

Table of Contents

1. Apologies
2. Disclosure of any Conflict of Interest of any Councillor
3. Adoption and Confirmation of the minutes of previous meeting
4. Matters of Decision
 - 4.1 73 North Road, Brighton (St. James Primary School) Notice of Decision to Grant a Planning Permit Application No: 2017/532/1 Ward: Northern..... 4
 - 4.2 5 Rooding Street, Brighton Notice of Decision to Amend a Planning Permit Application No: 2010/83/3 Ward: Northern..... 8
 - 4.3 407 Beach Road, Beaumaris Grant a Planning Permit Application No: 2017/776/1 Ward: Southern..... 12
 - 4.4 117 Oak Street, Beaumaris Notice of Decision to Grant a Planning Permit Application No: 2017/393/1 Ward: Southern..... 13
 - 4.5 4 Bolton Street, Beaumaris Grant a Planning Permit Application No: 2017/692/1 Ward: Southern..... 17
 - 4.6 2 Charles Street, Hampton Notice of Decision to Grant a Planning Permit Application No: 2017/0169/1 Ward: Central 21
 - 4.7 301 St. Kilda Street, Brighton Secondary Consent - Approve Application No: 2010/407/1 Ward: Northern..... 26
 - 4.8 42 Bay Road, Sandringham Secondary Consent - Approve Application No: 2013/571/1 Ward: Southern 27
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 23 January 2018.

Moved: Cr Long

Seconded: Cr del Porto

That the minutes of the Planning & Amenity Committee Meeting held on 23 January 2018, as previously circulated, be confirmed as an accurate record of proceedings.

CARRIED

4. Matters of Decision

4.1 73 NORTH ROAD, BRIGHTON (ST. JAMES PRIMARY SCHOOL) NOTICE OF DECISION TO GRANT A PLANNING PERMIT APPLICATION NO: 2017/532/1 WARD: NORTHERN

City Planning & Community Services - Development Services
File No: PSF/15/8755 – Doc No: DOC/18/7447

It is recorded that Mr Kevin McNamee, Mr Brendan Flanagan and Mr Ben Percy spoke for three minutes each in relation to this item.

Moved: Cr del Porto

Seconded: Cr Heffernan

That Council resolve to:

Issue a **Notice of Decision to Grant a Permit** under the provisions of the Bayside Planning Scheme in respect of **Planning application 2017/532/1** for the land known and described as **73 North Road, Brighton** for the **buildings and works associated with the development of a sky-bridge (over a laneway), including partial demolition for an education centre** 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 on 19 October 2017 prepared by Baldasso Cortese P/L dated 18.08.2017 and revision number 00 but modified to show:
 - a) A minimum height clearance of 4.3 metres above the finished level of the laneway to the underside of the sky-bridge with any consequential changes to the satisfaction of the Responsible Authority.
 - b) The installation of two signs reading 'Low Clearance 4.3 metres' on the north and south elevations, clearly visible from either approach.
 - c) A revised Construction and Traffic Management Plan in accordance with Condition 9 below.
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 commencement of the use 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.

Drainage

6. 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.
7. Before the development, detailed plans indicating, but not limited to, the method of stormwater discharge to the nominated Legal Point of Discharge (and On-Site Detention System where applicable) must be submitted to and approved by Council's City Assets and Projects Department.

Section 173 Agreement

8. Prior to the commencement of the development on the land, all relevant parties must enter into an agreement pursuant to Section 173 of the *Planning and Environment Act 1987*. The agreement must ensure the following:
 - a) The bridge to be designed, constructed, kept and maintained to the satisfaction of the responsible authority;
 - b) The bridge to be structurally sound and safe and not become visually unsightly or have visual amenity impacts to the satisfaction of the responsible authority;
 - c) The owner to present Council with a copy of a structural engineers report at least once every two years regarding the structural integrity of the bridge and immediate repair any item requiring repair;
 - d) At the expiration of the licence remove the bridge and remediate all portions of the road to the satisfaction of the responsible authority.

The permit holder must pay all of Bayside City Council's reasonable legal costs and expenses of this agreement, including preparation, execution and registration on title.

Construction and Traffic Management Plan

9. Before commencement of development, a revised Construction Management & Traffic Plan (CTMP), 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 CTMP must specify and deal with, but not be limited to the following as applicable:
 - a) Construction times, noise and vibration controls;
 - b) A detailed schedule of works including a full project timing;
 - c) 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;
 - d) The location for the parking of all construction vehicles and construction works vehicles during construction;

- e) 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;
- f) Proposed traffic management signage indicating any inconvenience generated by construction;
- g) Fully detailed plan indicating where construction hoardings would be located;
- h) A waste management plan including the containment of waste on-site, disposal of waste, stormwater treatment and on-site facilities for vehicle washing;
- i) Containment of dust, dirt and mud within the vicinity and methods and frequency of clean up procedures in the event of build-up of matter outside the site;
- j) Public safety measures;
- k) Restoration of any Council assets impacted and/or damaged during construction;
- l) Protection works necessary to road and other infrastructure (limited to an area reasonably proximate to the site);
- m) Remediation of any damage to road and other infrastructure (limited to an area reasonably proximate to the site);
- n) An emergency contact that is available for 24 hours per day for residents and the Responsible Authority in the event of relevant queries or problems experienced;
- o) Traffic management measure to comply with the provisions of AS1742.3-2009 Manual of uniform traffic control devices – Part 3: Traffic control devices for works on roads;
- p) All contractors associated with the construction of the development must be made aware of the requirements of the Construction & Traffic Management Plan;
- q) Details of crane activities, if any.
- r) If the laneway is required to be closed for construction –
 - 7 days prior to the laneway being closed for construction, written notification must be served on all adjoining landowners to the laneway and the responsible authority
 - The notification of the laneway closure must detail the days/hours that the laneway will be closed
 - The laneway must not be closed off for more than 5 consecutive days, unless with the written consent of all adjoining landowners and the responsible authority
- s) No propping, loading or unloading is to occur from the laneway at any one time.

Permit Expiry

10. 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.

CARRIED

**4.2 5 ROODING STREET, BRIGHTON
NOTICE OF DECISION TO AMEND A PLANNING PERMIT
APPLICATION NO: 2010/83/3 WARD: NORTHERN**

City Planning & Community Services - Development Services
File No: PSF/15/8755 – Doc No: DOC/17/286536

It is recorded that Ms Jane Gronow and Mrs Atha Emmanouilides spoke for three minutes each in relation to this matter.

Moved: Cr del Porto

Seconded: Cr Heffernan

That Council resolve to:

Issue a **Notice of Decision to Grant an Amended Permit** under the provisions of the Bayside Planning Scheme in respect of **Planning Permit Application 2010/83/3** for the land known and described as 5 Rooding Street, Brighton, for the **alterations and additions on a lot less than 500 square metres** in accordance with the endorsed plans and subject to the following conditions from the standard conditions (amended conditions in bold) and the following table inserted as a record of amendments:

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 advertised prepared by JDA Architects dated 5 July 2017 but modified to show:
 - a) Sightlines to demonstrate that the first floor windows associated with the window seat of Bedroom 2 comply with Clause 54.04-6. Alternatively these windows must be screened in accordance with Standard A15 (Overlooking) of Clause 54 of the Bayside Planning Scheme. All plans be consistently and clearly annotated.
 - b) Plans to show consistently and clearly annotated the proposed site coverage, permeability and private open space.
 - c) Retention of the existing Spotted Gum (*Corymbisa Macalate*) tree in the rear garden to the northern boundary and the subsequent deletion or redesign of the proposed swimming pool to show minimum impact to the Spotted Gum (*Corymbisa Macalate*) tree;
 - d) A Tree Management and Protection Plan to show that the tree will remain viable post construction of the pool in accordance with Condition 6
 - e) A schedule of construction materials, external finishes and colours (incorporating for example paint samples).
 - f) Water sensitive urban design measures is required in accordance with Condition 6 of this permit.

All to the satisfaction of the Responsible Authority.

2. The layout of the site and the size, levels, design and location of buildings and works shown on the endorsed plans must not be modified for any reason (unless the Bayside Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.

3. The walls on the boundary of the adjoining properties shall be cleaned and finished 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.

Tree Management and Protection Plan

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 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.
7. 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.
 8. 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.
 9. 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.
 10. 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.

Permit Expiry

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

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

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

Permit Notes:

- Building approval must be obtained prior to the commencement of the above approved works.
- 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
26 July 2010	Secondary Consent to amend the plans: <ul style="list-style-type: none"> • Retaining existing windows and canopy to the façade. • Altered size of proposed bathroom window. • Removal of two windows either side of the living room and replaced with single double awning window to the left of the fire place. • Bi-fold doors to the rear changed to stacking sliding doors. • Solar panels added to the rear roof structure. • Chimney to be lightweight rendered wall in lieu of weatherboard.
29 April 2011	Amended Permit, Section 72, amendments as follows: <ul style="list-style-type: none"> • An open sided pergola to the rear of the site.
January 2018	Section 72 amendment to the endorsed plans to show the following: <ul style="list-style-type: none"> • Alterations to the width from 7.7m to 5m to the existing verandah at the rear garden on the west elevation; • Construction of a solid wall to the eastern boundary adjacent to the verandah; • Construction of a domestic swimming pool in the rear garden; • Construction of a first floor addition comprising of 2 bedrooms, a sitting room and a bathroom with a separate toilet. Section 72 amendment to the permit conditions as follows:

	<ul style="list-style-type: none">• Addition of Condition 1(a – f)• Rewording of Condition 2• Addition of Conditions 4 – 10• Remaining conditions renumbered
--	---

CARRIED

**4.3 407 BEACH ROAD, BEAUMARIS
GRANT A PLANNING PERMIT
APPLICATION NO: 2017/776/1 WARD: SOUTHERN**

City Planning & Community Services - Development Services
File No: PSF/15/8755 – Doc No: DOC/18/16408

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

Moved: Cr Martin

Seconded: Cr Evans (Mayor)

That Council resolve to:

Issue a **Planning Permit** under the provisions of the Bayside Planning Scheme in respect of **Planning application 2017/776** for the land known and described as **407 Beach Road, Beaumaris**, for the **removal of four native trees in a Vegetation Protection Overlay** in accordance with the endorsed plans and subject to the following conditions from the standard conditions:

1. Before the development starts, a detailed landscape plan 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 Council dated 20 November 2017 but modified to show:
 - a) Replacement planting of four indigenous trees capable of reaching 10 metres tall and 7 metres wide.
 - b) The genus, species and common name of the replacement trees.
All to the satisfaction of the Responsible Authority.
2. No additional trees as shown on the endorsed plans are to be removed without the prior written consent of the Responsible Authority.
3. Unless with the further consent of the Responsible Authority the replacement planting as shown on the endorsed plan must be undertaken within 6 months of the trees being removed.
4. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority.

Permit Expiry

5. This permit will expire if the vegetation removal is not completed within two 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.

CARRIED

**4.4 117 OAK STREET, BEAUMARIS
NOTICE OF DECISION TO GRANT A PLANNING PERMIT
APPLICATION NO: 2017/393/1 WARD: SOUTHERN**

City Planning & Community Services - Development Services
File No: PSF/15/8755 – Doc No: DOC/18/19317

It is recorded that Miss Frances Stipkovic spoke for three minutes in relation to this item.

Moved: Cr Evans (Mayor)

Seconded: Cr Martin

That Council resolve to:

Issue a **Notice of Decision to Grant a Planning Permit** under the provisions of the Bayside Planning Scheme in respect of **Planning Application 2017/393/1** for the land known and described as **117 Oak 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 Lowe Construction and Council date stamped 12 December 2017 but modified to show:
 - a) The vehicle crossovers to access each dwelling (including to the existing crossover) to have a width of 3.6 metres and align centrally with the garage opening.
 - b) Provision of pedestrian sight triangles adjacent each accessway in accordance with Clause 52.06 (car parking) of the Bayside Planning Scheme.
 - c) Site permeability in accordance with Standard B9 (Permeability).
 - d) Water Sensitive Urban Design measures in accordance with Condition 8 of this permit.

All to the satisfaction of the Responsible Authority.

2. The layout of the site and the size, levels, design and location of buildings and works shown on the endorsed plans must not be modified for any reason (unless the Bayside Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
3. Before the occupation of the site commences or by such later date as is approved in writing by the Responsible Authority, all buildings and works must be carried out and completed to the satisfaction of the Responsible Authority.
4. No plant, equipment, services or architectural features other than those shown on the endorsed plans are permitted above the roof level of the building/s without the written consent of the Responsible Authority.

5. All pipes (excluding downpipes), fixtures, fittings and vents servicing any building on the site must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.
6. The walls on the boundary of the adjoining properties shall be cleaned and finished to the satisfaction of the Responsible Authority.
7. 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.

Water Sensitive Urban Design

8. 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.

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.

Landscaping

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.

Tree Management and Protection Plan

12. 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 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.
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.

Drainage

14. 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.
15. Before the development, detailed plans indicating, but not limited to, the method of stormwater discharge to the nominated Legal Point of Discharge (and On-Site Detention System where applicable) must be submitted to and approved by Council's City Assets and Projects Department.
16. Council records indicate that there is a 1.83m wide drainage and sewerage easement along the western property boundary as indicated on the drawings provided. The plans indicate no proposals to encroach into the easement with any buildings or structures of note. Proposals to be built over the easement will require Build Over Easement consent from the Responsible Authority/Authorities.

Developer Contributions Levy

17. 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.
18. 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

Permit Expiry

19. 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.
- 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.
- Subsurface water must be treated in accordance with Council's Policy for "Discharge of Pumped Subterranean Water Associated with Basements or Below Ground Structures.
- The existing street tree/s must not be removed or damaged.

CARRIED

**4.5 4 BOLTON STREET, BEAUMARIS
GRANT A PLANNING PERMIT
APPLICATION NO: 2017/692/1 WARD: SOUTHERN**

City Planning & Community Services - Development Services
File No: PSF/15/8755 – Doc No: DOC/18/14825

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

Moved: Cr Evans (Mayor)

Seconded: Cr Martin

That Council resolve to:

Issue a **Planning Permit** under the provisions of the Bayside Planning Scheme in respect of **Planning Application No. 2017/692/1** for the land known and described as 4 Bolton Street BEAUMARIS, for the Construction of two double-storey, attached dwellings and removal of native vegetation on land affected by the Vegetation Protection Overlay 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 (advertised) Council date stamped 30 October 2017 but modified to show:
 - a) An elevation of the proposed pedestrian entrance fence to Dwelling 1, which should not exceed 1200mm high to occur the satisfaction of the Responsible Authority.
 - b) Location of all plant and equipment, including hot water services and air conditioners etc.
 - c) Plant equipment is to be located away from habitable room windows of dwellings and the adjoining properties habitable rooms.
 - d) A schedule of construction materials, external finishes and colours (incorporating for example paint samples).
 - e) Water sensitive urban design measures in accordance with condition 8.
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 the development starts, a schedule of construction materials, external finishes and colours (incorporating for example paint samples) to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the schedule will be endorsed and will then form part of the permit.
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. 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. 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 tree protection fencing is to be established around the street trees marked for retention prior to demolition and maintained until all works on site are complete. The fencing is to be constructed and secured so its positioning cannot be modified by site workers. The fencing is to encompass the entire nature strip under the drip line of the tree. The Tree Protection Zone is to be established and maintained in accordance with AS 4970-2009. During construction of the crossover, tree protection fencing may be reduced to the edge of the Council approved crossover to facilitate the construction of the crossover.
 17. Before the development starts, the permit holder must apply to Council for the Legal Point of Discharge for the development from where stormwater is drained under gravity to the Council network.
 18. 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.
 19. 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.

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.
- 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.
- 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 Authority, must undertake the removal and replacement of the street tree. Any replacement planting will be at the discretion of the responsible authority.

Amenity value of street tree asset# 429765: \$ 6,177.48
(as determined under the *Street Tree Management Strategy 2008*)

Removal of subject tree: \$ 517.00

Replanting of 2 trees @ \$236.85 each: \$ 473.70

(as replacement trees for the removal of the subject tree)

Subtotal: \$7,168.54

GST: \$ 716.85

TOTAL: \$7,885.39

CARRIED

**4.6 2 CHARLES STREET, HAMPTON
NOTICE OF DECISION TO GRANT A PLANNING PERMIT
APPLICATION NO: 2017/0169/1 WARD: CENTRAL**

City Planning & Community Services - Development Services
File No: PSF/15/8755 – Doc No: DOC/18/7815

It is recorded that Ms Roula Robotis and Mr Chris Pippo spoke for three minutes each in relation to this item.

Moved: Cr Castelli

Seconded: Cr Long

That Council resolve to:

Issue a **Notice of Decision to Grant a Permit** under the provisions of the Bayside Planning Scheme in respect of Planning application **2017/0169/1** for the land known and described as **2 Charles Street, Hampton, for the construction of two dwellings on a lot and in a Special Building Overlay** 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 received 15 August 2017 prepared by Finlay Roberts Design referenced 17-015, dated July 2017 but modified to show:
 - a) The front setback of Dwelling 1 designed to comply with Standard B6.
 - b) The first floor northern setback of Dwelling 1 designed to comply with Standard B17
 - c) An increase in the setback of the first floor sitting room of Dwelling 1 by 0.5 metres to a setback of 3.98m from the mutual boundary with the neighbouring property of 94 Willis Street.
 - d) The driveway of each dwelling hardsurfaced such that no loose material enters the public road.
 - e) Driveway grades not in excess of 1 in 16 in accordance with Clause 52.06 of the Bayside Planning Scheme.
 - f) Sight-line visibility from each access in accordance with Clause 52.06 of the Bayside Planning Scheme including a reduction of the first 2.5 metres of north boundary paling fence, measured from the front (west) property boundary reduced to 750mm to provide adequate sightlines to the access to Dwelling 1.
 - g) Location of all plant and equipment, including hot water services and air conditioners etc. Plant equipment is to be located away from habitable room windows of dwellings and the adjoining properties habitable rooms.
 - h) A schedule of construction materials, external finishes and colours (incorporating for example paint samples).
 - i) Water sensitive Urban Design measures in accordance with Condition 8 of this permit.

All to the satisfaction of the Responsible Authority.

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

Water Sensitive Urban Design

8. 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.

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.

Traffic

10. Before the occupation of the development starts, the area(s) set aside for vehicle parking and accessways must be constructed, drained and line marked to the satisfaction of the Responsible Authority. Such areas must be kept available for these purposes at all times. Any existing disused or redundant sections of crossing or crossing opening must be removed and replaced with footpath/nature strip/kerb and channel, to the satisfaction of the Responsible Authority.

Drainage

11. 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.
12. Before the development, detailed plans indicating, but not limited to, the method of stormwater discharge to the nominated Legal Point of Discharge (and On-Site Detention System where applicable) must be submitted to and approved by Council's City Assets and Projects Department.
13. 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.

Landscaping

14. 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 drawn by Zenith Concepts, sheets 1 of 1 Rev A, dated July 2017 and be drawn to scale with dimensions and three copies must be provided. The plan must show:
 - a) An adjustment to the planting position of the proposed Jacaranda Mimosifolia within the front setback of Dwelling 1 to allow it to grow to maturity without hindrance from the canopy of the Camphor Laurel (Cinnamomum Camphora) growing within the adjacent road reserve.
 - b) Screen planting/ hedging, where practicable, along parts of the mutual boundary with the neighbouring property of 94 Willis Street to the north.
 - 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.
 - f) Landscaping and/or planting within all areas of the site not covered by buildings or hard surfaces.

- g) Details of surface finishes of pathways and driveways
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.

Street tree protection

17. Soil excavation must not occur within 3 metres from the edge of the Camphor Laurel (*Cinnamomum Camphora*) street tree asset's stem at ground level.
18. A tree protection fence is for the protection of a tree's canopy and root zone. Conditions for street tree protection fencing during development are as follows:
- Fencing is to be secured and maintained prior to demolition and until all site works are complete.
 - Fencing must be installed to comply with AS4970-2009, Protection of trees on development sites.
 - Fencing should encompass the Tree Protection Zone (TPZ) for all street trees adjacent to the development.
 - Fencing is to be constructed and secured so its positioning cannot be modified by site workers.
 - 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.
 - Prior to soil excavation for a Council approved crossover within the TPZ, a trench must be excavated along the line of the crossover adjacent to the tree using root sensitive non-destructive techniques. All roots that will be affected by must correctly pruned.
 - Any installation of services and drainage within the TPZ must be undertaken using root sensitive non-destructive techniques.

Permit Expiry

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

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

Permit Notes:

- This permit does not constitute any authority to carry out any building works or occupy the building or part of the building unless all relevant building permits are obtained.
- A permit must be obtained from Council for all vehicular crossings. These must be constructed under Council's supervision for which 24 hours notice is required.
- Construction of any fence / wall / letterbox structures may necessitate removal / damage of some sections of footpath. If this is the case, a 'Road Opening Permit' must be obtained to facilitate such work.

- A 'Road Opening / Stormwater Tapping Permit' is to be obtained from the Infrastructure Department prior to the commencement of the connection to the Council Drain / kerb / channel.
- Subsurface water must be treated in accordance with Council's Policy for "Discharge of Pumped Subterranean Water Associated with Basements or Below Ground Structures.
- Subsurface water must be treated in accordance with Council's Policy for "Discharge of Pumped Subterranean Water Associated with Basements or Below Ground Structures.
- Council records indicate there is a 1.83m wide drainage and sewerage easement along the eastern property boundary. There is no proposal to encroach into the easement with any buildings and structures of note. Proposals to build over the easement will require Build Over Easement Consent from the Responsible Authority.
- The applicant is to bear the cost to reinstate/relocate the Council assets to provide the required access to the proposed development.

CARRIED

**4.7 301 ST. KILDA STREET, BRIGHTON
SECONDARY CONSENT - APPROVE
APPLICATION NO: 2010/407/1 WARD: NORTHERN**

City Planning & Community Services - Development Services
File No: PSF/15/8755 – Doc No: DOC/18/8963

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

Moved: Cr del Porto

Seconded: Cr Heffernan

That Council resolves to:

1. Approve the amended plans in accordance with secondary consent provisions of Planning Permit 5/2010/407/1.
2. Plans identified as TP3 of 9 and TP 6 of 9 prepared by Crowhurst Building Design and Council date stamped 12 December 2017 and Drawing No. L-TP01 VCAT prepared by John Patrick PTY LTD Council date stamped 4 January 2018 be endorsed. These plans are to be read in conjunction with plans TP2, TP4, TP5, TP7, “external finishes schedule” Issue P1 Rev and “Storm Rating Report” endorsed on 2 July 2014.
3. Plans TP3, TP6 and L-TP01 VCAT endorsed on 2 July 2014 be superseded.

CARRIED

**4.8 42 BAY ROAD, SANDRINGHAM
SECONDARY CONSENT - APPROVE
APPLICATION NO: 2013/571/1 WARD: SOUTHERN**

City Planning & Community Services - Development Services
File No: PSF/15/8755 – Doc No: DOC/18/10492

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

Moved: Cr Evans (Mayor)

Seconded: Cr Martin

That Council resolve to:

1. Approve the amended plans in accordance with secondary consent provisions of Planning Permit 2013/571/1.
2. Plans identified as 1 – 4 (inclusive), prepared by Phillip Crouch Architects and dated 12/04/17 be endorsed. These plans are to be read in conjunction with sheets 5 – 9 of the previously endorsed plans endorsed on 16/03/15.
3. Sheets 1 – 4 (inclusive) of the previously endorsed plans dated 16/03/15 be superseded.

CARRIED

5. Confidential Business

Nil

Following consideration of Confidential Business the Chairperson declared the meeting closed at 8.08pm.

CONFIRMED THIS 27 FEBRUARY 2018

CHAIRPERSON: