighton for the demolition of 123 Martin Street and partial demolition of 125-127 Martin Street in a Heritage Overlay Schedule 749 (HO749) and the construction of a four storey building plus two levels of basement car parking comprising two shops and three offices at ground level, 15 dwellings on upper floor levels in a Commercial 1 Zone, a reduction in the required car parking rate and a waiver of the loading and unloading facilities** 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 amended Buchan Group Plans dated 15 Project Number 315110, Drawing Numbers ATP20000 – 20016, ATP-40000, ATP40001, ATP500000 – ATP50003 Revision VCAT issue and dated 15 August 2017 but modified to show:
 - a) The front façade of 125-127 Martin Street cleaned and bagged with white paint
 - b) Car parking allocation as per the below:
 - i. One tandem parking space (i.e. 2 car spaces) to each 3-bedroom residential dwelling (total of 14 car spaces);
 - ii. One parking space to each 1 and 2-bedroom residential dwelling (total of 8 car spaces);
 - iii. Three parking spaces for residential visitors.
 - iv. Three parking spaces to each office tenancy (total of 9 parking spaces); and
 - v. Four parking spaces to each shop tenancy (total of 8 car spaces).
 - c) Dimensions to all parking spaces, aisle widths, column locations, etc.
 - d) All storage areas are to be provided with safe and convenient access.
 - e) Any bicycle parking spaces to be in accordance with as required in

AS2890.3.

- f) Bicycle parking spaces to be in accordance with as required in AS2890.3.
- g) A swept path assessment demonstrating that a B99 vehicle can pass at B85 vehicle should be provided.
- h) Swept paths should also be provided to demonstrate that two cars can pass at the bottom of the ramps at basement levels 1 and 2.
- i) A disabled parking space provided in accordance with AS2890.6.
- j) Car spaces located adjacent to walls should have an additional 300mm clearance in accordance with AS 2890.1:2004. This has not been provided for car spaces adjacent to stores.
- k) The ramps to/from ground level and between basement levels 1 and 2, at the eastern end to be in accordance with AS29890.1, 300mm clearance is to be provided to a high kerb or barrier.
- l) In accordance with AS2890.1, the aisle should be extended 1m past car spaces 1/T1 (basement level 1) and car space 19/T19 (basement level 2).
- m) Swept paths should be provided to demonstrate convenient access/egress to car spaces 33, 34/T34, 35/T35 and 36/T36.
- n) All elevations and roof plan to show all plant, equipment and services concealed within the design of the building. No plant, equipment, services or architectural features will be permitted above the roof level of the buildings without the written consent of the Responsible Authority, and no air conditioning units will be permitted to be visible from the street.
- o) Any changes to comply with the Site and Environment Management Plan (SEMP) conditions of this permit.
- p) Any changes to comply with the Construction Management Plan in conditions of this permit.
- q) Any notations or changes to meet the Drainage conditions of this permit
- r) Any consequential changes to the plans to comply with any conditions of this permit which must result in no increase in the building form and envelope.

All to the satisfaction of the Responsible Authority.

Ongoing conditions for the lifetime of the permit

2. The development as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.
3. Before the occupation of the any of the development or use hereby approved, all buildings and works 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 and remain concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.
5. Before occupation, screening of windows and roof decks including fixed privacy screens designed to limit overlooking as required by Standard B22 be installed and maintained thereafter for the life of the building to the satisfaction of the Responsible Authority.

6. 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.
7. The customer patronage shown on the endorsed plans, as associated with the car parking as shown on the endorsed plans, must not be exceeded at any time.
8. Before the occupation of the development starts, the areas set aside for vehicle parking and access ways must be constructed, drained and line marked to the satisfaction of the Responsible Authority. Such areas must be kept available for these purposes at all times.
9. Before the occupation of the development starts, new or altered vehicle crossings servicing the development must be constructed to the satisfaction of the Responsible Authority and any existing disused or redundant crossing or crossing opening must be removed and replaced with footpath/nature strip/ kerb and channel, to the satisfaction of the Responsible Authority.
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.

Landscaping

11. Before the development starts, a detailed landscape plan to the satisfaction of the Responsible Authority must be submitted to and be endorsed by the Responsible Authority. The plan must be drawn to scale with dimensions and three copies must be provided. The plan must show:
 - a) Planter boxes to be located on the inside of each north and south facing balcony with no reduction to the area of secluded private open space provided and no increase to the built form or building envelope.
 - b) A survey, including, botanical names of all existing trees to be removed on the site.
 - 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 vegetation within the planter boxes including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant.
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.
14. Before the development starts, including any related demolition or removal of vegetation, a Tree Management Plan (report) and Tree Protection Plan (drawing), to the satisfaction of the Responsible Authority, must be submitted to and be endorsed by the Responsible Authority.

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

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

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

- a) The Tree Protection Zone and Structural Root Zone for all trees to be retained on the site and for all trees on neighbouring properties where any part of the Tree Protection Zone falls within the subject site.
 - b) The location of tree protection measures to be utilised.
15. All protection measures identified in the Tree Management and Protection Plans must be implemented, and development works undertaken on the land must be undertaken in accordance with the Tree Management and Protection Plans, to the satisfaction of the Responsible Authority.
16. Before the development starts, including demolition or removal of vegetation, the name and contact details of the project arborist responsible for implementing the Tree Management Plan must be submitted to the Responsible Authority.

Site and Environment Management and Construction Management Plans

17. Prior to the endorsement of plans to Condition 1 of this permit, a Site and Environmental Management Plan (SEMP) must be prepared by a suitably qualified person, to the satisfaction of, and submitted to and approved by, the Responsible Authority. The SEMP will remain in perpetuity for the life of the use and development hereby approved, and must be updated to reflect new non-residential uses on the commencement of any tenancy. The SEMP must include operational and site management details including but not limited to;
- a) The Waste and Recycling Management Plan, prepared by Leigh Design dated 14 August 2017, to be updated to include the following:
 - i. Clarification of the arrangement for private waste collection contractor's vehicle to collect the waste on site and entering and exiting in a forward direction. Swept paths should be provided to demonstrate waste vehicles can satisfactorily access the bin store on Basement Level 1. Turning around and exist the site in a forward direction.
 - ii. Direct access from the shops to the waste collection and storage area. Access via the residential lobby is not supported.
 - iii. All waste streams including garbage and recycling, hard/ electronic/ liquid/ medical and home detox (paint and chemicals) are the responsibility of the private contractor and the body corporate. Council will not be offering these services; and
 - iv. A litter trap meeting Australian Standards for the size of the bin room to be installed and cleaned on a regular basis by a contractor;
 - b) The details of operation and how the hours of operation will be managed by the owners / operators of the non-residential uses;
 - c) An ongoing 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, and details of how all relevant traffic and parking related permit conditions will be complied with for the life of the development;

- d) Details of staff car parking management, staff bicycle parking, staff education regarding considerate commercial operations and any other relevant details relating to staff education and management; and
 - e) Details of how the commercial owners/occupiers will ensure that amenity of adjacent residences will be not be adversely affected by noise, smell, waste management, loading and unloading, pests and any other considerations.
18. Prior to the endorsement of plans to Condition 1 of this permit, a construction Management Plan (CMP) must be prepared by a suitably qualified person, to the satisfaction of, and submitted to and approved by, the Responsible Authority. The CMP must include operational and site management details including but not limited to;
- a) The location for the parking of all construction vehicles and construction worker vehicles during construction.
 - b) 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.
 - c) Proposed traffic management signage indicating any inconvenience generated by construction.
 - d) Fully detailed plan indicating where construction hoardings would be located.
 - e) A waste management plan including the containment of waste on site: disposal of waste, stormwater treatment and on-site facilities for vehicle washing.
 - f) 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.
 - g) Site security.
 - h) Public safety measures.
 - i) Construction times, noise and vibration controls.
 - j) Restoration of any Council assets removed and/or damaged during construction.
 - k) Protection works necessary to road and other infrastructure (limited to an area reasonable proximate to the site).
 - l) Remediation of any damage to road and other infrastructure (limited to an area reasonably proximate to the site).
 - m) An emergency contact that is available for 24 hours per day for residents and the Responsible Authority in the event of relevant queries or problems experience.
 - n) 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.
 - o) All contractors associated with the construction of the development must be made aware of the requirements of the Construction Management Plan.
 - p) Hoarding details, if any.

Traffic

19. Prior to the completion of the basement floor constructions, written confirmation by a Licensed Land Surveyor must be provided to the Responsible Authority verifying that the car park floor levels have been constructed in accordance with the endorsed plans (prior to the construction of the levels above being commenced).
20. Prior to the completion of the ramps within the basement car parks, written confirmation by a Licensed Land Surveyor must be provided to the Responsible Authority verifying that the ramps have been constructed in accordance with the endorsed plans (prior to the construction of the levels above being commenced).
21. Prior to the completion of the basement floor constructions, written confirmation by a Licensed Land Surveyor must be provided to the Responsible Authority verifying that the car park levels have been constructed in accordance with the endorsed plans (prior to the construction of the levels above being commenced).
22. Prior to the completion of the ramps within the basement car parks, written confirmation by a Licensed Land Surveyor must be provided to the Responsible Authority verifying that the ramps have been constructed in accordance with the endorsed plans (prior to the construction of the levels above being commenced).

Drainage

23. 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.
24. Before the endorsement of plans at Condition 1 of this permit, detailed plans indicating, but not limited to, the method of storm-water 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.
25. The water sensitive urban design stormwater treatment system as detailed in the Sustainable Design Assessment report, prepared by Sustainably Design Consultants (Dated December 2016) 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.
26. Prior to endorsement of the plans required under Condition 1 of this permit, the permit holder must pay a drainage levy in accordance with the amount specified under the Bayside Drainage Development Contributions Plan. The levy amount payable will be adjusted to include the Building Price Index applicable at the time of payment.
27. The levy payment shall be submitted to Council with the Bayside Drainage Contributions Levy Charge Sheet and it must include the Building Price Index applicable at the time of payment.

Cultural Heritage Management Plan

28. Prior and during construction the requirements and Recommendations of the Ecology and Heritage Partners Aboriginal Cultural Heritage Management Plan dated 18 August 20016, Number 14331 must be implemented to the satisfaction of the Responsible Authority.

Permit Expiry

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

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

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

Permit Notes

- This permit does not constitute any authority to carry out any building works, works to public property or occupy the building or part of the building unless all relevant building and asset protection permits are obtained. 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 proposed development would not be eligible for Council parking permits
- Other permits and approvals are likely to be required for this development. Please contact Council on 9599 4444 for more information.

CARRIED

**4.2 1/133 THOMAS STREET, BRIGHTON EAST
NOTICE OF DECISION TO GRANT A PLANNING PERMIT
APPLICATION NO: 2016/270/1 WARD: NORTHERN**

City Planning & Community Services - Development Services
File No: PSF/15/8755 – Doc No: DOC/17/175766

It is recorded that there were no speakers for this item.

Moved: Cr Heffernan

Seconded: Cr del Porto (Mayor)

That Council:

Issue a **Notice of Decision to Grant a Permit** under the provisions of the Bayside Planning Scheme in respect of **Planning Application No. 2016/270/1** for the land known and described as **1/133 Thomas Street, Brighton East**, for a **liquor licence for an existing food and drink premises** in accordance with the endorsed plans and subject to the following conditions from the standard conditions:

1. The licensed area as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.
2. The sale and consumption of liquor may only occur within the licenced area as shown on the endorsed plan.
3. The sale and consumption of liquor must remain ancillary to the principal use of the premises as a food and drink premises.
4. The service of alcohol may only occur in conjunction with a meal.
5. The sale of liquor may only occur on the premises between the following hours:
 - Monday – Saturday: 12:00pm – 10:30pm
 - Sunday: 12:00pm – 9:30pm
6. A maximum of 49 patrons are permitted on-site at any one time.
7. Before the use starts, a Noise and Amenity Plan must be submitted to and approved by the Responsible Authority and contain the following information:
 - a) The identification of all noise sources associated with the licensed premises (including, but not limited to, music noise, external areas allocated for smokers, queuing lines, entries and exits to the premises and courtyards).
 - b) Hours of operation for all parts of the premises.
 - c) Details of the provision of music including the frequency and hours of entertainment provided by live bands and DJs.
 - d) The identification of noise sensitive areas including residential uses and accommodation in close proximity to the licensed premises.
 - e) Measures to be undertaken to address all noise sources identified, including on and off-site noise attenuation measures.
 - f) Details of staffing arrangements including numbers and working hours of all security staff.

- g) Standard procedures to be undertaken by staff in the event of a complaint by a member of the public, the Victoria Police, an Authorised Officer of the Responsible Authority or an officer of the liquor licensing authority.
- h) Location of lighting within the boundaries of the site, security lighting outside the licensed premises and any overspill of lighting.
- i) Details of waste management including storage and hours of collection for general rubbish and bottles, and delivery times associated with the licensed premises.
- j) Details of any measures to work with neighbours or other residents in the immediate area to address complaints and general operational issues.
- k) Any other measures to be undertaken to ensure minimal impacts from the licensed premises.
- l) Location and operation of air-conditioning, exhaust fan systems and security alarms.

The approved Noise and Amenity Action Plan will form part of the permit and the use must operate in accordance with it to the satisfaction of the Responsible Authority.

8. This permit will expire if one of the following circumstances applies:
- a) The premises is not licenced under the Liquor Control Reform Act 1998 within two (2) years of the date of this permit.
 - b) The use is not started within two years of the date of this permit.
 - c) The use is discontinued for a period of two years or more.

In accordance with Section 69 of the *Planning and Environment Act 1987*, the Responsible Authority may extend the periods referred to if a request is made in writing within the prescribed timeframes, where the use allowed by the permit has not yet started.

CARRIED

**4.3 48 CAMPERDOWN STREET, BRIGHTON EAST
NOTICE OF DECISION TO AMEND A PLANNING PERMIT
APPLICATION NO: 2013/668/3 WARD: NORTHERN**

City Planning & Community Services - Development Services
File No: PSF/15/8755 – Doc No: DOC/17/165212

It is recorded that there were no speakers for this item.

Moved: Cr del Porto (Mayor)

Seconded: Cr Heffernan

That Council:

Issues a **Notice of Decision to Grant an Amended Planning Permit** under the provisions of the Bayside Planning Scheme in respect of the land known and described as **48 Camperdown Street, Brighton East**, for the **construction of two double storey dwellings and a front fence exceeding a height of 1.2 metres** 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 amended plans dated 8 June 2017 but modified to show:
 - a) **Correction to the landscape concept plan to accurately show a minimum 3000mm x 3000mm splay and solid diagonal setback of the fence.**
 - b) The provision of a privacy screen to the south facing study window of dwelling 1 in accordance with the requirements of Standard B22 of Clause 55 of the Planning Scheme.
 - c) The height of the dividing wall between the side rear gardens of the dwellings at a minimum height of 1.8 metres.
 - d) The width of the garage door openings increased to a minimum of 3 metres.
 - e) All pedestrian garage doors to open outwards.
 - f) The width of driveways increased to a minimum of 3 metres.
 - g) The width of the crossovers increased to a minimum of 3 metres and aligned with the driveways.
 - h) No excavation within 2.2 metres from the edge of the trunks of the two street trees fronting Carrington Grove.
 - i) The location of plant and equipment including air conditioning units and condensers located against the shared wall between the dwellings so as to minimise visual and noise impacts to adjoining properties.
 - j) A landscaping plan in accordance with Condition 9 of this permit including a canopy tree capable of reaching a mature height of 8 metres within the setbacks of each dwelling along Carrington Grove.
 - k) The site plan to show the in-ground swimming pool in the rear secluded private open space of 46 Camperdown Street.

- l) The provision of 6 cubic metres of storage for each dwelling.
 - m) Sil height of all west facing windows (House 1 and 2) be a minimum of 1700mm above finished first floor level.
 - n) Deletion of first floor study (House 1) resulting in a wall set back of west wall of bedroom 2 of not less than 7.5 metres from the west boundary with 46 Camperdown Street.
 - o) Consequential changes to the roof line in accordance with Condition 1(n) to be substantially in accordance with plan 05, dated 16 December 2015 and marked in red.
2. The development as shown on the endorsed plans must not be altered without the written consent of the responsible authority.
 3. Prior to the commencement of the development a tree protection methodology report is required to be submitted to and approved by the Responsible Authority. This report must accurately identify all vegetation on the site that is to be retained and adjacent to the property that has a Tree Protection Zone inside the property boundary in accordance with AS4970. This report must provide direction on tree sensitive engineering and protection measures during the construction process, in particular for Tree 1 and Tree 11 located at 1 Carrington Grove.
 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. The walls on the boundaries of the adjoining properties must be cleaned and finished to the satisfaction of the Responsible Authority.
 6. 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.
 7. 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.
 8. Vehicular crossings must be constructed to the road to suit the proposed driveways to the satisfaction of the responsible authority.
 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 boundaries
 - 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 including the trees required by Condition 1j) of this permit.
 - e) 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.

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. 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 nature strip under the drip line of the trees.
 - c) The Tree Protection Zones are 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.
13. Root pruning within the TPZ (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.
14. The existing street trees must not be removed or damaged.
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. 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.
- 19. 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.
- 20. 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.
- 21. 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

- 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.
- Prior to commencement of any building works, an Asset Protection Application must be taken out. This can be arranged by calling Asset Protection Administrator, Mon-Fri 9:00am to 1:00pm on 9599 4638.

Date	Amendment
12 September 2017	<p><u>Amended Plans under Section 72:</u></p> <ul style="list-style-type: none"> • Installation of a 1.8 metre high aluminium batten fence along the Carrington Grove frontage. • Replacement of the permitted 1.8 metre high timber fence with a 1.8 metre high timber batten fence painted black. • Minor changes to the endorsed landscape plan. <p><u>Amended Conditions under Section 72:</u></p>



	<ul style="list-style-type: none">• Deletion of existing Condition 1(a) and replacement with a new Condition 1(a)
22 June 2015	<p><u>Amended Plans under Section 72:</u></p> <ul style="list-style-type: none">• Removal of a Sweet Pittosporum (Tree 2) located within the front setback of the site.

CARRIED

**4.4 25 DAWSON AVE, BRIGHTON
NOTICE OF DECISION TO GRANT A PLANNING PERMIT
APPLICATION NO: 2016/612 WARD: NORTHERN**

City Planning & Community Services - Statutory Planning
File No: PSF/15/8755 – Doc No: DOC/17/134089

It is recorded that Mr Michael Meyer spoke for three minutes on this item.

Moved: Cr del Porto (Mayor)

Seconded: Cr Heffernan

That Council:

Issues 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 **25 Dawson Avenue, Brighton**, for the **construction of two dwellings on a lot, the construction of a front fence with a height in excess of 1.2 metres, and the construction of a roof deck above the second storey of a building** 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 date-stamped 7 November 2016, but modified to show:
 - a) Reduction of the overall height of Dwelling 1 to comply with Standard B7 of Clause 55 of the Bayside Planning Scheme.
 - b) A 0.6m reduction in the width of the paved pathway adjacent to the site's west boundary along its 26m length between the front boundary and the Dwelling 1 courtyard. The path shall have a maximum width of 1.2 metres.
 - c) A detailed landscape plan in accordance with Condition 14 of this permit.
 - d) Any development modifications recommended in the Tree Impact Assessment Report in accordance with Condition 17 to ensure the continued health and longevity of all trees whose Tree Protection Zones (refer AS4970-2009) fall within the subject site.
 - e) A 0.8m wide splitter island added within the nature strip, to separate the two driveways.
 - f) The 1 metre vehicle ramp transitions extended to 2 metres.
 - g) A schedule of construction materials, external finishes and colours (incorporating, for example, paint samples).
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. All pipes (excluding down pipes), fixtures, fittings and vents servicing any building on the site must be and remain concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.
5. All plant and equipment to be located away from habitable room windows of the dwellings and the adjoining properties habitable rooms.
6. 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.
7. Before occupation, screening of windows and roof decks including fixed privacy screens designed to limit overlooking as required by Standard B22 of Clause 55 of the Bayside Planning Scheme must be installed and maintained thereafter for the life of the building to the satisfaction of the Responsible Authority.
8. The walls on the boundary of the adjoining properties shall be cleaned and finished to the satisfaction of the Responsible Authority.
9. Before the occupation of the development starts, the areas set aside for vehicle parking and access ways must be constructed, drained and line-marked to the satisfaction of the Responsible Authority. Such areas must be kept available for these purposes at all times.
10. Before the occupation of the development starts, new or altered vehicle crossings servicing the development must be constructed to the satisfaction of the Responsible Authority and any existing disused or redundant crossing or crossing opening must be removed and replaced with footpath/nature strip/ kerb and channel, to the satisfaction of the Responsible Authority.
11. A 0.8 metre wide splitter island must be constructed within the nature strip, to separate the two driveways.
12. The 1 metre vehicle ramp transitions must be extended to 2 metres.
13. The water-sensitive urban design stormwater treatment system 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.
14. Prior to endorsement of plans pursuant to Condition 1, a detailed landscape plan must be submitted to, and endorsed by the Responsible Authority. The plan must be generally in accordance with the landscape concept plan prepared by Craig Eldridge Design, titled "25 Dawson Ave Brighton, Victoria", dated 10/04/17, Sheets TP01 – TP04, and be drawn to scale with dimensions. Three copies must be provided. The plan must show:
 - a) A survey, including botanical names, of all existing trees to be retained on the site.
 - b) A survey, including botanical names, of all existing vegetation to be removed from the site.
 - c) A survey, including botanical names, of all existing trees on neighbouring properties where the Tree Protection Zones of such trees calculated in accordance with AS4970-2009 fall partially within the subject site.
 - d) A planting schedule of all proposed trees and shrubs, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant.
 - e) Landscaping and/or planting within all areas of the site not covered by buildings or hard surfaces.
 - f) Details of surface finishes of pathways and driveways

- g) One large coastal canopy tree with the capacity to reach a mature height of 10 m and spread of 6 m at maturity, in the front setback of each new dwelling.
 - h) One small coastal canopy tree, with the capacity to reach a mature height of 8 m and spread of 4 m at maturity in the rear private open space of each dwelling.
 - i) Shrubs and ground-covers must also include coastal species.
 - j) All proposed plantings that were shown on Council land, removed.
 - k) Landscaping of the enlarged permeable area adjacent to the western boundary to be created by 0.6 metre reduction in the width of the paved pathway, in accordance with Condition 1(b).
15. 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.
16. 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.
17. Before the development starts, including any related demolition or removal of vegetation, a Tree Management Plan (report) and Tree Protection Plan (drawing), to the satisfaction of the Responsible Authority, must be submitted to, and be endorsed by the Responsible Authority.

The Tree Management Plan (report) must be specific to the site, be in accordance with Australian Standard: Protection of Trees on Development Sites AS4970-2009 and include:

- Details of Tree Protection Zones for all trees to be retained on the site and for all trees on neighbouring properties where any part of the Tree Protection Zone falls within the subject site;
- Comment on methods to be utilised and instruction on how to deploy them;
- Comment on when the protection measures are to be deployed;
- Comment on when the protection measures can be modified;
- Process that will be followed if any damage occurs to a tree;
- Process that will be followed if construction works require alteration to protection measures outlined in report; and
- Stages of development at which inspections will occur.

Any proposed alteration to the plan must be assessed by the site arborist and can only occur following the approval of the site arborist. Such approval must be noted and provided to the Responsible Authority within 28 working days of a written request.

Any damaged tree must be inspected by the site arborist without any delay and remedial actions undertaken. Such actions must be documented.

The Tree Protection Plan must be drawn to scale and show:

- The location of all tree protection measures to be utilised.

If tree protection measures are proposed to be changed during the development, one plan for each stage of tree protection measures must be submitted.

18. All protection measures identified in the Tree Management and Protection Plans must be implemented, and development works undertaken on the land must be undertaken in accordance with the Tree Management and Protection Plans, to the satisfaction of the Responsible Authority.

19. Before the development starts, including demolition or removal of vegetation, the name and contact details of the project arborist responsible for implementing the endorsed Tree Management Plan must be submitted to the Responsible Authority.
20. All protection measures identified in the Tree Management and Protection Plans must be implemented, and development works on the land undertaken, in accordance with the Tree Management and Protection Plans, to the satisfaction of the Responsible Authority.
21. Before the development starts, including demolition or removal of vegetation, the name and contact details of the project arborist responsible for implementing the Tree Management Plan must be submitted to the Responsible Authority.
22. Prior to endorsement of plans pursuant to Condition 1, a Tree impact assessment report in accordance with part 2.3.5 of Australian Standard Protection of Trees on Development Sites 4970-2009 must be submitted to, and approved by, the Responsible Authority. The report must:
 - a) Identify impacts that may be detrimental to the tree(s);
 - b) Include design responses required to reduce any identified negative impact; and
 - c) Be modified to include any recommendations made in the report.
23. 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.
24. There must be no soil excavation within the 2 metres of the *Ulmus parvifolia* (Chinese Elm) street tree at the western end of the site frontage, measured from the edge of the trunk.
25. Before the development begins, 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.
26. Subsurface water must be treated in accordance with Council's Policy for "Discharge of Pumped Subterranean Water Associated with Basements or Below Ground Structures."
27. Prior to endorsement of the plans required under Condition 1 of this permit, the permit holder must pay a drainage levy in accordance with the amount specified under the Bayside Drainage Development Contributions Plan. The levy amount payable will be adjusted to include the Building Price Index applicable at the time of payment.

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

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

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

Permit Notes

- This permit does not constitute any authority to carry out any building works, works to public property or occupy the building or part of the building unless all relevant building and asset protection permits are obtained. 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.
- Before any Asset Protection Permit is issued by Council, the applicant must pay \$2,168.55 to the Responsible Authority for the removal and replacement of the *Ulmus procera* (English Elm) street tree located centrally along the site frontage. This amount has been determined in accordance with Council's current policy for the removal of street trees. This amount may be increased by the Responsible Authority if an extension of time to commence work is granted and the amenity value of the street tree has increased. The Responsible Authority, or a contractor or agent engaged by the Responsible Authority, must undertake the removal and replacement of the street tree. Any replacement planting will be at the discretion of the Responsible Authority.
- Council records indicate that there is a 1.22m wide drainage and sewerage easement along the western property boundary as indicated on the drawings provided. The plans indicate that a decking shall be constructed over the easement. Any proposal to encroach into the easement will require Build Over Easement consent from the Responsible Authority/Authorities.

CARRIED

**4.5 163 SOUTH ROAD, BRIGHTON EAST (ST LEONARD'S COLLEGE) -
PERFORMING ARTS CENTRE AND SENIOR SCHOOL
NOTICE OF DECISION TO GRANT A PLANNING PERMIT
APPLICATION NO: 2017/147/1 WARD: CENTRAL**

City Planning & Community Services - Development Services
File No: PSF/15/8755 – Doc No: DOC/17/162809

It is recorded that Ms Anna Barclay, and Mr Philip Galloway spoke for three minutes each on this item.

It is recorded that Mr Dean Lovig was not present in the Chamber at the time his name was called to speak to this item.

Moved: Cr Grinter

Seconded: Cr Castelli

That Council:

Issues a **Notice of Decision to Grant a Permit** under the provisions of the Bayside Planning Scheme in respect of **Planning Application 2017/417/1** for the land known and described as **163 South Road, Brighton East (St Leonard's College)** for the **partial demolition of buildings, construction of new educational facilities including a Performing Arts Centre ('Leonardian' PAC), redevelopment of part of the Senior School and basement carpark extension in a Neighbourhood Residential Zone (Schedule 3), Heritage Overlay (Schedule 347), Design and Development Overlay (Schedule 3) and alterations to access in a Road Zone Category 1** in accordance with the endorsed plans and subject to the following conditions from the standard conditions:

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the plans submitted with the application and advertised but modified to show:
 - a) Ground level surfaces abutting "Harefield House" designed to protect the significant fabric. This includes alteration of levels that might have negative impacts such as causing rising damp by bridging existing damp-proof courses, appropriate surface drainage away from original walls, etc. A report from a suitably qualified expert must be provided to the satisfaction of the Responsible Authority.
 - b) A Landscape Plan in accordance with Condition 11 of this permit.
 - c) A Tree Management Plan in accordance with Condition 12 of this permit.
 - d) Drainage Development Contributions in accordance with Condition 18 of this permit.
 - e) Location of all plant and equipment, including hot water services and air conditioners. All plant and equipment to be located away from habitable room windows of the dwellings and the adjoining properties habitable rooms.
 - f) A schedule of construction materials, external finishes and colours, including samples.

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. No plant, equipment, services or architectural features other than those shown on the endorsed plans are permitted above the roof level of the building/s without the written consent of the Responsible Authority.
4. All pipes, fixtures, fittings and vents servicing any building on the site must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.
5. The combined performance capacity of the 'Leonardian' PAC and Kevin Wood Centre must not exceed a maximum capacity of 1,000 persons to the satisfaction of the Responsible Authority.

Noise

6. Noise emanating from the subject land must comply with State Environment Protection Policy (Control of Music Noise from Public Premises) No. N-2, to the satisfaction of the Responsible Authority. Any works required to ensure and maintain the noise levels from the Leonardian PAC and outside Agora area must be completed prior to the commencement of the use or occupation of the site and maintained thereafter, all to the satisfaction of the Responsible Authority.
7. Noise associated with deliveries and collections to the Leonardian PAC to comply with EPA Publication 1254 Noise Control Guidelines.
8. At the request of the Responsible Authority, the owner/ occupier must undertake noise measurements by a suitably qualified acoustic consultant and a report must be submitted to the Responsible Authority for compliance in relation to N-2 policies and/or EPA Technical Guidelines.
9. Before the development starts, a Noise and Amenity Management Plan must be submitted to and approved by the Responsible Authority and contain the following information:
 - a) The identification of all noise sources associated with the Leonardian PAC and Agora (including, but not limited to, music noise etc).
 - b) Details of the provision of performances including the frequency and hours.
 - c) Activities within the Agora to be appropriately tailored to ensure compliance with the requirements of Condition 6 and any amplified events (e.g. outdoor movie screening) will be considered as appropriate the loudspeaker types, location.
 - d) The identification of noise sensitive areas including residential uses and accommodation in close proximity to the Leonardian PAC and Agora area.
 - e) Measures to be undertaken to address all noise sources identified, including on and off-site noise attenuation measures.
 - f) Standard procedures to be undertaken by staff in the event of a complaint by a member of the public, the Victoria Police and an authorised officer of the responsible authority.
 - g) Details of any measures to work with neighbours or other residents in the immediate area to address complaints and general operational issues.

- h) Any other measures to be undertaken to ensure minimal impacts from the Leonardian PAC and Agora area.
- i) Location and operation of air-conditioning, exhaust fan systems and security alarms.

The approved Noise and Amenity Action Plan will form part of the permit and the use must operate in accordance with it to the satisfaction of the Responsible Authority.

10. All external plant and equipment must be acoustically treated or placed in soundproof housing to reduce noise to a level satisfactory to the Responsible Authority.

Vegetation

11. Prior to the endorsement of plans and pursuant to Condition 1, a detailed landscape plan to the satisfaction of the Responsible Authority must be submitted to and be endorsed by the Responsible Authority. The plan must be generally in accordance with the Landscape Concept Plan by Aspect Studios, dated 10/3/17, and be drawn to scale with dimensions and three copies must be provided. The plan must show:

- a) A survey, including botanical names, of all existing trees to be retained on the site.
- b) A survey, including botanical names, of all existing vegetation to be removed from the site.
- c) A survey, including botanical names, of all existing trees on neighbouring properties where the Tree Protection Zones of such trees calculated in accordance with AS4970-2009 fall partially within the subject site.
- d) A planting schedule of all proposed trees and shrubs, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant.
- e) Landscaping and/or planting within all areas of the site not covered by buildings or hard surfaces.
- f) Details of surface finishes of pathways and driveways.
- g) Irrigated vertical green wall to comprise 25% of total surface area of north walls of building identified as the 'Leonardian' PAC and new Senior School building.

12. Prior to the endorsement of plans and pursuant to Condition 1, a Tree Management Plan (report) and Tree Protection Plan (drawing), to the satisfaction of the Responsible Authority, must be submitted to, and be endorsed by, the Responsible Authority.

The Tree Management Plan (report) must be specific to the site, be in accordance with Australian Standard: Protection of Trees on Development Sites AS4970-2009 and include:

- Details of Tree Protection Zones for all trees to be retained on the site and for all trees on neighbouring properties where any part of the Tree Protection Zone falls within the subject site;
- Details of any drainage relocation required to accommodate the retention of Heritage Protected trees;
- Comment on methods to be utilised and instruction on how to deploy them;

- Comment on when the protection measures are to be deployed;
- Comment on when the protection measures can be modified;
- Process that will be followed if any damage occurs to a tree;
- Process that will be followed if construction works require alteration to protection measures outlined in report; and
- Stages of development at which inspections will occur.

Any proposed alteration to the plan must be assessed by the site arborist and can only occur following the approval of the site arborist. Such approval must be noted and provided to the Responsible Authority within 28 working days of a written request.

Any damaged tree must be inspected by the site arborist without any delay and remedial actions undertaken. Such actions must be documented.

The Tree Protection Plan must be drawn to scale and show:

- The location of all tree protection measures to be utilised.

If tree protection measures are proposed to be changed during the development, one plan for each stage of tree protection measures must be submitted.

13. Before the occupation of the development the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.
14. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority, including that any dead, diseased or damaged plants are to be replaced.
15. All protection measures identified in the Tree Management and Protection Plans must be implemented, and development works undertaken on the land must be undertaken in accordance with the Tree Management and Protection Plans, to the satisfaction of the Responsible Authority.
16. Before the development starts, including demolition or removal of vegetation, the name and contact details of the project arborist responsible for implementing the endorsed Tree Management Plan must be submitted to the Responsible Authority.
17. Before the development starts tree protection fencing is to be established around the street trees marked for retention prior to demolition and maintained until all works on site are complete. The fencing is to be constructed and secured so its positioning cannot be modified by site workers. The fencing is to encompass the entire naturestrip under the drip line of the tree. The Tree Protection Zone is to be established and maintained in accordance with AS 4970-2009. During construction of the crossover, tree protection fencing may be reduced to the edge of the Council approved crossover to facilitate the construction of the crossover.

Drainage

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

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

19. 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.
20. Before the development, detailed plans indicating, but not limited to, the method of storm-water 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.

Parking and Traffic Management Plan

21. Before the development starts, a traffic and parking management plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. Traffic and parking operations on and adjacent to the site must conform to this endorsed plan. Three copies of the plan must be submitted. The plan must be generally in accordance with the plan (specify any earlier submitted plan) but must include:
 - a) The location of all areas on-and/or off-site to be used for staff and patron parking.
 - b) Owner's permission and any required planning permission for parking on other land.
 - c) Specification of staff numbers adequate to enable efficient operation of car parking areas both on- and off-site.
 - d) The number and location of all on- and off-site security staff.
 - e) The means by which the direction of traffic and pedestrian flows to and from car parking areas will be controlled both on- and off-site.
 - f) Measures to discourage patron car parking in (specify location).
 - g) Measures to preclude staff parking in designated patron car parking areas.
 - h) Staffing and other measures to ensure the orderly departure and arrival of patrons especially any large groups departing at closing time.
 - i) Servicing of the drainage and maintenance of car parking areas.

Construction Management

22. Before the development starts, a Construction Management Plan (CMP), to the satisfaction of the Responsible Authority, must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit and shall thereafter be complied with. The CMP must specify and deal with, but not be limited to the following as applicable:
 - a) A detailed schedule of works including a full project timing.
 - b) A traffic management plan for the site, including when or whether any access points would be required to be blocked, an outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services, preferred routes for trucks delivering to the site, queuing/sequencing, excavation and swept-path diagrams.
 - c) The location for the parking of all construction vehicles and construction worker vehicles during construction.

- d) Delivery of materials including times for loading/unloading, unloading points, expected frequency and details of where materials will be stored and how concrete pours would be managed.
 - e) Proposed traffic management signage indicating any inconvenience generated by construction.
 - f) Fully detailed plan indicating where construction hoardings would be located.
 - g) A waste management plan including the containment of waste on site: disposal of waste, stormwater treatment and on-site facilities for vehicle washing.
 - h) Containment of dust, dirt and mud within the site and method and frequency of clean up procedures in the event of build-up of matter outside the site.
 - i) Site security.
 - j) Public safety measures.
 - k) Construction times, noise and vibration controls.
 - l) Restoration of any Council assets removed and/or damaged during construction.
 - m) Protection works necessary to road and other infrastructure (limited to an area reasonable proximate to the site).
 - n) Remediation of any damage to road and other infrastructure (limited to an area reasonably proximate to the site).
 - o) An emergency contact that is available for 24 hours per day for residents and the Responsible Authority in the event of relevant queries or problems experience.
 - p) Traffic management measures to comply with provisions of AS 1742.3-2009 Manual of uniform traffic control devices – Part 3: Traffic control devices for works on roads.
 - q) All contractors associated with the construction of the development must be made aware of the requirements of the Construction Management Plan.
 - r) Details of crane activities, if any.
23. This permit will expire if one of the following circumstances applies:
- a) The development is not started within two years of the date of this permit.
 - b) The development is not completed within four years of the date of this permit.

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

Permit notes:

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

- Prior to commencement of any building works, an Asset protection Application must be taken out. This can be arranged by calling Asset Protection Administrator on 9599 4638.
- The existing street trees must not be removed or damaged.
- This property is located in a Heritage Overlay and planning permission may be required to demolish or otherwise externally alter any existing structures. External alterations include painting an unpainted surface, but does not include re-painting an already painted surface.
- Council records indicate that there is a 6.10m wide drainage running diagonally through the property as indicated on the drawings provided. The plans indicate no proposals to encroach into the easement with any buildings or structures of note. Proposals to be built over the easement will require Build Over Easement consent from the Responsible Authority/Authorities.
- 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

**4.6 11 ALBERT STREET, HIGHETT
NOTICE OF DECISION TO GRANT A PLANNING PERMIT
APPLICATION NO: 2016/745/1 WARD: CENTRAL**

City Planning & Community Services - Development Services
File No: PSF/15/8755 – Doc No: DOC/17/155148

It is recorded that there were no speakers for this item.

Moved: Cr Castelli

Seconded: Cr Grinter

That Council:

Issues a **Notice of Decision to Grant a Permit** under the provisions of the Bayside Planning Scheme in respect of the **Planning Application 2016/745/1** for the land known and described as **11 Albert Street, Highett**, for the **construction of two double storey dwellings on a lot** 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 date stamped 2 June 2017 but modified to show:
 - a) Southern boundary fence raised in height (where required) to provide an effectively visual screen to a minimum of 1.8 metres in height from natural ground level in accordance with Standard B22.
 - b) The northern crossover (and associated driveway where it intersects) must be 3.0m wide with a 1.0m offset from the northern boundary. The new crossover must be installed with a 1.0m separator from the adjacent crossover.
 - c) The existing southern crossover must be removed, and replaced with a new 3.0m wide crossover offset a minimum 1.0m from the south boundary.
 - d) A Tree Protection report and a Tree Management Plan is required in accordance with Condition 6 of this permit.
 - e) Water sensitive urban design measures is required in accordance with Condition 7 of this permit.
 - f) An amended landscape plan is required in accordance with Condition 12 of this permit.
 - g) Relocate the condenser to that it is not visible from the public realm and does not have an unreasonable impact on neighbouring habitable room windows (by way of noise).
 - h) Any other reductions in the development area required to comply with the above conditions.All to the satisfaction of the Responsible Authority.
2. The development as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.
3. Before the occupation of the site commences or by such later date as is approved in writing by the Responsible Authority, all buildings and works must

be carried out and completed to the satisfaction of the Responsible Authority.

4. No plant, equipment, services or architectural features other than those shown on the endorsed plans are permitted above the roof level of the building/s without the written consent of the Responsible Authority.
5. All pipes, fixtures, fittings and vents servicing any building on the site must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.
6. Prior to the endorsement of plans pursuant to Condition 1, including any related demolition or removal of vegetation, a Tree Management Plan (report) and Tree Protection Plan (drawing), to the satisfaction of the Responsible Authority, must be submitted to and be endorsed by the Responsible Authority.

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

- a) A Tree Protection Zone and Structural Root Zone for all trees on neighbouring properties where any part of the Tree Protection Zone falls within the subject site.
- b) The location of tree protection measures to be utilised.

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

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

The levy payment shall be submitted to Council with the Bayside Drainage Contributions Levy Charge Sheet and it must include the Building Price Index

applicable at the time of payment.

10. Before the occupation of the development starts, the areas set aside for vehicle parking and accessways must be constructed, drained and line marked to the satisfaction of the Responsible Authority. Such areas must be kept available for these purposes at all times.
11. Before the occupation of the development starts, new or altered vehicle crossing servicing the development must be constructed to the satisfaction of the Responsible Authority and any existing disused or redundant crossing or crossing opening must be removed and replaced with footpath/nature strip/ kerb and channel, to the satisfaction of the Responsible Authority.
12. Prior to the endorsement of plans pursuant to condition 1, an amended landscape plan to the satisfaction of the Responsible Authority must be submitted to and be endorsed by the Responsible Authority. The plan must be generally in accordance with the landscape concept plan drawn by Creative Living Innovations and dated June 2017 and be drawn to scale with dimensions and three copies must be provided. The plan must show:
 - a) Revised landscape plan to show one (1) tree at the front setback of each dwelling. The trees are to have the capacity to reach a mature height of 8 metres and a spread of 4 metres.
 - b) A canopy tree in the rear private open space of each dwelling to capable of reaching at maturity a height of 8 metres and a spread of 4 metres.
13. Before the occupation of the development the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.
14. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority, including that any dead, diseased or damaged plants are to be replaced.
15. Before the development starts, 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.
16. Before the development, detailed plans indicating, but not limited to, the method of storm-water discharge to the nominated Legal Point of Discharge (and On-Site Detention System where applicable) must be submitted to and approved by Council's Infrastructure Assets Department.
17. Council records indicate that there is a 3.05m wide drainage and sewerage easement along the western property boundary as indicated on the drawings provided. The plans indicate no proposals to encroach into the easement with any buildings or structures of note. Proposals to be built over the easement will require Build Over Easement consent from the Responsible Authority/Authorities.
18. This permit will expire if one of the following circumstances applies:
 - a) The development is not started within two years of the date of this permit.
 - b) The development is not completed within four years of the date of this permit.

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

Permit Notes:

- A permit must be obtained from Council for all vehicular crossings. These must be constructed under Council's supervision for which 24 hours notice is required.
- The applicant must clearly identify what impact, if any the proposed vehicle crossings will have Council assets such as pits and trees, power poles etc. Such items must be accurately shown on the plan. A street tree may require to be removed at applicants cost.
- The applicant is to bear the cost to reinstate/relocate the Council assets to provide the required access to the proposed development.
- This permit does not constitute any authority to carry out any buildings works or occupy the building or part of the building unless all relevant building permits are obtained.
- Prior to commencement of any building works, an Asset Protection Application must be taken out. This can be arranged by calling Asset Protection Administrator on 9599 4638.
- Before development commences the applicant must pay \$4,715.74 to the Responsible Authority for the removal and replacement of the existing street tree. This amount has been determined in accordance with Council's current policy for the removal of street trees. This amount may be increased by the Responsible Authority if an extension of time to commence work is granted and the amenity value of the street tree has increased. The Responsible Authority, or a contractor or agent engaged by the Responsible Authority, must undertake the removal and replacement of the street tree. Any replacement planting will be at the discretion of the responsible Authority.

CARRIED

**4.7 131 LINACRE ROAD, HAMPTON
NOTICE OF DECISION TO GRANT A PLANNING PERMIT
APPLICATION NO: 2016/748/1 WARD: CENTRAL**

City Planning & Community Services - Development Services
File No: PSF/15/8755 – Doc No: DOC/17/154358

It is recorded that Ms Kath Pompei, Mr Ron El Sheik, and Mr George Mandaws spoke for three minutes each on this item.

Moved: Cr Grinter

Seconded: Cr Castelli

That Council:

Issues a **Notice of Decision to Grant a Permit** under the provisions of the Bayside Planning Scheme in respect of **Planning Application 2016/768/1** for the land known and described as **131 Linacre Road, Hampton**, for the **construction of two dwellings on a lot** 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 in accordance with the advertised plans submitted with the application but modified to show:
 - a) Adequate sightlines must be provided where the proposed driveway intersects with the front footpath as per the requirements of Clause 52.06;
 - b) An amended Landscape Plan in accordance with Condition 9 of this permit;
 - c) Provision of a 1 metre setback from the northern boundary of dwelling 2 (without increasing the overall footprint of dwelling 2)
 - d) A Tree Management Plan (report) and Tree Protection Plan (drawing) in accordance with Condition 10 of this permit;
 - e) Relocation of the driveway located along Little field Street in accordance with Condition 11;
 - f) Provision of sectional elevation (East to West);
 - g) Provision of a permeable 1.2 metre fence along the frontage of dwelling 1;
 - h) Provision a 1.8 metre fence located between the front line of dwelling 1 and the side fence;
 - i) Setback of first floor of dwelling two located along the northern boundary (rear) to be compliant with Standard B17 (Side and rear setbacks) of Clause 55 of the Bayside Planning Scheme
 - j) The ground floor living room of dwelling two to be set back a minimum of 2 metres from the western boundary
2. The development as shown on the endorsed plans must not be altered unless 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 and

the conditions of this permit must be carried out and completed to the satisfaction of the Responsible Authority.

4. All pipes (except 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.
5. No plant, equipment, services or architectural features other than those shown on the endorsed plans are permitted above the roof level of the buildings without the written consent of the Responsible Authority
6. Detailed plans to the satisfaction of the Responsible Authority drawn to scale with dimensions to 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.

7. The water sensitive urban design stormwater treatment system as shown on the endorsed plans must be retained and maintained at all times in accordance with the Urban Stormwater - Best Practice Environmental Management Guidelines, CSIRO 1999, to the satisfaction of the Responsible Authority.
8. Before the development starts tree protection fencing is to be established around the street trees marked for retention prior to demolition and maintained until all works on site are complete. The fencing is to be constructed and secured so its positioning cannot be modified by site workers. The fencing is to encompass the entire naturestrip under the drip line of the tree. The Tree Protection Zone is to be established and maintained in accordance with AS 4970-2009. During construction of the crossover, tree protection fencing may be reduced to the edge of the Council approved crossover to facilitate the construction of the crossover.
9. Prior to the endorsement of plans pursuant to Condition 1, a Landscape Plan to the satisfaction of the Responsible Authority must be submitted to and be endorsed by the Responsible Authority. The plan must show:
 - a) A survey, including botanical names, of all existing trees to be retained on the site including Tree Protection Zones calculated in accordance with AS4970-2009.
 - b) A survey, including botanical names, of all existing protected vegetation to be removed from the site.
 - c) Provision of a medium tree reaching a minimum size of 8 metres located within the rear dwelling 2;
 - d) Provision of a large tree reaching a minimum size of 12 metres located within the frontage of the dwelling 1;
 - e) 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.

- f) A planting schedule of all proposed trees and shrubs, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant.
 - g) Landscaping and/or planting within all areas of the site not covered by buildings or hard surfaces.
 - h) Details of surface finishes of pathways and driveways.
10. Prior to the endorsement of plans pursuant to Condition 1, including any related demolition or removal of vegetation, a Tree Management Plan (report) and Tree Protection Plan (drawing), to the satisfaction of the Responsible Authority, must be submitted to, and be endorsed by, the Responsible Authority.

The Tree Management Plan (report) must be specific to the site, be in accordance with Australian Standard: Protection of Trees on Development Sites AS4970-2009 and include:

- a) Construction of the alfresco area of 38a Keats Street (south-east) to be constructed above existing grade and of a permeable nature.
- b) Retention of the natural soil level within the POS of Unit 2;
- c) Demonstrated recommendations outlines within the arborist report relating to the use of root sensitive techniques for neighbouring trees.
- d) Pruning of roots uncovered during excavation works within the TPZ of tree #7. Pruning must be undertaken by a qualified arborist in accordance with AS 4373-2007 *Pruning of Amenity Trees*.
- e) Details of Tree Protection Zones for all trees to be retained on the site and for all trees on neighbouring properties where any part of the Tree Protection Zone falls within the subject site;
- f) Comment on methods to be utilised and instruction on how to deploy them;
- g) Comment on when the protection measures are to be deployed;
- h) Comment on when the protection measures can be modified;
- i) Process that will be followed if any damage occurs to a tree;
- j) Process that will be followed if construction works require alteration to protection measures outlined in report; and
- k) Stages of development at which inspections will occur.

Any proposed alteration to the plan must be assessed by the site arborist and can only occur following the approval of the site arborist.

Any damaged tree must be inspected by the site arborist without any delay and remedial actions undertaken. Such actions must be documented.

The Tree Protection Plan must be drawn to scale and show the location of all tree protection measures to be utilised. If tree protection measures are proposed to be changed during the development, one plan for each stage of tree protection measures must be submitted.

11. Prior to the endorsement of plans pursuant to Condition 1, an amended site plans to the satisfaction of the Responsible Authority must be submitted to and be endorsed by the Responsible Authority. The plan must show
- a) No soil excavation with the 3.2 metres measured from the edge of the trunk at ground level from the Eucalyptus conuta tree (tree #1) located at

- the northern end of the nature strip along the Little Field Street frontage;
- b) No soil excavation with the 3.4 metres measured from the edge of the trunk at ground level from the Eucalyptus conuta tree(tree #2) located centrally within the nature strip along the Little Field Street frontage;
 - c) No soil excavation with the 3.8 metres measured from the edge of the trunk at ground level from the Eucalyptus conuta tree (tree #3)located at the southern end of the nature strip along the Little Field Street frontage;
 - d) No soil excavation with the 2 metres measured from the edge of the trunk at ground level from the Lophostemon confertus tree (tree #11) located at the eastern end of the nature strip along the Linacre street frontage.
12. All protection measures identified in the Tree Management and Protection Plans must be implemented, and development works undertaken on the land must be undertaken in accordance with the Tree Management and Protection Plans, to the satisfaction of the Responsible Authority.
 13. Before the development starts, including demolition or removal of vegetation, the name and contact details of the project arborist responsible for implementing the endorsed Tree Management Plan must be submitted to the Responsible Authority.
 14. Before the occupation of the development the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.
 15. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority, including that any dead, diseased or damaged plants are to be replaced.
 16. Before the development starts, including demolition or removal of vegetation, a tree protection fence must be installed for the protection of a tree's canopy and root zone. 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 AS 4970–2009, 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.
 17. Root pruning within the TPZ:
 - a) Prior to soil excavation for a Council approved crossover within the TPZ of the street tree, a trench must be excavated along the line of the crossover adjacent to the tree using root sensitive non-destructive techniques.
 - b) All roots that will be affected must be correctly pruned.
 18. Installation of utility services within the TPZ, any installation of services and drainage within the TPZ must be undertaken using root sensitive non-destructive

techniques.

19. Before the occupation of the development starts, new or altered vehicle crossings servicing the development must be constructed to the satisfaction of the Responsible Authority and any existing disused or redundant crossing or crossing opening must be removed and replaced with footpath/nature strip/ kerb and channel, to the satisfaction of the Responsible Authority.
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 Infrastructure Assets Department.
22. Any subsurface water captured on 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.
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.
24. This permit will expire if one of the following circumstances applies:
 - a) The development is not started within two years of the date of this permit.
 - b) The development is not completed within four years of the date of this permit.

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

Permit Notes:

- A permit must be obtained from Council for all vehicular crossings. These must be constructed under Council's supervision for which 24 hours notice is required.
- This permit does not constitute any authority to carry out any buildings works or occupy the building or part of the building unless all relevant building permits are obtained.
- Before the development commences, the applicant must pay **\$1,847.97** to the Responsible Authority of the removal and replacement of the existing street tree. This amount has been determined in accordance with Council's current policy for the removal of street trees. This amount may be increased by the Responsible Authority if an extension of time to commence work is granted and the amenity value of the street tree has increased. The Responsible Authority, or a contractor or agent engaged by the Responsible Authority, must undertake the removal and replacement of the street trees. Any replacement planting will be at the discretion of the Responsible Authority must be taken out. This can be arranged by calling Asset Protection Administrator on 9599 4638.

CARRIED

**4.8 25G & 25H BOLTON STREET, BEAUMARIS
(FORMERLY LOTS 17 & 18 - 489 BALCOMBE ROAD)
NOTICE OF DECISION TO GRANT A PLANNING PERMIT
APPLICATION NO: 2016/185/1 WARD: SOUTHERN**

City Planning & Community Services - Development Services
File No: PSF/15/8755 – Doc No: DOC/17/149462

It is recorded that there were no speakers for this item.

Moved: Cr Martin

Seconded: Cr del Porto (Mayor)

That Council:

Issues a **Notice of Decision to Grant a Planning Permit** under the provisions of the Bayside Planning Scheme in respect of **Planning Application 2016/744/1** for the land known and described as **25G & 25H Bolton Street, Beaumaris**, for the **construction of two double storey dwellings across two lots less than 500 square metres** 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 amended plans (Drawing No: 2 – 6 and L-TP01 (Rev A and dated July 2016)) but modified to show:
 - a) The street setback of the first floor balcony to the dwelling at No.25G Bolton Street increased to a minimum of 7 metres.
 - b) Brick banding, pavers or similar along the boundaries of driveways to both properties.
 - c) First floor side facing windows serving the kitchen, dining room and living room one and the front balconies of No.25G Bolton Street and the side facing window serving the kitchen and dining room of No.25H Bolton Street to be treated to avoid overlooking in accordance with Standard A15 of the Bayside Planning Scheme.
 - d) All screening proposed to first floor windows of both dwellings to be no more than 25% transparent.
 - e) Driveway to 25H Bolton Street to be minimised in width as far as practical and to be installed above grade.
 - f) Both garages to have minimum dimensions in accordance with Clause 52.06-9 Design Standard 2 of the Bayside Planning Scheme.
 - g) Longitudinal section of the driveways showing the grades and lengths of grades in accordance with AS2890.1.
 - h) Sightlines where the driveway meets the crossover in accordance with Clause 52.06-9 of the Bayside Planning Scheme.
 - i) A schedule of construction materials, external finishes and colours.
 - j) A Water Sensitive Urban Design response in accordance with Condition 7 of this permit.

- k) A Landscape Plan in accordance with Condition 10 of this permit.
 - l) A Tree Management and Protection Plan in accordance with Condition 13 of this permit.
2. The development as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.
 3. Before the occupation of the site commences or by such later date as is approved in writing by the Responsible Authority, all buildings and works must be carried out and completed to the satisfaction of the Responsible Authority.
 4. No plant, equipment, services or architectural features other than those shown on the endorsed plans are permitted above the roof level of the building/s without the written consent of the Responsible Authority.
 5. All pipes (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 occupation, screening of windows and roof decks including fixed privacy screens be designed to limit overlooking as required by Standard A15 and be installed and maintained to the satisfaction of the Responsible Authority thereafter for the life of the building.
 7. Before the development starts, 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. Before the occupation of the development starts, the areas set aside for vehicle parking and accessways must be constructed, drained and line marked to the satisfaction of the Responsible Authority. Such areas must be kept available for these purposes at all times.
 9. Before the occupation of the development starts, new or altered vehicle crossing servicing the development must be constructed to the satisfaction of the Responsible Authority and any existing disused or redundant crossing or crossing opening must be removed and replaced with footpath/nature strip/ kerb and channel, to the satisfaction of the Responsible Authority.
 10. 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 Pty Ltd and dated July 2016) and be drawn to scale with dimensions and three copies must be provided. The plan must show:
 - a) Quantities of shrubs, climbers and ground covers to be detailed.

- b) The three Broad-leaved Paperbarks in the front setback of No.25G Bolton Street to be replaced with three (3) Black Sheoak (*Allocasuarina littoralis*).
 - c) One Black Sheoak (*Allocasuarina littoralis*) in the front setback of No.25H Bolton Street.
11. Before the occupation of the development the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.
 12. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority, including that any dead, diseased or damaged plants are to be replaced.
 13. Before the development starts, including any related demolition or removal of vegetation, a Tree Management Plan (report) and Tree Protection Plan (drawing), to the satisfaction of the Responsible Authority, must be submitted to and be endorsed by the Responsible Authority.

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

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

- a) The Tree Protection Zone and Structural Root Zone for all trees to be retained on the site and for all trees on neighbouring properties where any part of the Tree Protection Zone falls within the subject site.
 - b) The location of tree protection measures to be utilised.
14. All protection measures identified in the Tree Management and Protection Plans must be implemented, and development works undertaken on the land must be undertaken in accordance with the Tree Management and Protection Plans, to the satisfaction of the Responsible Authority.
 15. Before the development starts, including demolition or removal of vegetation, the name and contact details of the project arborist responsible for implementing the Tree Management Plan must be submitted to the Responsible Authority.
 16. 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.
 17. Before the development, detailed plans indicating, but not limited to, the method of storm-water discharge to the nominated Legal Point of Discharge (and On-Site Detention System where applicable) must be submitted to and approved by Council's Infrastructure Assets Department.
 18. Prior to endorsement of the plan/s required under Condition 1 of this permit, the permit holder must pay a drainage levy in accordance with the amount specified under the Bayside Drainage Development Contributions Plan. The levy amount payable will be adjusted to include the Building Price Index applicable at the time of payment.

The levy payment shall be submitted to Council with the Bayside Drainage Contributions Levy Charge Sheet and it must include the Building Price Index

applicable at the time of payment.

19. Before the development commences, the owner(s) must enter into an agreement with the Responsible Authority made pursuant to Section 173 of the Planning and Environment Act 1987 to provide for the following:
- a) The construction of both dwellings shall be undertaken and completed concurrently

Except with the written consent of the Responsible Authority.

Before the development commences an application must be made to the Registrar of Titles to register the Section 173 Agreement on the title to the land under Section 181 of the Act.

The owner/operator under this permit must pay the reasonable costs of the preparation, (and) execution and registration of the Section 173 Agreement.

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.

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

Permit notes

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

CARRIED

**4.9 8 RUXTON RISE, BEAUMARIS
(FORMERLY LOT 10 - 489 BALCOMBE ROAD)
NOTICE OF DECISION TO GRANT A PLANNING PERMIT
APPLICATION NO:2016/334/1 WARD: SOUTHERN**

City Planning & Community Services - Development Services
File No: PSF/15/8755 – Doc No: DOC/17/152662

It is recorded that Mr Geoffrey Gillian spoke for three minutes on this item.

Moved: Cr Martin

Seconded: Cr del Porto (Mayor)

That Council:

Issues a **Notice of Decision to Grant a Planning Permit** under the provisions of the Bayside Planning Scheme in respect of **Planning Application 2016/334/1** for the land known and described as **8 Ruxton Rise, Beaumaris**, for the **construction of a dwelling on a lot less than 500 square metres** 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 amended plans (Drawing No: 5 – 10 (all Rev A) dated 7/12/2016 and the Landscape Planting and Layout Plan dated June 2017) but modified to show:
 - a) Measures required to treat overlooking of No.6 and 8 Ruxton Rise from the roof deck to comply with Standard A15 of the Bayside Planning Scheme.
 - b) Sightlines where the driveway meets the crossover in accordance with Clause 52.06-9 of the Bayside Planning Scheme.
 - c) The use of the word “should” replaced with “must” in Appendix one of the Arboricultural Assessment Report, prepared by Glenn Waters Arboriculture and dated 13 April 2016.
 - d) A Water Sensitive Urban Design response in accordance with Condition 7 of this permit.
 - e) A Landscape Plan in accordance with Condition 10 of this permit.
 - f) Provision of external screens to 1.7 metres above finished floor level to the first floor rear facing windows. The screening is to have a maximum transparency of 25%.
 - g) The roof deck to have an increased rear setback by a minimum 2 metres.
 - h) Deletion of the rear boundary fence notations from the development plans and elevations.
2. The development as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.
3. Before the occupation of the site commences or by such later date as is approved in writing by the Responsible Authority, all buildings and works must be carried out and completed to the satisfaction of the Responsible Authority.

4. No plant, equipment, services or architectural features other than those shown on the endorsed plans are permitted above the roof level of the building/s without the written consent of the Responsible Authority.
5. All pipes (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 occupation, screening of windows and roof decks including fixed privacy screens be designed to limit overlooking as required by Standard A15 and be installed and maintained to the satisfaction of the Responsible Authority thereafter for the life of the building.
7. Before the development starts, 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. Before the occupation of the development starts, the areas set aside for vehicle parking and accessways must be constructed, drained and line marked to the satisfaction of the Responsible Authority. Such areas must be kept available for these purposes at all times.
9. Before the occupation of the development starts, new or altered vehicle crossing servicing the development must be constructed to the satisfaction of the Responsible Authority and any existing disused or redundant crossing or crossing opening must be removed and replaced with footpath/nature strip/ kerb and channel, to the satisfaction of the Responsible Authority.
10. 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 Ric Day & Co Pty Ltd and dated June 2017, and be drawn to scale with dimensions and three copies must be provided. The plan must show:
 - a) The two Crepe Myrtle to be replaced with native canopy trees.
11. Before the occupation of the development the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.
12. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority, including that any dead, diseased or damaged plants are to be replaced.
13. Before the development starts, the permit holder must apply to Council for the Legal Point of Discharge for the development from where storm-water is drained

under gravity to the Council network.

14. Before the development, detailed plans indicating, but not limited to, the method of storm-water discharge to the nominated Legal Point of Discharge (and On-Site Detention System where applicable) must be submitted to and approved by Council's Infrastructure Assets Department.
15. Prior to endorsement of the plan/s required under Condition 1 of this permit, the permit holder must pay a drainage levy in accordance with the amount specified under the Bayside Drainage Development Contributions Plan. The levy amount payable will be adjusted to include the Building Price Index applicable at the time of payment.

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

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

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

Permit notes

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

CARRIED

**4.10 4 BOLTON STREET, BEAUMARIS
NOTICE OF DECISION TO GRANT A PLANNING PERMIT
APPLICATION NO: 2016/825/1 WARD: SOUTHERN**

City Planning & Community Services - Development Services
File No: PSF/15/8755 – Doc No: DOC/17/151775

It is recorded that Mr Enzo Dri (via proxy Mr Terry Black), Mr Mark Woodland, Ms Roslyn Hore, and Mr Max Sivinski spoke for three minutes each on this item.

Moved: Cr del Porto (Mayor)

Seconded: Cr Heffernan

That Council:

Issues a **Notice of Decision to Grant a Permit** under the provisions of the Bayside Planning Scheme in respect of **Planning application 2016/825/1** for the land known and described as **4 Bolton Street BEAUMARIS**, for the **construction of two double storey dwellings on a lot and the removal of native vegetation** 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 Agart Studios and Council date stamped 8 February 2017 submitted with the application but modified to show:
 - a) Deletion of the sunroom and roof deck (i.e. delete the entire third level) of each dwelling with no further built form or changes to built form (except for those changes associated with the deletion of these works).
 - b) The existing eastern crossover to be removed and reconstructed in accordance with Council standards.
 - c) The garage of dwelling 1 to be converted to a single garage, with an external tandem car space;
 - d) Adequate sightlines where the driveway intersects with the front footpath in accordance with AS2890.1 and clause 52.06 of the Bayside Planning Scheme (this will likely require changes to front and/or side fencing).
 - e) The remaining built form of the garage to be converted to a new dwelling entrance facing Bolton Street.
 - f) Deletion of the side gate prior to the entrance of dwelling 2.
 - g) Reduction in the swimming pool length(s) such that it does not project beyond the rear most point of the pergola. The area gained by this reduction is to be utilised for landscaping and to allow canopy trees to prosper.
 - h) Two canopy trees (one each) to be planted within the rear setbacks of each dwelling. The trees must reach a mature height of 10m and a spread of 6m, the trees must be indigenous.
 - i) The location of metres to be shown on the plans.
 - j) An amended landscape plan in accordance with Condition 9.

- k) A Tree Management Plan in accordance with Condition 12.
 - l) Water sensitive urban design measures in accordance with Condition 15.
All to the satisfaction of the Responsible Authority.
2. The development as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.
 3. Before the occupation of the site commences or by such later date as is approved in writing by the Responsible Authority, all buildings and works must be carried out and completed to the satisfaction of the Responsible Authority.
 4. Prior to endorsement of the plans required under Condition 1 of this permit, the permit holder must pay a drainage levy in accordance with the amount specified under the Bayside Drainage Development Contributions Plan. The levy amount payable will be adjusted to include the Building Price Index applicable at the time of payment.
 1. The levy payment shall be submitted to Council with the Bayside Drainage Contributions Levy Charge Sheet and it must include the Building Price Index applicable at the time of payment.
 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. All pipes (except 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.
 7. The walls on the boundary of the adjoining properties shall be cleaned and finished to the satisfaction of the Responsible Authority.
 8. Before occupation, screening of windows including fixed privacy screens be designed to limit overlooking as required by Standard B22 and be installed and maintained to the satisfaction of the Responsible Authority thereafter for the life of the building.
2. Landscaping
9. Prior to the endorsement of plans pursuant to Condition 1, an amended Landscape Plan to the satisfaction of the Responsible Authority must be submitted to and be endorsed by the Responsible Authority. The plan must be generally in accordance with the landscape concept plan drawn by Species Landscape Architects, reference L1, Council date stamped 19 December 2016, and be drawn to scale with dimensions and three copies must be provided. The plan must show:
 - a) Any consequential changes associated with condition 1.
 - b) Deletion of the Bower Wattle within the front setback and replacement with a mulched garden bed with a variety of indigenous plants.
 - c) 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.
 - d) 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.

- e) A planting schedule of all proposed trees and shrubs, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant. Plantings must be 80% indigenous by species type and count.
 - f) Landscaping and/or planting within areas of the site not covered by buildings or hard surfaces.
 - g) Details of the 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.
12. Before the development starts, including and related demolition or removal of vegetation, a Tree Management Plan (report) and Tree Protection Plan (drawing), to the satisfaction of the Responsible Authority, must be submitted to and be endorsed by the Responsible Authority.
3. The Tree Management Plan must be specific to the trees shown on the Tree Protection Plan, in accordance with AS4970-2009, prepared by a suitably qualified arborist and provide details of tree protection measures that will be utilised to ensure all trees to be retained remain viable post-construction. Stages of development at which inspections are required to ensure tree protection measures are adhered to must be specified.
4. The Tree Protection Plan must be in accordance with AS 4970-2009, be drawn to scale and provide details of:
- a) The Tree Protection Zone and Structural Root Zone for all trees to be retained on the site and for all trees on neighbouring properties where any part of the Tree Protection Zone falls within the subject site.
 - b) The location of tree protection measures to be utilised.
13. All protection measures identified in the Tree Management and Protection Plans must be implemented, and development works undertaken on the land must be undertaken in accordance with the Tree Management and Protection Plans, to the satisfaction of the Responsible Authority.
14. Before the development starts, including demolition or removal of vegetation, the name and contact details of the project arborist responsible for implementing the Tree Management Plan must be submitted to the Responsible Authority.

Water Sensitive Urban Design

15. 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.
5. 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.

16. 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.

Drainage

17. Before the development starts, the permit holder must apply to Council for the Legal Point of Discharge from the development from where storm-water is drained under gravity to the Council network.
18. Before the development, detailed plans indicating, but not limited to, the method of storm-water 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.
19. Council records indicate that there is a 1.22m wide drainage and sewerage easement along the southern property boundary as indicated on the drawings provided. The plans indicate no proposals to encroach into the easement with any buildings or structures of note. Proposals to be built over the easement will require Build over Easement consent from the Responsible Authorities.

Permit Expiry

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

Permit Notes

- This permit does not constitute any authority to carry out any building works or occupy the building or part of the building unless all relevant building permits are obtained.
- A permit must be obtained from Council for all vehicular crossings. These must be constructed under Council's supervision for which 24 hours notice is required.
- Prior to commencement of any building works, an Asset protection Application must be taken out. This can be arranged by calling Asset Protection Administrator on 9599 4638.
- Subsurface water must be treated in accordance with Council's Policy for "Discharge of Pumped Subterranean Water Associated with Basements or Below Ground Structures.
- Before the vehicle crossing application will be approved, the applicant must pay \$7,885.39 to the Responsible Authority for the removal and replacement of the existing street tree(s). This amount has been determined in accordance with Council's current policy for the removal of street trees. This amount may be increased by the Responsible Authority if an extension of time to commence work is granted and the amenity value of the street tree has increased. The Responsible Authority, or a contractor or agent engaged by the Responsible

**4.11 1/5 TRENTHAM STREET, SANDRINGHAM
NOTICE OF DECISION TO GRANT A PLANNING PERMIT
APPLICATION NO: 2017/15/1 WARD: SOUTHERN**

City Planning & Community Services - Development Services
File No: PSF/15/8755 – Doc No: DOC/17/172141

It is recorded that Miss Tegan Sheffield spoke for three minutes on this item.

Councillor del Porto (Mayor) left the Meeting at 9:07 pm

Councillor del Porto (Mayor) returned to the Meeting at 9:11 pm

Moved: Cr Martin

Seconded: Cr Grinter

That Council:

Issues a **Notice of Decision to Grant a Permit** under the provisions of the Bayside Planning Scheme in respect of **Planning application 2017/15/1** for the land known and described as **1/5 Trentham Street Sandringham**, for alterations and additions including the construction of a first floor and a 1.8m fence to a dwelling on a lot less than 500sqm 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 Council date stamped 29 June 2017 but modified to show:
 - a) The sliding gates to be a minimum of 50% transparent 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. The walls on the boundary of the adjoining properties shall be cleaned and finished to the satisfaction of the Responsible Authority.
5. Before occupation, screening of windows including fixed privacy screens be designed to limit overlooking as required by Standard A15 and be installed and maintained to the satisfaction of the Responsible Authority thereafter for the life of the building
6. No plant, equipment, services or architectural features other than those shown on the endorsed plans are permitted above the roof level of the buildings without the written consent of the Responsible Authority.
7. All pipes (except down 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.

8. 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.

Permit Expiry

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

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

Permit Notes

- This permit does not constitute any authority to carry out any buildings works or occupy the building or part of the building unless all relevant building permits are obtained.
- Prior to commencement of any building works, an Asset Protection Application must be taken out. This can be arranged by calling Asset Protection Administrator on 9599 4638.
- Council records indicate that there is no easement within the property.
- Subsurface water must be treated in accordance with Council's Policy for "Discharge of Pumped Subterranean Water Associated with Basements or Below Ground Structures.

CARRIED

**4.12 111 WEATHERALL ROAD, CHELTENHAM
NOTICE OF DECISION TO GRANT A PLANNING PERMIT
APPLICATION NO: 2016/566/1 WARD: SOUTHERN**

City Planning & Community Services - Development Services
File No: PSF/15/8755 – Doc No: DOC/17/174821

It is recorded that Mr Chris Pippo spoke for three minutes on this item.

Councillor Castelli left the Meeting at 9:13 pm

Councillor Castelli returned to the Meeting at 9:15 pm

Moved: Cr Martin

Seconded: Cr Grinter

That Council:

Issues 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 **111 Weatherall Road, Cheltenham**, for the **construction of two double storey dwellings on a lot** 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 amended plans (Drawing No.TP-04 – TP-06 All Rev A (dated March 2016) and the Landscape Plan prepared by Zenith Concepts (dated November 2016)) but modified to show:
 - a) Brick banding, pavers or similar along the boundaries of the both driveways.
 - b) A greater mix of materials, tones and/or finishes to the southern and eastern elevations of dwelling one.
 - c) No soil excavation to occur within 2.6 metres of the stem of the White Cedar (*Melia azedarach*) fronting the site.
 - d) All site services, including bins and air conditioning to be located away from the Western boundary in relation to neighbouring private open space or habitable room windows, or suitably screened to the satisfaction of the Responsible Authority.
 - e) The crossover to dwelling one where it meets the footpath to be 3 metres in width and setback from the western boundary by 1 metre.
 - f) An internal radius of a minimum of 4 metres to enable vehicles parked in the garage of dwelling two to turn around and exit the driveway in a forward direction.
 - g) Sightlines where the driveway meets the crossover in accordance with Clause 52.06-9 of the Bayside Planning Scheme.
 - h) A schedule of construction materials, external finishes and colours.
 - i) A Water Sensitive Urban Design response in accordance with Condition 7

of this permit.

- j) A Landscape Plan in accordance with Condition 10 of this permit.
2. The development as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.
 3. Before the occupation of the site commences or by such later date as is approved in writing by the Responsible Authority, all buildings and works must be carried out and completed to the satisfaction of the Responsible Authority.
 4. No plant, equipment, services or architectural features other than those shown on the endorsed plans are permitted above the roof level of the building/s without the written consent of the Responsible Authority.
 5. All pipes (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 occupation, screening of windows and roof decks including fixed privacy screens be designed to limit overlooking as required by Standard A15 and be installed and maintained to the satisfaction of the Responsible Authority thereafter for the life of the building.
 7. Before the development starts, 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. Before the occupation of the development starts, the areas set aside for vehicle parking and accessways must be constructed, drained and line marked to the satisfaction of the Responsible Authority. Such areas must be kept available for these purposes at all times.
9. Before the occupation of the development starts, new or altered vehicle crossing servicing the development must be constructed to the satisfaction of the Responsible Authority and any existing disused or redundant crossing or crossing opening must be removed and replaced with footpath/nature strip/ kerb and channel, to the satisfaction of the Responsible Authority.
10. 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 Zenith Concepts and dated November 2016, and be drawn to scale with dimensions and three copies must be provided. The plan must show:

- a) A planting schedule of all proposed trees and shrubs, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant. Plantings must be 80% indigenous by species type and count.
 - b) One indigenous canopy tree capable of reaching a height at maturity of 10 metres located in the front setback of the property.
 - c) One indigenous canopy tree capable of reaching a height at maturity of 6 metres in the private open space of each dwelling.
11. Before the occupation of the development the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.
 12. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority, including that any dead, diseased or damaged plants are to be replaced.
 13. Before the development starts tree protection fencing is to be established around the street trees marked for retention prior to demolition and maintained until all works on site are complete. The fencing is to be constructed and secured so its positioning cannot be modified by site workers. The fencing is to encompass the entire naturestrip under the drip line of the tree. The Tree Protection Zone is to be established and maintained in accordance with AS 4970-2009. During construction of the crossover, tree protection fencing may be reduced to the edge of the Council approved crossover to facilitate the construction of the crossover.

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. Any installation of services and drainage within the TPZ must be undertaken using root-sensitive, non-destructive techniques.

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

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

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

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

Permit notes

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

**4.13 18 IONA STREET, BLACK ROCK
NOTICE OF DECISION TO GRANT A PERMIT
APPLICATION NO: 2016/0524 WARD: SOUTHERN**

City Planning & Community Services - Development Services
File No: PSF/15/8755 – Doc No: DOC/17/163515

It is recorded that Mr Chris Pippo spoke for three minutes on this item.

Moved: Cr Martin

Seconded: Cr del Porto (Mayor)

That Council:

Issues 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 **18 Iona Street, Black Rock**, for the **Construction of two double storey side-by-side 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 Council date stamped 13 April 2017 but modified to show:
 - a) Demonstration of compliance with Standard B22 and B23 of the Bayside Planning Scheme.
 - b) Water sensitive urban design measures in accordance with condition 8 of this permit.
 - c) A landscape plan showing a minimum percentage of 80% indigenous plantings in accordance with Condition 11 of this permit.
 - d) The gradient of each driveway not to exceed 1 in 16 complying with AS2890.1 for car parking.
 - e) The access way for Dwelling 2 must be 3 metres wide and offset 1 metre from the eastern property boundary with a 1 metre wide separator. The existing crossover must be removed.
 - f) The access way and crossover for Dwelling 1 must be 3 metres wide and have a 0.8 metre offset away from the western property boundary.
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, fixtures, fittings and vents servicing any building on the site must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.
6. The walls on the boundary of the adjoining properties shall be cleaned and finished to the satisfaction of the Responsible Authority.
7. Before occupation, screening of nominated windows as required by Standard B22 must be installed and maintained to the satisfaction of the Responsible Authority thereafter for the life of the building.
8. Before the development starts, detailed plans to the satisfaction of the Responsible Authority must be submitted to and be endorsed by the Responsible Authority. The plan must be drawn to scale with dimensions and three copies must be provided. The plans must show:
 - a) The type of water sensitive urban design stormwater treatment measures to be used.
 - b) The location of the water sensitive urban design stormwater treatment measures in relation to buildings, sealed surfaces and landscaped areas.
 - c) Design details of the water sensitive urban design stormwater treatment measures, including cross sections.

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

9. The water sensitive urban design stormwater treatment system as shown on the endorsed plans must be retained and maintained at all times in accordance with the Urban Stormwater - Best Practice Environmental Management Guidelines, CSIRO 1999, to the satisfaction of the Responsible Authority.
10. Before the occupation of the development starts, new or altered vehicle crossing(s) servicing the development must be constructed to the satisfaction of the Responsible Authority and any existing disused or redundant crossing or crossing opening must be removed and replaced with footpath/nature strip/ kerb and channel, to the satisfaction of the Responsible Authority.
11. Before the development starts, a detailed landscape plan to the satisfaction of the Responsible Authority must be submitted to and be endorsed by the Responsible Authority. The plan must be generally in accordance with the landscape concept plan Zenith Concepts Landscape Plan, November 2016, Rev A 11/16 Design 1 and be drawn to scale with dimensions and three copies must be provided. The plan must show:
 - a) A survey, including botanical names, of all existing trees to be retained on the site.
 - b) A survey, including botanical names, of all existing vegetation to be removed from the site.
 - c) A survey, including botanical names, of all existing trees on neighbouring properties where the Tree Protection Zones of such trees calculated in accordance with AS4970-2009 fall partially within the subject site.

- d) A planting schedule of all proposed trees and shrubs, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant.
 - e) Plantings must be 80% indigenous by species type and count.
 - f) Plantings must be 40% coastal by species type and count
 - g) Landscaping and/or planting within all areas of the site not covered by buildings or hard surfaces.
 - h) Details of surface finishes of pathways and driveways
 - i) The planting of one indigenous tree capable of reaching 14 m at maturity in the front set back.
 - j) The planting of one indigenous tree capable of reaching 12 m at maturity in the rear set back.
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.
 14. Before the development starts tree protection fencing is to be established around the street trees marked for retention prior to demolition and maintained until all works on site are complete. The fencing is to be constructed and secured so its positioning cannot be modified by site workers. The fencing is to encompass the entire naturestrip under the drip line of the tree. The Tree Protection Zone is to be established and maintained in accordance with AS 4970-2009. During construction of the crossover, tree protection fencing may be reduced to the edge of the Council approved crossover to facilitate the construction of the crossover.
 15. No soil excavation must occur within 2 metres of the *Photinia robusta* (nature street tree) asset when measured from the edge of the trunk.
 16. Before the development starts, the permit holder must apply to Council for the Legal Point of Discharge for the development from where stormwater is drained under gravity to the Council network.
 17. Before the development, detailed plans indicating, but not limited to, the method of stormwater discharge to the nominated Legal Point of Discharge (and On-Site Detention System where applicable) must be submitted to and approved by Council's Infrastructure Assets Department.
 18. Prior to endorsement of the plan/s required under Condition x of this permit, the permit holder must pay a drainage levy in accordance with the amount specified under the Bayside Drainage Development Contributions Plan. The levy amount payable will be adjusted to include the Building Price Index applicable at the time of payment.
 19. The levy payment shall be submitted to Council with the Bayside Drainage Contributions Levy Charge Sheet and it must include the Building Price Index applicable at the time of payment.
 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.

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.

Notes:

A permit must be obtained from Council for all vehicular crossings. These must be constructed under Council's supervision for which 24 hours' notice is required.

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

CARRIED

5. Confidential Business

Nil

Following consideration of Confidential Business the Chairperson declared the meeting closed at 9:24pm.

CONFIRMED THIS INSERT 28 DAY OF SEPTEMBER 2017

CHAIRPERSON:

