



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

held in the Council Chambers, Civic Centre,
Boxshall Street Brighton
on Thursday 28 September 2017

The Meeting commenced at 7.00pm

Councillors Cr Alex del Porto (Mayor)
Cr Laurence Evans
Cr Michael Heffernan
Cr James Long BM JP
Cr Clarke Martin
Cr Rob Grinter
Cr Sonia Castelli

In attendance Hamish Reid – Director City Planning and Community Services
Arthur Vatzakis – Acting Manager Development Services
Michael Kelleher – Statutory Planning Coordinator
Sarah Collins – Acting Statutory Planning Coordinator
Patricia Stewart – Principal Statutory Planner
Terry Callant – Manager Governance
Mandy Bartlett – Governance Officer

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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 12 September 2017.

Moved: Cr Grinter

Seconded: Cr Heffernan

That the minutes of the Planning & Amenity Committee Meeting held on 12 September 2017, as previously circulated, be confirmed as an accurate record of proceedings.

CARRIED

4. Matters of Decision

**4.1 327 SOUTH ROAD, BRIGHTON EAST
SUPPORT THE GRANT OF A PLANNING PERMIT
APPLICATION NO: 2016/571/1 WARD: CENTRAL**

City Planning & Community Services - Statutory Planning
File No: PSF/15/8755 – Doc No: DOC/17/200938

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

Moved: Cr Castelli

Seconded: Cr Grinter

That Council:

Determines to **Support** the application under the provisions of the Bayside Planning Scheme in respect of **Planning Application 2016/571/1** for the land known and described as 327 South Road, Brighton East for **construction of two dwellings and alteration of access to a road in a Road Zone Category 1** in accordance with the endorsed plans and subject to the following conditions from the standard conditions:

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the plans (submitted with the application and advertised) prepared by Finley Roberts Design referenced Job no. 16-005, dated 9 November 2016 and Revision number A but modified to show:
 - a) Redesigned front façade of both dwellings generally in accordance with the Sketch Plan no.1 dated 12 September 2017.
 - b) Redesign of the garage and entry to dwelling 1 and modifications to front setback of both dwellings to incorporate greater landscaping opportunities generally in accordance with the Sketch Plan no.2 dated 12 September 2017.
 - c) A minimum of 1.5m east side setback from the proposed garage of the Dwelling 1 generally in accordance with the Sketch Plan no.2 dated 12 September 2017.
 - d) A variety of materials and finishes other than render finishes to be incorporated across all elevations.
 - e) All first floor windows are redesigned to comply with Standard B22 of the Bayside Planning Scheme.
 - f) Elevation plan showing the proposed front fence in a scale of 1:100. The overall height is to be reduced to 2.0m with a minimum of 25% transparency above 1.5 metres.
 - g) Revised floor plan or elevation plan to provide a consistent window schedules.
 - h) Deletion or relocation of the proposed spa outside the easement area.
 - i) The driveway of each dwelling to have brick banding along its edges.

- j) The pedestrian pathways of each dwelling to be clearly identifiable and constructed out of a different material to the driveway.
- k) The front porches of each dwelling to be finished with a material other than render.
- l) 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.
- m) An amended Landscaping Plan to replace Norway Maple with Coastal Banksia in accordance with Condition 10 of this permit.
- n) 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.

Landscaping

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 drawn by Zenith Concepts, Council stamp dated 9 November 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) Landscaping and/or planting within all areas of the site not covered by buildings or hard surfaces.
 - d) Details of surface finishes of pathways and driveways
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.

Tree Management and Protection Plan

13. 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.

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 northern property boundary as indicated on the drawings provided. The plans indicate that a storage shed shall be constructed over the easement. Any proposal to encroach into the easement will require Build Over Easement consent from the Responsible Authority/Authorities.
17. Subsurface water must be treated in accordance with Council's Policy for "Discharge of Pumped Subterranean Water Associated with Basements or Below Ground Structures.
18. Prior to endorsement of the plan/s required under Condition 1 of this permit, the permit holder must pay a drainage levy in accordance with the amount specified under the Bayside Drainage Development Contributions Plan. The levy amount payable will be adjusted to include the Building Price Index applicable at the time of payment.
19. The levy payment shall be submitted to Council with the Bayside Drainage Contributions Levy Charge Sheet and it must include the Building Price Index applicable at the time of payment.

VicRoads

20. Prior to the occupation of the dwellings, the redundant crossover must be removed and wholly reinstated with kerb, channel, verge and footpath to the satisfaction of the Responsible Authority and at no cost to the Responsible Authority or VicRoads.
21. Vehicles must enter and exit the land in a forward direction at all times.

Permit Expiry

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

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

CARRIED

**4.2 493A, 493 - 495 HIGHETT ROAD, HIGHETT
SUPPORT THE GRANT OF A PLANNING PERMIT
APPLICATION NO: 2016/183/1 WARD: CENTRAL**

City Planning & Community Services - Development Services
File No: PSF/15/8755 – Doc No: DOC/17/197579

It is recorded that Mr Ying Chan spoke for three minutes on this item.

Moved: Cr Castelli

Seconded: Cr Grinter

That Council:

Determines to **Support** the application under the provisions of the Bayside Planning Scheme in respect of **Planning Application 2016/183/1** in respect of the land known and described as **493A & 493-495 Highett Road, Highett**, for the **Construction of a building containing nine (9) dwellings and one (1) restaurant, a reduction in car parking under Clause 52.06 of the Bayside Planning Scheme and reduction in the provision of a loading bay required under Clause 52.07 of the Bayside Planning Scheme** in accordance with the endorsed plans and subject to the following conditions:

1. Before 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 by Point Architects, Job Number 749, Drawing nos. 04, 05, 06, 07 and 10, all Revision D and dated 5 September 2017, but modified to show:
 - a) Appropriate weather protection measures benefitting pedestrians on Highett Road at the front of the premises above ground floor level, such measures to be at least 1.8m deep from the edge of the building over the footpath.
 - b) Car stacker system (Hercules Expanderpark 2+1) to be annotated on the plans, together with the following minimum dimensions:
 - i. Minimum setback of 6.9m between the edge of the car stacker system and the northern side of the right of way;
 - ii. Minimum platform length of 5.2m;
 - iii. Minimum platform width of 2.4m;
 - iv. Minimum vehicle clearance height of 1.8m for at least 25% of the parking supply.
 - c) Minimum 20% of car parking spaces provided at ground level.
 - d) A schedule of construction materials, external finishes and colours (incorporating for example paint samples), including for screens provided on the balconies and roof of the building.
 - e) 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.
 - f) Water Sensitive Urban Design Measures in accordance with Condition 7 of this permit.

- g) A Waste Management Plan in accordance with Condition 15 of this permit.
- h) A Construction Management Plan in accordance with Condition 17 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. Noise emanating from the subject land must not exceed the permissible noise levels when determined in accordance with State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade) No. N-1, to the satisfaction of the Responsible Authority.
6. 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.
7. As part of the endorsement of plans pursuant to Condition 1, detailed plans to the satisfaction of the Responsible Authority must be submitted that 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.
 - c) Design details of the water sensitive urban design stormwater treatment measures, including cross sections.

These plans must be accompanied by a report from an industry accepted performance measurement tool which details the treatment performance achieved and demonstrates the level of compliance with the Urban

Stormwater Best Practice Environmental Management Guidelines, CSIRO 1999.

8. The water sensitive urban design stormwater treatment system as shown on the endorsed plans must be retained and maintained at all times in accordance with the Urban Stormwater - Best Practice Environmental Management Guidelines, CSIRO 1999, to the satisfaction of the Responsible Authority.
9. The use and development must be managed so that the amenity of the area is not detrimentally affected, through the:
 - a) Transport of materials, goods or commodities to or from the land.
 - b) Appearance of any building, works or materials.
 - c) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.
 - d) Presence of vermin.

10. No more than 50 seats may be made available at any one time to patrons on the premises, without the prior written consent of the responsible authority.
11. Before the occupation of the development starts, the area(s) 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.
12. 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.
13. The restaurant and each dwelling must be allocated with a minimum of one car parking space each.
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. As part of the endorsement of plans pursuant to Condition 1, a Waste Management Plan must be submitted to and approved by the Responsible Authority. The Waste Management Plan must clearly indicate that waste collection is to be via a private contractor, not Council, and include:
 - a) Dimensions of storage waste areas.
 - b) Storm water drains in storage areas should be fitted with a litter trap.
 - c) The number and size of bins to be provided.
 - d) Facilities for bin cleaning.
 - e) Method of waste and recyclables collection.
 - f) Types of waste for collection, including colour coding and labelling of bins.
 - g) Hours of waste and recyclables collection (to correspond with Council Local Laws and EPA Noise Guidelines). Waste collection must not take place between 6am-10am and 3pm-7pm on weekdays.
 - h) Method of hard waste collection.
 - i) Method of presentation of bins for waste collection.
 - j) Strategies for how the generation of waste and recyclables will be minimised.
 - k) Compliance with relevant policy, legislation and guidelines.

When approved, the plan will be endorsed and will then form part of the permit. Waste collection from the development must be in accordance with the plan, to the satisfaction of the Responsible Authority.
16. As part of the endorsement of plans pursuant to Condition 1, a detailed public realm improvement plan must be submitted to and approved by the Responsible Authority. The plan must show:
 - a) The relocation of any Council assets or infrastructure affected on Highett Road as a direct result of this development.
 - b) Bicycle hoops on the footpath on Highett Road.

- c) The provision of a bench seat in front of the property in the location of the bench shown on the ground floor plan.
 - d) The reinstatement of parking signs on Highett Road.
 - e) All to the satisfaction of the Responsible Authority.
17. Before the commencement of works, a Construction Management Plan (CMP), to the satisfaction of the Responsible Authority, must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit and shall thereafter be complied with. The CMP must specify and deal with, but not be limited to the following as applicable:
- a) A detailed schedule of works including a full project timing.
 - b) A traffic management plan for the site, including when or whether any access points would be required to be blocked, an outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services, preferred routes for trucks delivering to the site, queuing/sequencing, excavation and swept-path diagrams.
 - c) The location for the parking of all construction vehicles and construction worker vehicles during construction.
 - d) Delivery of materials including times for loading/unloading, unloading points, expected frequency and details of where materials will be stored and how concrete pours would be managed.
 - e) Proposed traffic management signage indicating any inconvenience generated by construction.
 - f) Fully detailed plan indicating where construction hoardings would be located.
 - g) A waste management plan including the containment of waste on site: disposal of waste, stormwater treatment and on-site facilities for vehicle washing.
 - h) Containment of dust, dirt and mud within the site and method and frequency of clean up procedures in the event of build-up of matter outside the site.
 - i) Site security.
 - j) Public safety measures.
 - k) Construction times, noise and vibration controls.
 - l) Restoration of any Council assets removed and/or damaged during construction.
 - m) Protection works necessary to road and other infrastructure (limited to an area reasonable proximate to the site).
 - n) Remediation of any damage to road and other infrastructure (limited to an area reasonably proximate to the site).
 - o) An emergency contact that is available for 24 hours per day for residents and the Responsible Authority in the event of relevant queries or problems experience.

- p) Traffic management measures to comply with provisions of AS 1742.3-2009 Manual of uniform traffic control devices – Part 3: Traffic control devices for works on roads.
 - q) All contractors associated with the construction of the development must be made aware of the requirements of the Construction Management Plan.
 - r) Details of crane activities, if any.
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.

CARRIED

**4.3 8 CAMPERDOWN STREET, BRIGHTON EAST
NOTICE OF DECISION TO GRANT A PLANNING PERMIT
APPLICATION NO: 2016/714/1 WARD: NORTHERN**

City Planning & Community Services - Development Services
File No: PSF/15/8755 – Doc No: DOC/17/200951

It is recorded that Mr Alan Topp, Mrs Ruth Topp, and Mr Peter Wright spoke for three minutes each on this item.

Moved: Cr del Porto (Mayor)

Seconded: Cr Heffernan

That Council:

Issues a **Notice of Decision to Grant a Permit** under the provisions of the Bayside Planning Scheme in respect of **Planning Application 2016/714/1** for the land known and described as **8 Camperdown Street, Brighton East**, for the **construction of two dwellings on a lot** in accordance with the endorsed plans and subject to the following conditions from the standard conditions:

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the plans date stamped 23 June 2017 but modified to show:
 - a) The western elevation corrected to accurately reflect the cantilevering window frame to Bedroom 2.
 - b) Screening measures to the south facing first floor windows associated with Bedroom 3 of Dwelling 1 and 2 to demonstrate compliance with Standard B23, Internal Views of the Bayside Planning Scheme.
 - c) All site services to be located on plans, including bins, air conditioning, hot water systems, clothes lines and mail boxes. Plant and equipment should be located sensitively in relation to habitable room windows on the subject site and neighbouring properties.
 - d) The driveway to Dwelling 2 where it intersects with the footpath is to be 3m wide with 0.8m offset from the eastern property boundary.
 - e) The existing crossover to Dwelling 2 is to be removed. A 3m wide new crossover is to be constructed with 0.8m offset from the eastern property boundary along with a 0.8m wide new separator in between the new and neighbouring crossover.
 - f) A schedule of construction materials, external finishes and colours (incorporating for example paint samples).
 - g) The impact, if any the proposed vehicle crossing will have Council assets such as pits and trees, power poles etc. Such items must be accurately shown on the plan.
 - h) An amended landscape plan in accordance with Condition 8 of this permit.
 - i) A Tree Protection and Management Plan in accordance with Condition 11 of this permit.
 - j) Any changes to the development required to facilitate the recommendation

- of the Tree Protection and Management Plan outlined at Condition 11 of this permit.
- k) Drainage Contributions Levy Charge in accordance with Condition 18 of this permit.
 - l) All to the satisfaction of the Responsible Authority.
 - m) The reduction in the overall height of the building by 300 mm.
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 buildings without the written consent of the Responsible Authority.
 5. All pipes, fixtures, fittings and vents servicing any building on the site must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.
 6. The walls on the boundary of the adjoining properties shall be cleaned and finished to the satisfaction of the Responsible Authority.
 7. Before occupation, screening of windows including fixed privacy screens, be designed to limit overlooking as required by Standard B22 and Standard B23 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, an amended landscape plan to the satisfaction of the Responsible Authority must be submitted to and be endorsed by the Responsible Authority. The plan must be generally in accordance with the landscape concept plan drawn by Faulkner and Chapman Landscape Design and dated 15 June 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 to be retained on the site including Tree Protection Zones calculated in accordance with AS4970-2009.
 - b) A survey, including botanical names, of all existing protected vegetation to be removed from the site.
 - c) A survey, including botanical names, of all existing trees on neighbouring properties where the Tree Protection Zones of such trees calculated in accordance with AS4970-2009 fall partially within the subject site.
 - d) A planting schedule of all proposed trees and shrubs, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant.
 - e) Landscaping and/or planting within all areas of the site not covered by buildings or hard surfaces.
 - f) Details of surface finishes of pathways and driveways
 - g) The planting of one tree capable of reaching 14 m at maturity in the front set back of Unit 1.
 - h) The planting of one tree capable of reaching 8 m at maturity in the front

set back of Unit 2.

- i) The planting of one tree capable of reaching 12 m at maturity in the rear set back of Unit 2.
 - j) The planting of one tree capable of reaching 8 m at maturity in the rear set back of Unit 1.
9. 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.
10. 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.
11. 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) Details of Tree Protection Zones for all trees to be retained on the site and for all trees on neighbouring properties where any part of the Tree Protection Zone falls within the subject site;
- b) Comment on methods to be utilised and instruction on how to deploy them;
- c) Comment on when the protection measures are to be deployed;
- d) Comment on when the protection measures can be modified;
- e) Process that will be followed if any damage occurs to a tree;
- f) Process that will be followed if construction works require alteration to protection measures outlined in report; and
- g) Stages of development at which inspections will occur.

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

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

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

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

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

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

13. Before the development starts, including demolition or removal of vegetation, the name and contact details of the project arborist responsible for implementing the Tree Management Plan must be submitted to the Responsible Authority.
14. Before the development starts tree protection fencing is to be established around the *Corymbia ficifolia* (Red Flowering Gum) street tree prior to demolition and maintained until all works on site are complete. The fencing is to be constructed and secured so its positioning cannot be modified by site workers. The fencing is to encompass the entire naturestrip under the drip line of the tree. The Tree Protection Zone is to be established and maintained in accordance with AS 4970-2009. During construction of the crossover, tree protection fencing may be reduced to the edge of the Council approved crossover to facilitate the construction of the crossover.
15. 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.

16. The water sensitive urban design stormwater treatment system as shown on the endorsed plans must be retained and maintained at all times in accordance with the Urban Stormwater - Best Practice Environmental Management Guidelines, CSIRO 1999, to the satisfaction of the Responsible Authority.
17. Before the development, detailed plans indicating, but not limited to, the method of storm-water discharge to the nominated Legal Point of Discharge (and On-Site Detention System where applicable) must be submitted to and approved by Council's Infrastructure Assets Department.
18. Prior to endorsement of the plan/s required under Condition 1 of this permit, the permit holder must pay a drainage levy in accordance with the amount specified under the Bayside Drainage Development Contributions Plan. The levy amount payable will be adjusted to include the Building Price Index applicable at the time of payment.

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

19. Before the occupation of the development starts, the areas set aside for vehicle parking and accessways must be constructed and drained to the satisfaction of the Responsible Authority. Such areas must be kept available for these purposes at all times.
20. 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.

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

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

Permit notes

- A permit must be obtained from Council for all vehicular crossings.
These must be constructed under Council's supervision for which 24 hours notice is required.
- Council must be notified of the vehicular crossing and reinstatement works.
- This permit does not constitute any authority to carry out any building works or occupy the building or part of the building unless all relevant building permits are obtained.
- Prior to commencement of any building works, an Asset protection Application must be taken out. This can be arranged by calling Asset Protection Administrator on 9599 4638.

CARRIED

**4.4 16 MORLEY CRESCENT, HIGHETT
NOTICE OF DECISION TO GRANT A PLANNING PERMIT
APPLICATION NO: 5/2017/113/1 WARD:CENTRAL**

City Planning & Community Services - Development Services
File No: PSF/15/8755 – Doc No: DOC/17/183940

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

Moved: Cr Castelli

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 **Planning Application 2017/113/1** for the land known and described as **16 Morley Crescent, Highett**, for the **construction of two double storey dwellings** 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 Council date stamped 18 April 2017 (TP01, TP02, TP06, TP07, TP08) and 13 June (TP01, TP02, TP03, Landscape Plan) but modified to show:
 - a) The setback of Dwelling 1 to be increased to 8m.
 - b) The garage to dwelling 1 setback 2.0m from the east boundary.
 - c) The length of both garages increased to a depth of 6m, and not result in any change to the front or rear setbacks.
 - d) All pedestrian doors to be provided outwards from the garages.
 - e) The driveway grade for dwelling 1 as not exceeding 1 in 16 in accordance with AS2890.1 for car parking.
 - f) The existing crossover (to the east) to be removed and replaced with a new 3.0m wide crossover.
 - g) The driveway for dwelling 1, where it intersects with the footpath and the new crossover to be a minimum of 3m wide with a 1.5m offset from the eastern property boundary.
 - h) The driveway for dwelling 2, where it intersects with the footpath and the new crossover to be 3m wide and to have a 1m offset from the western property boundary.
 - i) The new crossovers to be constructed with a separator with adjoining crossover.
 - j) Adequate sight lines must be provided where each driveway intersects with the front footpath as per the diagram shown in the AS2890.1, and all structures and foliage within the splay kept to a maximum height of 0.90m.
 - k) Demonstration of (or alteration to show) compliance with the overlooking Standard B22 with respect to the rear deck of dwelling 2.

- l) An updated landscape plan to reflect the built form changes required through conditions 1 (a) to (i).
- m) Water sensitive urban design measures in accordance with Condition 15.

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. 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.

4. 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.
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. 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.
7. 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.
8. 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.
9. Council records indicate that there is a 1.83m wide drainage and sewerage easement along the southern property boundary as indicated on the drawings provided. The plans indicate no proposals to encroach into the easement with any buildings or structures of note. Proposals to be built over the easement will require Build Over Easement consent from the Responsible Authority/Authorities.
10. 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.

11. All plant and equipment to be located away from habitable room windows of the dwellings and the adjoining properties habitable rooms.
12. 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.
13. All pipes (except downpipes), fixtures, fittings and vents servicing any building on the site must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.
14. The walls on the boundary of the adjoining properties shall be cleaned and finished to the satisfaction of the Responsible Authority.
15. 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.

16. The water sensitive urban design stormwater treatment system as shown on the endorsed plans must be retained and maintained at all times in accordance with the Urban Stormwater - Best Practice Environmental Management Guidelines, CSIRO 1999, to the satisfaction of the Responsible Authority.
17. 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.
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:

- The applicant must clearly identify what impact, if any, the proposed vehicle crossings will have Council assets such as pits and trees, power poles etc. Such items must be accurately shown on the plan.

- A 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.
- Council must be notified of the vehicular crossing and reinstatement works.
- The applicant is to bear the cost to reinstate/relocate the Council assets if any, to provide the required access to the proposed development.
- This permit does not constitute any authority to carry out any building works or occupy the building or part of the building unless all relevant building permits are obtained.
- Prior to commencement of any building works, an Asset protection Application must be taken out. This can be arranged by calling Asset Protection Administrator on 9599 4638.
- The existing street tree/s must not be removed or damaged.

CARRIED

**4.5 7-9 COWRA STREET, BRIGHTON
SECONDARY CONSENT - APPROVE
APPLICATION NO: 2013/770/1 WARD: NORTHERN**

City Planning & Community Services - Development Services
File No: PSF/15/8755 – Doc No: DOC/17/75799

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

Moved: Cr del Porto (Mayor)

Seconded: Cr Heffernan

That Council:

Approve the Amended Plans in accordance with the Secondary Consent provisions of **Planning Permit No. 2013/770/1** for the land known and described as **7-9 Cowra Street, Brighton** issued for **the construction of a three-storey building containing not more than 43 dwellings and a reduction of 1 visitor car parking space** and the following table be added at the end of the permit:

Date	Amendments
28 September 2017	<p data-bbox="584 887 1059 920"><u>Secondary Consent Amended Plans</u></p> <ul data-bbox="596 936 1396 1697" style="list-style-type: none"> <li data-bbox="596 936 1396 1070">• Reconfiguration of ground, first and second floor level including reduction in total number of units to 40 (three less than approved) and associated alterations in fenestration and balconies; <li data-bbox="596 1093 1396 1256">• Reconfiguration of both basement levels, including an increase in residential parking by eight spaces (56 in total), storage areas reduced by eight (43 in total), and basement setback to boundary with No.1 Oakwood Ave reduced by 1.3 metres; <li data-bbox="596 1279 1396 1368">• Increase in thickness of first and second floor slabs and associated increase in overall height of building by 300mm. <li data-bbox="596 1391 1396 1554">• Minor alterations to setbacks at ground, first and second floor level. The setbacks would predominately increase. The setback of the balcony associated with apartment 1.07 from the western boundary would decrease by 90mm. <li data-bbox="596 1576 1396 1615">• Minor alterations to planting schedule in landscape plan; <li data-bbox="596 1637 1396 1697">• Patterned precast concrete panels omitted for render in a similar tone. <p data-bbox="584 1720 1378 1753">Sheets 2 to 16 (of 16) are superseded and sheets 17 added.</p>

CARRIED



4.6 VCAT REPORT

City Planning & Community Services - Development Services
File No: PSF/15/8755 – Doc No: DOC/17/199565

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

Moved: Cr del Porto (Mayor)

Seconded: Cr Long

That the report on the VCAT decisions on the planning applications handed down during the previous month be received and noted.

CARRIED

**4.7 10 BEACH ROAD, HAMPTON
SUPPORT THE GRANT OF A PLANNING PERMIT
APPLICATION NO: 2016/274/1 WARD: CENTRAL**

City Planning & Community Services - Development Services
File No: PSF/15/8755 – Doc No: DOC/17/205902

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

Moved: Cr Castelli

Seconded: Cr Grinter

That Council:

Determines to **Support** the application under the provisions of the Bayside Planning Scheme in respect of **Planning Application 5/2016/274/1** in respect of the land known and described as **10 Beach Road, Hampton**, for the **construction of two double storey dwellings with basement carpark and alterations to vehicle access to a Road Zone Category 1** 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 prepared by BBP Architects dated 23 August 2017 but modified to show:
 - a) Provision of one singular centrally located crossover at the street frontage (Beach Road);
 - b) Provision of a 1.8 metre landscape buffer located along the rear (north-east) of the dwellings;
 - c) 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.
 - d) A Landscaping Plan in accordance with Condition 10 of this permit.
 - e) Water Sensitive Urban Design measures in accordance with Condition 8 of this permit;
 - f) Sectional drawings (north-east – south-west);
 - g) Attic must contain dormer windows, mounted flush to the roof, recessed or of minimal dimensions;
 - h) Reduction to the height of the attic element by 1 metre for the first 4 metres to reduce the scale and mass of the building form to the satisfaction of the Responsible Authority;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.

Landscaping

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 drawn by Wallbrink Landscape Architecture, reference Drawing No. 1891 TP1, dated 7 December 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) Landscaping and/or planting within all areas of the site not covered by

buildings or hard surfaces.

- d) Details of surface finishes of pathways and driveways;
 - e) Provision of a two medium (one within the frontage of each dwelling) trees reaching a minimum size of 8 metres located within the frontage of the development;
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.

Drainage

13. 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.
14. 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.
15. Any subsurface water captured on site must be treated in accordance with Council's Policy for "Discharge of pumped Subterranean Water Associated with Basement or Below Ground Structures". Any seepage/agricultural drainage water must be filtered to rain water clarity and must be pumped to the nearest Council Drain/Pit and not be discharged to the kerb and channel unless directed otherwise.
16. 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.

Permit Expiry

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

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

CARRIED

5. Confidential Business

Nil

Following consideration of Confidential Business the Chairperson declared the meeting closed at 7:37pm.

CONFIRMED THIS INSERT 17 DAY OF OCTOBER 2017

CHAIRPERSON: