



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

held in the Council Chambers, Civic Centre,
Boxshall Street Brighton
on Tuesday 15 August 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 Rachel Lunn – Manager Development Services Michael Henderson – Statutory planning Coordinator Sarah Collins – Acting Statutory Planning Coordinator Terry Callant – Manager Governance Karen Brown – Governance Coordinator Mandy Bartlett – Governance Officer

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 Significant Tree Nomination - 9 Reno Road, Sandringham 4
 - 4.2 25D Bolton Street, Beaumaris (Formerly Lot 14 - 489 Balcombe Road) Grant of a Planning Permit Application No: 2016/744/1 Ward: Southern 5
 - 4.3 117 Ludstone Street, Hampton Notice of Decision to Grant a Planning Permit Application No: 2016/826 Ward: Central 12
 - 4.4 509 Balcombe Road BEAUMARIS Notice of Decision to Grant a Planning Permit Application No: 5/2017/164/1 Ward: Southern 16
 - 4.5 43 Grout Street, Hampton Notice of Decision to Grant a Planning Permit Application No: 2016/392/1 Ward: Central 19
 - 4.6 3/40-42 Willis Street, Hampton Notice of Decision To Grant A Permit Application Number: 2016/0780 Ward: Central 24
 - 4.7 31 Alicia Street, Hampton Support The Grant of a Planning Permit Application No: 2016/586/1 Ward: Central 26
 - 4.8 339-343 Hampton Street, Hampton Notice of Decision to Grant an Amendment to a Planning Permit Application No: 2016/470/2 Ward: Central 31
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

It is recorded that Cr Laurence Evans declared an Personal Interest in Item 4.1 – Significant Tree Nomination – 9 Reno Road, Sandringham.

It is further recorded that Cr Rob Grinter declared an Indirect Interest due to close association in Item 4.7 – 31 Alicia Street, Hampton.

3. Adoption and Confirmation of the minutes of previous meeting

- 3.1 Confirmation of the Minutes of the Planning & Amenity Committee Meeting held on 18 July 2017.

Moved: Cr Grinter

Seconded: Cr del Porto (Mayor)

That the minutes of the Planning & Amenity Committee Meeting held on 18 July 2017, as previously circulated, be confirmed as an accurate record of proceedings.

CARRIED

4. Matters of Decision

Moved: Cr Heffernan

Seconded: Cr Martin

That the Mayor, Cr del Porto be acting Chairman for the consideration of Item 4.1.

CARRIED

4.1 SIGNIFICANT TREE NOMINATION - 9 RENO ROAD, SANDRINGHAM

City Planning & Community Services - Amenity Protection
File No: PSF/15/8764 – Doc No: DOC/17/159468

It is recorded that Cr Evans declared a personal interest in this item given the applicant is a personal friend of Cr Evans. It is further recorded that Cr Evans vacated the meeting at 7:02pm prior to any discussion on this item.

It is recorded that Mrs Pauline Reynolds spoke for three minutes in relation to this item.

It is recorded that Cr Castelli and Cr Long were not present in the Chamber during discussion on this item and were not present for the vote.

Moved: Cr Martin

Seconded: Cr Heffernan

That Council grant significant tree status for a *Eucalyptus viminalis* (Manna Gum) tree located at 9 Reno Road, Sandringham, and include on Council's Significant Tree register.

CARRIED

It is recorded that Cr Evans was not present in the Chamber during the discussion of this item and was not present whilst the vote was taken on this item.

Moved: Cr Martin

Seconded: Cr Heffernan

That Cr Evans resumed the Chair for the remainder of the meeting.

CARRIED

It is recorded that Cr Evans returned to the meeting at 7:11pm.

**4.2 25D BOLTON STREET, BEAUMARIS
(FORMERLY LOT 14 - 489 BALCOMBE ROAD)
GRANT OF A PLANNING PERMIT
APPLICATION NO: 2016/744/1 WARD: SOUTHERN**

City Planning & Community Services - Development Services
File No: PSF/15/8755 – Doc No: DOC/17/140517

It is recorded that Mr Matthew Shaw spoke for three minutes in relation to this item.

It is recorded that Cr Castelli entered the Chamber at 7:19pm

It is recorded that Cr Long entered the Chamber at 7:20pm

Moved: Cr Martin

Seconded: Cr Heffernan

That Council:

Issues 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 **25D Bolton Street, Beaumaris**, for the **construction of a double storey 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: 2 – 6 (all Rev A and dated 7/11/2016) and the Landscape Concept Plan (dated 17/3/2016)) but modified to show:
 - a) The street setback of the dwelling at ground and first floor increased to a minimum of 6.8 metres.
 - b) Rear facing first floor windows to bedroom two and three to be obscure glazed, screened or have raised sill heights in accordance with Standard A15 of the Bayside Planning Scheme.
 - c) A longitudinal section of the driveway showing the grades and lengths of grades in accordance with AS2890.1.
 - d) Sightlines where the driveway meets the crossover in accordance with Clause 52.06-9 of the Bayside Planning Scheme.
 - e) A rainwater tank or tanks with a combined capacity of 7,000 litres in accordance with the Water Sensitive Urban Design Report prepared by Latitude 37 Projects Pty Ltd (undated).
 - f) A schedule of construction materials, external finishes and colours.
 - g) 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. The water sensitive urban design stormwater treatment system as shown on the endorsed plans must be retained and maintained at all times in accordance with the Urban Stormwater - Best Practice Environmental Management Guidelines, CSIRO 1999, to the satisfaction of the Responsible Authority.
8. Before the occupation of the development starts, the 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 Greendaze Garden Design and dated 17 March 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.
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. 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.

AMENDMENT

Moved: Cr del Porto (Mayor)

Seconded: Cr Castelli

That Council:

Issues 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 **25D Bolton Street, Beaumaris**, for the **construction of a double storey 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: 2 – 6 (all Rev A and dated 7/11/2016) and the Landscape Concept Plan (dated 17/3/2016)) but modified to show:
 - a) The street setback of the dwelling at ground and first floor increased to a minimum of 7 metres.
 - b) Rear facing first floor windows to bedroom two and three to be obscure glazed, screened or have raised sill heights in accordance with Standard A15 of the Bayside Planning Scheme.
 - c) A longitudinal section of the driveway showing the grades and lengths of grades in accordance with AS2890.1.
 - d) Sightlines where the driveway meets the crossover in accordance with Clause 52.06-9 of the Bayside Planning Scheme.
 - e) A rainwater tank or tanks with a combined capacity of 7,000 litres in accordance with the Water Sensitive Urban Design Report prepared by

Latitude 37 Projects Pty Ltd (undated).

- f) A schedule of construction materials, external finishes and colours.
 - g) 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. The water sensitive urban design stormwater treatment system as shown on the endorsed plans must be retained and maintained at all times in accordance with the Urban Stormwater - Best Practice Environmental Management Guidelines, CSIRO 1999, to the satisfaction of the Responsible Authority.
 8. Before the occupation of the development starts, the 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 Greendaze Garden Design and dated 17 March 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.
 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. 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.

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

DIVISION: **FOR:** Crs James Long, Sonia Castelli and Alex del Porto (Mayor) (3)
 AGAINST: Crs Laurence Evans, Michael Heffernan, Clarke Martin and Rob Grinter (4)

LOST

With the consent of the Meeting the Mover, Cr Martin and the Seconder, Cr Heffernan withdrew the original motion.

Moved: Cr Martin

Seconded: Cr Heffernan

That Council:

Issues 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 **25D Bolton Street, Beaumaris**, for the **construction of a double storey 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: 2 – 6 (all Rev A and dated 7/11/2016) and the Landscape Concept Plan (dated 17/3/2016)) but modified to show:

- a) Rear facing first floor windows to bedroom two and three to be obscure glazed, screened or have raised sill heights in accordance with Standard A15 of the Bayside Planning Scheme.
 - b) A longitudinal section of the driveway showing the grades and lengths of grades in accordance with AS2890.1.
 - c) Sightlines where the driveway meets the crossover in accordance with Clause 52.06-9 of the Bayside Planning Scheme.
 - d) A rainwater tank or tanks with a combined capacity of 7,000 litres in accordance with the Water Sensitive Urban Design Report prepared by Latitude 37 Projects Pty Ltd (undated).
 - e) A schedule of construction materials, external finishes and colours.
 - f) 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. The water sensitive urban design stormwater treatment system as shown on the endorsed plans must be retained and maintained at all times in accordance with the Urban Stormwater - Best Practice Environmental Management Guidelines, CSIRO 1999, to the satisfaction of the Responsible Authority.
 8. Before the occupation of the development starts, the 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 Greendaze Garden Design and dated 17 March 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.
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. 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.

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

DIVISION: **FOR:** Crs Laurence Evans, Michael Heffernan, Clarke Martin and Rob Grinter (4)
AGAINST: Crs James Long, Sonia Castelli and Alex del Porto (Mayor) (3)

CARRIED

**4.3 117 LUDSTONE STREET, HAMPTON
NOTICE OF DECISION TO GRANT A PLANNING PERMIT
APPLICATION NO: 2016/826 WARD: CENTRAL**

City Planning & Community Services - Development Services
File No: PSF/15/8755 – Doc No: DOC/17/142536

It is recorded that Ms Jane Merrylees spoke for three minutes in relation to this item.

Moved: Cr Castelli

Seconded: Cr del Porto (Mayor)

That Council:

Issue **Notice of Decision to Grant a Permit** under the provisions of the Bayside Planning Scheme in respect of **Planning Application No. 2016/826/1** for the land known and described as **117 Ludstone Street, Hampton**, for the **construction of a new double storey dwelling and erection of a new front fence in excess of 1.2m in height** 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 advertised plans (drawn by JM, drawing no. TP-001 – TP-503, Rev D, dated 7 July 2017) but modified to show:
 - a) The removal of any permanent enclosed structure at ground level (to a height of 2.5m) within 1m of the drainage pipe running parallel to the western property boundary. Alternatively, the permit holder may submit a Consent to Build over an Easement granted by the Responsible Authority.
 - b) The eastern and northern wall of the laundry lowered to a maximum height of 2.8m, with the roof of a generally equivalent height.
 - c) A notation on the plans specifying the screen on the rear of the premises as being “no more than 25% transparent”, or other form of screening treatment, in accordance with Standard A15.
 - d) Removal of references to boundary fences (other than any fence within 3m of the front boundary).
 - e) Sight lines in accordance with AS2890.1 where the driveway intersects with the footpath.
 - f) 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.
 - g) A schedule of construction materials, external finishes and colours (incorporating for example paint samples).
 - h) Water sensitive urban design measures in accordance with Condition 8 of this permit.
 - i) A Landscaping plan in accordance with Condition 12 of this permit.
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 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.
6. The walls on the boundary of the adjoining properties shall be cleaned and finished to the satisfaction of the Responsible Authority.
7. Before occupation, screening of windows including fixed privacy screens be designed to limit overlooking as required by Standard B22 and be installed and maintained to the satisfaction of the Responsible Authority thereafter for the life of the building.
8. 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.
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.
11. 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.
12. 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 concept plan drawn by Zenith Concepts, dated

October 2016, Revision A, 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 including Tree Protection Zones calculated in accordance with AS4970-2009.
 - b) 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.
 - c) A planting schedule of all proposed trees and shrubs, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant.
 - d) Landscaping and/or planting within all areas of the site not covered by buildings or hard surfaces.
 - e) Details of surface finishes of pathways and driveways.
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, 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, Protection of trees on development sites. During construction of the crossover, tree protection fencing may be reduced to the edge of the Council approved crossover to facilitate the construction of the crossover. 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. Any installation of services and drainage within the TPZ must be undertaken using root-sensitive, non-destructive techniques.
 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.

Permit Expiry

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:

- 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

**4.4 509 BALCOMBE ROAD BEAUMARIS
NOTICE OF DECISION TO GRANT A PLANNING PERMIT
APPLICATION NO: 5/2017/164/1 WARD: SOUTHERN**

City Planning & Community Services - Development Services
File No: PSF/15/8755 – Doc No: DOC/17/150260

It is recorded that Mr Joe Kellett, Mrs Hilary Plehwe, Ms Wendy Parker and Mr Livio Ciabotti spoke for three minutes each in relation to this item.

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

Moved: Cr Martin

Seconded: Cr del Porto (Mayor)

That Mrs Shelley Durance be granted three minutes to speak to this item.

CARRIED

Moved: Cr Martin

Seconded: Cr Long

That Council:

Issues a **Notice of Decision to Grant a Permit** under the provisions of the Bayside Planning Scheme in respect of the land known and described as **509 Balcombe Road BEAUMARIS**, for the **removal of native trees in a Vegetation Protection Overlay** in accordance with the endorsed plans and subject to the following conditions:

1. Before the removal of the trees, 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 submitted 22 March 2017 and be drawn to scale with dimensions and three copies must be provided. The plan must show:
 - a. Retention of Tree 5;
 - b. A survey, including botanical names of all existing trees (native and exotic) to be retained on-site including Tree Protection Zones in accordance with AS4970-2009;
 - c. Planting of two (2) indigenous canopy trees, which have the capacity to reach a mature height of 10m and spread of 6m at maturity. One tree to be planted in the front setback and a second tree should be planted in the rear yard;
 - d. Planting of two (2) additional indigenous canopy trees, which have the capacity to reach a mature height of 8m and spread of 4m at maturity. One tree to be planted in the front setback and a second tree should be planted in the rear yard.
2. The canopy trees planted in the front setback should be sufficiently setback from the northern boundary so mature tree canopies will not require pruning for powerline clearance.
3. No additional native trees as shown on the endorsed plans are to be removed without the prior written consent of the Responsible Authority.
4. The landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority within 12 months of the removal of the trees.

5. 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.
6. This permit will expire if the tree removal has not been completed within two years of the date of this permit.

AMENDMENT

Moved: Cr del Porto (Mayor)

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 the land known and described as **509 Balcombe Road BEAUMARIS**, for the **removal of native trees in a Vegetation Protection Overlay** in accordance with the endorsed plans and subject to the following conditions:

1. Before the removal of the trees, 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 submitted 22 March 2017 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 (native and exotic) to be retained on-site including Tree Protection Zones in accordance with AS4970-2009;
 - b. Planting of two (2) indigenous canopy trees, which have the capacity to reach a mature height of 10m and spread of 6m at maturity. One tree to be planted in the front setback and a second tree should be planted in the rear yard;
 - c. Planting of two (2) additional indigenous canopy trees, which have the capacity to reach a mature height of 8m and spread of 4m at maturity. One tree to be planted in the front setback and a second tree should be planted in the rear yard.
2. The canopy trees planted in the front setback should be sufficiently setback from the northern boundary so mature tree canopies will not require pruning for powerline clearance.
3. No additional native trees as shown on the endorsed plans are to be removed without the prior written consent of the Responsible Authority.
4. The landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority within 12 months of the removal of the trees.
5. 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.
6. This permit will expire if the tree removal has not been completed within two years of the date of this permit.

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

DIVISION: **FOR:** Crs Michael Heffernan, Sonia Castelli and Alex del Porto
(Mayor) (3)

AGAINST: Crs Laurence Evans, James Long, Clarke Martin and Rob Grinter (4)

LOST

**4.5 43 GROUT STREET, HAMPTON
NOTICE OF DECISION TO GRANT A PLANNING PERMIT
APPLICATION NO: 2016/392/1 WARD: CENTRAL**

City Planning & Community Services - Development Services
File No: PSF/15/8755 – Doc No: DOC/17/88056

It is recorded that Ms Katrina Nicholson, Mr Mark Bernhard (via proxy Beatrice Glendenning), and Mr Mark Butler spoke for three minutes each to this item.

*Councillors del Porto and Grinter left the Meeting at 9:23 pm
Councillor Grinter returned to the Meeting at 9:25pm
Councillor del Porto returned to the Meeting at 9:27pm*

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 **Planning Application 2016/392/1** for the land known and described as **43 Grout Street, Hampton**, for the **construction of two double storey dwellings on a lot in the Special Building Overlay** 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: TP3 – TP8 and TP10 - all Rev B) but modified to show:
 - a) The setback for bedroom four of dwelling one to be increased to a minimum of 7.2 metres.
 - b) Any development changes recommended in the Tree Management and Tree Protection Plan prepared in accordance with Condition 13 of this permit.
 - c) Sightlines where the driveway meets the crossover in accordance with Clause 52.06-9 of the Bayside Planning Scheme.
 - d) No soil excavation within 2.5 metres of the street trees fronting the property.
 - e) All site services to be located on plans, including bins, air conditioning and hot water systems. Plant and equipment should be located sensitively in relation to habitable room windows on the subject site and neighbouring properties.
 - f) A Water Sensitive Urban Design response in accordance with Condition 7 of this permit.
 - g) A Landscape Plan in accordance with Condition 10 of this permit.
 - h) A Tree Management (report) and Tree Protection Plan (drawing) in accordance with Condition 13 of this permit.
 - i) Compliance with Melbourne Water Conditions 17 – 24 of this permit and any other consequential changes to comply with the Special building

Overlay requirements.

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 site plan, prepared by Elevation 7 and dated March 2016) 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 including Tree Protection Zones calculated in accordance with AS4970-2009.

- b) 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.
 - c) A planting schedule of all proposed trees and shrubs, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant.
 - d) Landscaping and/or planting within all areas of the site not covered by buildings or hard surfaces.
 - e) Details of surface finishes of pathways and driveways.
 - f) The canopy trees in the secluded private open space of both dwellings to be deleted.
 - g) One canopy tree in the south-east corner of the site with the capacity to reach a height and spread at maturity of 10 and 6 metres respectively.
 - h) One canopy tree in the south-west corner of the site with the capacity to reach a height and spread at maturity of 8 and 4 metres respectively.
 - i) One canopy tree in the May Street setback of dwelling two with the capacity to reach a height and spread at maturity of 10 and 6 metres respectively.
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 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.

17. 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.
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. 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.

Melbourne Water

20. Pollution and sediment laden runoff shall not be discharged directly or indirectly into Melbourne Water's drains or waterways.
21. A minimum three (3) metre setback measured from the eastern boundary and maintained at natural surface levels is required for the conveyance of overland flow.
22. Finished floor levels of the dwelling must be constructed no lower than 22.22 metres to Australian Height Datum (AHD).
23. Finished floor levels of the garage and storage areas must be constructed no lower than 22.07 metres to AHD.
24. Imported fill required to achieve ramping to the garage must begin outside the minimum 3 metre setback.
25. Any new fencing must be open style (50%) of construction or timber paling to allow for the conveyance of overland flow.
26. The carport must be maintained at natural surface levels and must be constructed with two or more sides open to allow for the conveyance of overland flow. A garage door is not permitted to the structure.
27. Imported fill must be kept to a minimum on the property and must only be used for the sub floor areas of the dwelling, garage, storage area and driveway ramp.
28. The open space areas within the property must be constructed at natural surface levels and no fill or retaining walls should be used in the development of this land.
29. Any new or modified stormwater connection to Melbourne Water's drainage system must obtain separate approval from Melbourne Water's Asset Services

Team.

30. Prior to the issue of an Occupancy Permit, a certified survey plan, showing finished floor levels (as constructed) reduced to the Australian Height Datum, must be submitted to Melbourne Water to demonstrate that the floor levels have been constructed in accordance with Melbourne Water's requirements.

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.
- 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.
- The applicable flood level is 21.92 metres to Australian Height Datum (AHD).
- For the purpose of the Building Code of Australia - Building in Flood Hazard Areas, Melbourne Water has determined that during a flood event that has a probability of occurrence of 1% in any one year, the maximum flow rate of flood water (velocity) will be below 1.5 metres per second.
- The area of potential flooding covered by the Special Building Overlay relating to this site is the result of Melbourne Water modelling.
- Please note that flooding may be associated with the Melbourne Water regional drainage system and/or the local Council drainage systems. Melbourne Water does not have any information in relation to flow velocities associated with the local Council drainage system.
- If further information is required in relation to Melbourne Water's permit conditions shown above, please contact Melbourne Water on 9679 7517, quoting Melbourne Water's reference 274801.

CARRIED

**4.6 3/40-42 WILLIS STREET, HAMPTON
NOTICE OF DECISION TO GRANT A PERMIT
APPLICATION NUMBER: 2016/0780 WARD: CENTRAL**

City Planning & Community Services - Development Services
File No: PSF/15/8755 – Doc No: DOC/17/150975

It is recorded that Mrs Agnes Hennessy spoke for three minutes in relation to this item.

Moved: Cr Long

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 the land known and described as **3/40-42 Willis Street, Hampton**, for **alterations and additions to an existing 2 storey dwelling including the construction of a third storey within a mansard roof on a lot less than 500 square meters and in a DDO12** in accordance with the endorsed plans and subject to the following conditions:

1. Before the use and 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 Philip Crouch Architects dated 29 November 2016 but modified to show:
 - a) Indication of compliance with Standard A15 in relation to all new windows
 - b) Tree Protection Plan in accordance with Condition 5.
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. All pipes, fixtures, fittings and vents servicing any building on the site must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.
4. No plant, equipment, services or architectural features other than those shown on the endorsed plans are permitted above the roof level of the building(s) without the written consent of the Responsible Authority.
5. A Tree Protection Management Plan showing protection of the *Allocasuarina littoralis* located over the western boundary must be prepared and endorsed prior to the commencement of any works. The report must be in accordance with AS 4970 Australian Standard for the Protection of Trees on Development sites. The report must be specific to the tree and demonstrate how the trees canopy, trunk and its entire root area will be protected from compaction and disturbance from start to completion of this project.
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. 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.

The existing street trees must be retained.

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.

CARRIED

**4.7 31 ALICIA STREET, HAMPTON
SUPPORT THE GRANT OF A PLANNING PERMIT
APPLICATION NO: 2016/586/1 WARD: CENTRAL**

City Planning & Community Services - Development Services
File No: PSF/15/8755 – Doc No: DOC/17/147164

It is recorded that Cr Grinter declared an Indirect Interest by close association in this item given the applicant is his son's orthodontist. It is further recorded that Cr Grinter vacated the meeting at 10:16pm prior to any discussion on this item.

It is recorded that Mr Evan Packer, Mr Rod Thomas, and Dr Amanda Lawrence spoke for three minutes each in relation to this item.

Moved: Cr Long

Seconded: Cr Castelli

That Council:

Determines to **Support** the agreement reached by all parties at the VCAT Compulsory Conference in respect of **Planning Application 2016/586/1** for the land known and described as **31 Alicia Street, Hampton**, for the **construction of a three storey building comprising three dwellings over basement car parking** 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 TP-06 Rev A, TP-07 Rev I, TP-08 Rev J, TP-09 Rev F, TP-10 Rev F, TP-11 Rev G, TP-12 Rev H, TP-13 Rev G, TP-14 Rev G and TP-23 Rev F, prepared by Classic Projects Design but modified to show:
 - a) The deletion of the roof deck and stair access and lowering of the lift overrun.
 - b) The relocation of 6 air conditioning units to the basement and the remaining 3 air conditioning units appropriately screened.
 - c) The proposed materials modified to incorporate a mix of building materials and finishes to reflect the lightness of the streetscape in accordance with the Precinct F1 Guidelines of Clause 22.06 of the Bayside Planning Scheme.
 - d) The proposed side and rear setbacks modified to demonstrate compliance with Standard B17 (Side and Rear Setbacks) of the Bayside Planning Scheme.
 - e) The screening requirements of Standard B22 (Overlooking) of the Bayside Planning Scheme.
 - f) The location of site services in accordance with Standard B34 (Site Services) of the Bayside Planning Scheme.
 - g) The provision of an open style fence to a minimum of 70% of the length of the front fence in horizontal louvre or equivalent to maintain the openness of the streetscape and views to the dwellings.

- h) A 3.6 metre wide new crossover to be constructed with a 0.8 metre offset from the western property boundary.
- i) Adequate sightlines to be demonstrated on the plans to meet AS2890.1 where the ramp intersects with the footpath.
- j) Water sensitive urban design measures in accordance with Condition 7 of this permit.
- k) A Landscaping Plan in accordance with Condition 9 of this permit.
- l) A Tree Management and Protection Plan in accordance with Condition 12 of this permit.
- m) Any consequential changes to the plans to comply with any conditions of this permit which must result in no increase in the built form and envelope.

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 (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 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 openings must be removed and replaced with footpath/nature strip/kerb and channel, to the satisfaction of the Responsible Authority.

Water Sensitive Urban Design

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

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

8. The water sensitive urban design stormwater treatment system as shown on the endorsed plans must be retained and maintained at all times in accordance with

the Urban Stormwater - Best Practice Environmental Management Guidelines, CSIRO 1999, to the satisfaction of the Responsible Authority.

Landscaping

9. Prior to the endorsement of plans pursuant to Condition 1, a detailed Landscape Plan generally in accordance with the advertised Landscape Plan prepared by Classic Projects Designs 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 be modified to 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 trees on neighbouring properties where the Tree Protection Zones of such trees calculated in accordance with AS4970-2009 fall partially within the subject site.
 - c) A planting schedule of all proposed trees and shrubs, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant.
 - d) Landscaping and/or planting within all areas of the site not covered by buildings or hard surfaces.
 - e) Details of surface finishes of pathways and driveways.
 - f) The proposal modified to reduce the encroachment into the TPZ's of Trees 2 and 4 to less than 10%. Encroachment calculations submitted by the applicant must include assessment of the angle repose and the extent of excavation required for the basement level.
 - g) The provision of sufficient soil volume and above ground space for the growth of two, 10 metre x 6 metre trees at maturity in the front setback and one 10 metre x 6 metre tree at maturity in the rear setback as well as the provision of rear boundary hedging selected from Council's Landscape Guidelines.
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. 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 to the Responsible Authority.
 14. Before the development starts, including demolition or removal of vegetation, the name and contact details of the project arborist responsible for implementing the Tree Management Plan must be submitted to the Responsible Authority.
 15. A tree protection fence is required to protect the tree's canopy and root zone of all street trees fronting this property. Conditions for street tree fencing during development are as follows:
 - a) Fencing must be secured prior to demolition and maintained until all site works are complete.
 - b) Fencing must be installed to comply with AS 4870-2009, Protection of Trees on Development Sites.
 - c) Fencing should encompass the Tree Protection Zone (TPZ) for all street trees adjacent to the development.
 - d) 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.
 - e) 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.
 - f) Any installation of services and drainage within the TPZ must be undertaken using root sensitive, non-destructive techniques.

Drainage

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 starts, 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.
18. Any subsurface water captured on the site must be treated in accordance with Council's Policy for "Discharge of pumped Subterranean Water Associated with Basement or Below Ground Structures". Any seepage/agricultural drainage water must be filtered to rain water clarity and must be pumped to the nearest Council Drain/Pit and not be discharged to the kerb and channel unless directed otherwise.
19. The driveway / parking areas / paved courtyards / paths and 'pervious' pavements must be graded / drained to prevent stormwater discharge onto the front footpath and into adjacent properties.

**4.8 339-343 HAMPTON STREET, HAMPTON
NOTICE OF DECISION TO GRANT AN AMENDMENT TO A PLANNING
PERMIT
APPLICATION NO: 2016/470/2 WARD: CENTRAL**

City Planning & Community Services - Statutory Planning
File No: PSF/15/8755 – Doc No: DOC/17/142746

It is recorded that Mr Jim Totos spoke for three minutes in relation to this item.

Moved: Cr Long

Seconded: Cr Castelli

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 **339-343 Hampton Street, Hampton** for a **general liquor licence** in accordance with the endorsed plans and subject to the following conditions:

1. The licenced 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 may only occur between the following hours:
 - ANZAC DAY 12 noon until 11pm
 - Any other day 7am to 11pm

No amendment to these hours of operation is to occur without the prior written consent of the Responsible Authority.

4. **No more than 80 seats may be available for the consumption of liquor, unless with the prior written consent of the Responsible Authority.**
5. The service and consumption of liquor must remain ancillary to the primary purpose of the premises being the service and consumption of food.
6. This permit will expire if the premises are not licensed under the *Liquor Control Reform Act 1998* within two (2) years of the date of this permit.

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

Date	Amendment
6 December 2016	Permit Amended under Section 71 of the <i>Planning and Environment Act 1987</i> to: Amend Condition 3 to read: “The sale and consumption of liquor may only occur between the following hours: •ANZAC Day 12 noon till 11pm •Any other day 7am to 11pm No amendment to these hours of operation is to occur without the prior written consent of the Responsible Authority.”
3 August 2017	Amendment to the permit under Section 72 of the <i>Planning and Environment Act 1987</i> to: <ul style="list-style-type: none"> • Increase red line area to include 343 Hampton Street, Hampton • Amendment to condition 4 to change the number of patrons from 16 to a maximum of 80

CARRIED

Prior to the conclusion of the meeting the Chairman acknowledged the Development Services Manager Rachel Lunn’s last meeting and thanked her for her support, the professionalism shown to the Committee, and wished her well for the future. Councillors del Porto and Long also acknowledged the significant contribution of Rachel Lunn.

5. Confidential Business

Nil

Following consideration of Confidential Business the Chairperson declared the meeting closed at 10:55pm.

CONFIRMED THIS INSERT 12 DAY OF SEPTEMBER 2017

CHAIRPERSON: