

# Planning and Amenity Delegated Committee Meeting

Council Chamber  
Civic Centre – Boxshall Street Brighton

Tuesday 15 November 2022  
at 6.30pm



## Minutes

**PRESENT:**

**Chairperson:** Cr Jo Samuel-King MBBS (Deputy Mayor)

**Councillors:** Cr Sonia Castelli  
Cr Laurence Evans OAM  
Cr Hanna El Moullem (Mayor)  
Cr Fiona Stitfold

**Officers:** Matthew Cripps – Director City Planning and Amenity  
Terry Callant – Manager Governance  
John Coates – Manager Amenity Protection  
Fiona Farrand – Manager Development Services  
Felicity Barclay – Statutory Planning Coordinator  
Michael Kelleher – Statutory Planning Coordinator  
Robert Lamb – Governance Officer  
Ziqi Xi – Principal Statutory Planner

## Table of Contents

Prayer

Acknowledgement of Country

1. Apologies
2. Disclosure of Conflict of Interest of any Councillor
3. Adoption and Confirmation of the minutes of previous meeting
4. Matters of Decision
  - 4.1 36 Red Bluff Street, Black Rock Local Law Tree Removal Application..... 6
  - 4.2 152–158 Weatherall Road Cheltenham Notice of Decision to Grant a Permit Application 2020/520/1 Ward: Beckett ..... 7
  - 4.3 19–25 Oakwood Avenue, Brighton Notice of Decision to Refuse to Grant a Permit Application 2022/109/1 Ward: Bleazby ..... 17
  - 4.4 123 Oak Street, Beaumaris Notice of Decision to Grant a Permit Application: 2022/72/1 Ward: Beckett ..... 19
  - 4.5 7 D'arcy Avenue, Sandringham Notice of Decision to Grant a Permit Application 2022/287/1 Ward: Ebden..... 26
  - 4.6 14 Alexander Street, Hampton Notice of Decision to Grant a Permit Application 2021/629/1 Ward: Boyd ..... 34
  - 4.7 119 Cole Street, Brighton Notice of Decision to Grant a Permit Application 2022/259/1 Ward: Dendy ..... 41
  - 4.8 18 Wave Street, Hampton Notice of Decision to Grant a Permit Application 2022/382/1 Ward: Boyd ..... 44
  - 4.9 64 Lynch Crescent, Brighton Notice of Decision to Grant a Permit Application 2022/386/1 Ward: Castlefield..... 48
  - 4.10 11 Douglas Street, Beaumaris Grant a Permit Application 2022/438/1 Ward: Beckett..... 55
  - 4.11 25A Camperdown Street, Brighton East Extension of Time - Approve Application 2016/363/1 Ward: Bleazby ..... 56
  - 4.12 68–76 Union Street, Brighton East Support the Grant of a Permit (VCAT Consent Order) Application: 2021/312/1 Ward: Bleazby ..... 57
  - 4.13 Statutory Planning - Monthly Report (September 2022)..... 66

The Chairperson declared the Planning and Amenity Delegated Committee Meeting open at 6.30pm and advised members of the public gallery that the meeting is being recorded and streamed live on the internet to enhance the accessibility of Council meetings to the broader Bayside community.

The Chairperson invited Cr Castelli to read the prayer.

## Prayer

O God

Bless this City, Bayside,

Give us courage, strength and wisdom,

So that our deliberations,

May be for the good of all,

Amen

## Acknowledgement of Country

Cr Evans read the acknowledgement of the original inhabitants of this land.

- ◆ Bayside City Council proudly acknowledges the Bunurong People of the Kulin Nation as the Traditional Owners and Custodians of this land, and we pay our respects to their Elders, past, present and emerging as well as any Aboriginal or Torres Strait Islander community members with us today.
- ◆ Council acknowledges the Bunurong's continuing relationship to the land and waterways and respects that their connection and spiritual identity is maintained through ancient ceremonies, songlines, dance, art and living culture.
- ◆ Council pays tribute to the invaluable contributions of the Bunurong and other Aboriginal and Torres Strait Island Elders who have guided and continue to guide the work we do.

## 1. Apologies

*It is recorded that at the at the 9 November 2022 Annual Meeting of Council, Cr Clarke Martin sought leave of absence from 10 November 2022 until the result of the State election for the seat of Sandringham has been declared. It is further noted that Cr Alex del Porto sought leave of absence from 14 November 2022 until 18 November 2022 (inclusive).*

**Moved: Cr Evans**

**Seconded: Cr El Moullem**

That Council notes the previously acknowledged leave of Cr Clarke Martin and Cr Alex del Porto and notes their absence from the 15 November 2022 Planning and Amenity Delegated Committee Meeting.

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

<b><u>DIVISION:</u></b>	<b>FOR:</b>	Crs Laurence Evans OAM, Sonia Castelli, Jo Samuel-King MBBS (Deputy Mayor), Fiona Stiffold and Hanna El Moullem (Mayor) (5)
	<b>AGAINST:</b>	Nil (0)

**CARRIED**

## 2. Disclosure of 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 and Amenity Delegated Committee Meeting held on 11 October 2022.

**Moved: Cr Castelli**

**Seconded: Cr Evans OAM**

That the minutes of the Planning and Amenity Delegated Committee Meeting held on 11 October 2022, as previously circulated, be confirmed as an accurate record of proceedings.

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

<b><u>DIVISION:</u></b>	<b>FOR:</b>	Crs Laurence Evans OAM, Sonia Castelli, Jo Samuel-King MBBS (Deputy Mayor), Fiona Stiffold and Hanna El Moullem (Mayor) (5)
	<b>AGAINST:</b>	Nil (0)

**CARRIED**



**4.2 152–158 WEATHERALL ROAD CHELTENHAM  
NOTICE OF DECISION TO GRANT A PERMIT  
APPLICATION 2020/520/1 WARD: BECKETT**

City Planning and Amenity - Development Services  
File No: PSF/22/36 – Doc No: DOC/22/322313

*It is recorded that Mr Neville Jarvis submitted a written statement in relation to this item.*

*It is recorded that Mr Piers Redward, Mr Gregory Hagger, and Mr Jack Luo each spoke for 2 minutes in relation to this item.*

**Moved: Cr Evans OAM**

**Seconded: Cr Castelli**

That Council resolves to issue a Notice of Decision to Grant a Permit under the provisions of the Bayside Planning Scheme in respect of planning application 2020/520/1 for the land known and described as 152–158 Weatherall Road, Cheltenham for the construction of a four storey building containing multi dwellings over one level basement car park, reduction of car parking spaces, use of the land for accommodation and removal of vegetation native to Australia in accordance with the endorsed plans and subject to the following conditions from the standard conditions:

1. Before the use or development start, 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. The plans must be generally in accordance with the plans (amended) prepared by Papapetrou Rice Architecture, Project Number 21804, issue date 29.03.21, TP01C-TP35A and but modified to show:
  - a) deletion of tree 4 (street tree on Parkside Street) as this tree has been removed
  - b) the glazed balustrade on the northern boundary of the first floor balcony of Apartment 09 to be replaced with solid parapet wall
  - c) provision of security lighting to be installed within the proposed ramp The lights must be designed so as not to cause any light spill into the adjoining residential dwellings nor obstruct the vehicle access to the on-site parking
  - d) redesign of entrances of TH01 and TH02 to be more visible with shelters to form a transitional space around the entry in accordance with Standard D18 (Building Entry Circulation) of Clause 58 of the Bayside Planning Scheme
  - e) additional floor plans to confirm the proposed internal layouts comply with Standard D20 (Storage), Standard D24 (Functional Layout), Standard D25 (Room Depth) and Standard D27 (Natural Ventilation) of Clause 58 of the Bayside Planning Scheme  
location of the proposed water tank including its size in accordance with the submitted Environment Sustainable Development report
  - f) details of the proposed internal fence in between TH01 and TH02 in accordance with Standard D15 (Internal views) of Clause 58 of the Bayside Planning Scheme

- g) section details confirming the proposed Apartments 06, 12 and 15 will not cause any overlooking to the SPOS of TH01 and TH02 in accordance with Standard D15 (Internal Views) of Clause 58 of the Bayside Planning Scheme
- h) specifications of the proposed car stackers
- i) a schedule of construction materials, external finishes and colours
- j) a Sustainable Design Assessment in accordance with Condition 13
- k) a Landscaping Plan in accordance with Condition 14
- l) a Tree Management and Protection Plan in accordance with Condition 17
- m) a Waste Management Plan in accordance with Condition 30
- n) a Car Park Management Plan in accordance with Condition 32
- o) a Public Works Plan in accordance with Condition 33
- p) provision of the development contributions fee in accordance with Condition 35

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.
8. Vehicle Crossings must be constructed to Council's Standard Vehicle Crossover Guidelines and standard drawing unless otherwise approved by the Responsible Authority. Separate consent/permit for crossovers is required from Council's Asset Protection Unit. Kerb and channel to be constructed or reinstated to the satisfaction of Council.
9. The existing laneway levels must not be lowered or altered in any way at the property line (to facilitate the basement ramp). This is required to ensure that normal overland flow from the street is not able to enter the basement due to any lowering of the footpath at the property line. Any public assets (including service pits, poles and trees) that are required to be removed/relocated to facilitate the development must be done so at the cost of the owner/applicant and subject to the relevant authority's consent. The redundant vehicular crossing must be



removed and the footpath, nature strip and kerb reinstated at the owner's cost to the satisfaction of Council.

10. Prior to the commencement of any proposed works above basement level, all levels and gradients of the ramp must be checked by a qualified surveyor.
11. All basic services, including water, electricity, gas, sewerage, telephone, NBN and cable TV but excluding any substation, meters or hydrants must be installed underground and located to the satisfaction of the relevant servicing authority and the Responsible Authority.
12. Storage areas within the basement visible from common areas to be enclosed within a metal cladding to ensure they are secure and goods within the storage area are not visible and in accordance with Standard D20 of Clause 58 of the Bayside Planning Scheme.

#### Sustainable Design Assessment

13. Prior to the endorsement of plans pursuant to Condition 1, a Sustainable Design Assessment (SDA) must be submitted to and approved by the Responsible Authority. All Environmentally Sustainable Design (ESD) measures within the submitted SDA must be documented appropriately on revised plans. The SDA should include information such as:
  - a) any amendment as per condition 1
  - b) rectifications of any inconsistencies between the submitted SMP and development plans. A minimum of 70% ESD score to be achieved with a minimum of 2% overall score contributed by 'Innovation'
  - c) a STORM Report with minimum score 100% showing calculations to demonstrate the Urban Stormwater Best Practice Environmental Management Guidelines are achieved as required by planning clause 53.18
  - d) the type of water sensitive urban design / stormwater treatment measure/s to be used and their location in relation to buildings, sealed surfaces and landscaped areas, providing design details and cross sections
  - e) rainwater tank/s for new dwellings connected for WC flushing and irrigation that are accessible for maintenanceall to the satisfaction of the Responsible Authority.

#### Landscaping

14. 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 Memla Pty Ltd, project number 2507, dated 3-3-2021 and the Bayside Landscaping Guidelines and be drawn to scale with dimensions. The plan must show:
  - a) deletion of Tree 4
  - b) a survey, including, botanical names of all existing trees to be retained on the site including Tree Protection Zones calculated in accordance with AS4970-2009

- c) a survey including botanical names, of all existing trees on neighbouring properties where the Tree Protection Zones of such trees calculated in accordance with AS4970-2009 fall partially within the subject site
  - d) a planting schedule of all proposed trees and shrubs, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant. Plantings must be 80% indigenous by species type and count
  - e) 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) where practicable, the inclusion of green walls at appropriate locations
  - h) planting schedule to be a minimum of 80% indigenous species.
15. Before the occupation of the development the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.
16. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority, including that any dead, diseased or damaged plants are to be replaced immediately.

#### Tree Protection Management Plan

17. Before the development starts, including any related demolition or removal of vegetation, a TPMP, prepared by a suitably qualified arborist, to the satisfaction of the Responsible Authority, must be submitted to and be endorsed by the Responsible Authority. This report must be made available to all relevant parties involved with the site.

The TPMP must include:

- a) details of Tree Protection Zones, as per AS4970-2009, for all street trees where any part of the Tree Protection Zone falls within the subject site
- b) protection measures to be utilised and at what stage of the development they will be implemented
- c) appointment of a project arborist detailing their role and responsibilities
- d) stages of development at which the project arborist will inspect tree protection measures
- e) monitoring and certification by the project arborist of implemented protection measures.

Before any works associated with the approved development, a project arborist must be appointed and the name and contact details of the project arborist responsible for implementing the endorsed TPMP must be submitted to the Responsible Authority.

Any modification to the TPMP must be approved by the project arborist. Such approval must be noted and provided to the Responsible Authority within seven days.

The TPMP must include a Tree Protection Plan (TPP) in accordance with AS4970-2009 Protection of Trees on Development Sites.

The TPP must:

- a) be legible, accurate and drawn to scale

- b) indicate the location of all tree protection measures to be utilised
  - c) include the development stages (demolition, construction, landscaping) where all tree protection measures are to be utilised
  - d) include a key describing all tree protection measures to be utilised.
18. All actions and measures identified in the Tree Management Report must be implemented.
19. Before any works associated with the approved development, the contact details of the project arborist responsible for implementing the endorsed Tree Management Report must be submitted to the Responsible Authority.
20. Any pruning that is required to be done to the canopy of any tree to be retained (Trees 1-3 and 5) is to be done by a qualified Arborist to Australian Standard – Pruning of Amenity Trees AS4373-1996. Any pruning of the root system of any tree to be retained (Trees 1-3 and 5) is to be done by hand by a qualified Arborist.

#### Protection of trees for services

21. All underground services must be located outside of Tree Protection Zones (TPZ) of all trees to be retained including trees on nature strips. If this is not possible, any underground service installations within a TPZ must be bored beneath the entire TPZ to a minimum depth 800mm. If this is not possible, any excavation within the TPZ required for the connection of services must be undertaken by approved non-destructive digging techniques, under the supervision of a project arborist and with the written approval of the Responsible Authority.

#### Street tree protection

22. Soil excavation must not occur within 2 metres from the edge of the any street trees asset's stem at ground level.
23. A tree protection fence is for the protection of a tree's canopy and root zone. Conditions for street tree protection fencing during development are as follows:
- a) Fencing is to be secured and maintained prior to demolition and until all site works are complete.
  - b) Fencing must be installed to comply with AS4970-2009, Protection of trees on development sites.
  - c) Fencing should encompass the Tree Protection Zone (TPZ) for all street trees adjacent to the development.
  - d) Fencing is to be constructed and secured so its positioning cannot be modified by site workers.
  - e) If applicable, prior to construction of the Council approved crossover, TPZ fencing may be reduced to the edge of the new crossover to facilitate works.
24. Prior to soil excavation for a Council approved crossover within the TPZ, a trench must be excavated along the line of the crossover adjacent to the tree using root sensitive non-destructive techniques. All roots that will be affected by must correctly pruned.
25. Any installation of services and drainage within the TPZ must be undertaken using root sensitive non-destructive techniques.

Drainage

26. 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.
27. 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.

For Subterranean and Basement Drainage:

Council Stormwater drainage is for surface rainwater, no water below the Ground Water Table is accepted into the Council Stormwater system. Only occasional, clean, uncontaminated seepage water (associated with a rain event) is accepted to an appropriate Council underground drain OR this subterranean water must be suitably retained on-site.

28. The surface of all balconies and terraces are to be sloped to collect the stormwater run-off into stormwater drainage pipes that connect into the underground drainage system of the development to the satisfaction of the Responsible Authority.

Environmental Audit Condition

29. Prior to the commencement of development, the permit holder is required to provide to Council either:
  - a) a preliminary risk screen assessment statement in accordance with the Environment Protection Act 2017 must be issued stating that an environmental audit is not required for the use or the proposed use; or
  - b) an environmental audit statement under Part 8.3 of the Environment Protection Act 2017 must be issued stating that the land is suitable for the use or proposed use.

A copy of the Certificate of Environmental Audit or the Statement of Environmental Audit and the audit area plan must be submitted to the Responsible Authority.

The development and use allowed by this permit must strictly comply with the directions and conditions of the Environment Protection Act 1970 and also with the conditions on the Certificate or Statement of Environmental Audit.

A Section 173 Agreement under the *Planning and Environment Act, 1987* may need to be entered into with the Responsible Authority depending on the conditions of the Statement of Environmental Audit issued for the land. Any amendment must be approved by the Responsible Authority prior to the commencement of any works, use and development and may require further assessment of the land.

All expenses involved in the drafting, negotiating, lodging, registering and execution of the section 173 Agreement, including those incurred by the Responsible Authority, must be met by the Owner(s).

Should the land be unable to be remediated or the Environmental Audit Certificate or Statement conditions seek change to the form of development approved under this permit or extensive statement conditions for the future management of the site, the Responsible Authority may seek cancellation or

amendment to the permit pursuant to Section 87 of the *Planning and Environment Act 1987*.

#### Waste Management Plan

30. Prior to the endorsement of plans, a revised 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, generally in accordance with the Waste Management Plan prepared by One mile grid on 8 September 2020 but modify to include:
- a) inclusion of provision for twice a week recycling collection to be collected on site via private contractor
  - b) any amendment as per Condition 1 of this permit.

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.

#### Construction Management Plan

31. Prior to the commencement of development, 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.

#### Car Park Management Plan

32. Prior to the endorsement of plans pursuant to Condition 1, a car parking management plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. Traffic and parking operations on and adjacent to the site must conform to this endorsed plan. The plan must include:
- a) allocation of parking for all individual tenancies
  - b) any signs and/or line marking of car parking spaces within the basement
  - c) provision and maintenance of a suitable lighting/warning system within the laneway and basement car park areas to control access/egress at the curved ramp.

#### Public works plan

33. Prior to the endorsement of plans pursuant to Condition 1, a Public Works Plan must be prepared and developed in collaboration with Council. It must be submitted and approved to the satisfaction of the Responsible Authority, showing:
- a) details of upgrades to the existing Council footpaths on Weatherall Road and Parkside Street
  - b) removal the crossovers on Parkside Street and Weatherall Road and reinstate them to nature strips
  - c) provision of public lightings along Weatherall Road and Parkside Street as applicable
  - d) an upgraded vehicle crossovers and laneways from the subject site to Parkside Street.
  - e) provision of new street furniture, including seats, rubbish bins, etc.
  - f) details of the remarking of the lines of the on-street car parking spaces in front of the site to align with any new vehicle crossings
  - g) details of the relocation of any existing street parking signs

h) undergrounding of powerlines.

When approved, such plan will form part of the endorsed plans under this permit.

34. Prior to the occupation of the site associated with the development hereby approved, all public works associated with that stage must be completed in accordance with the endorsed Public Works Plan to the satisfaction of the Responsible Authority. The cost of all works associated with the endorsed plan must be borne by the developer/owner(s) of the land.

#### Development Contribution

35. 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 Development Levy Charge Sheet and it must include the Building Price Index applicable at the time of payment.

#### Permit Expiry

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

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

#### Permit Notes:

- Council would be supportive of the applicant and/or owner making a tax deductible donation equal to 0.1% of the sale price of any dwelling approved under this permit to Homes for Homes Limited (CAN 143 141 544) or equivalent social and/or affordable housing not-for-profit organisation.
- Council is the responsible authority for the allocation of street addressing in accordance with the "Rural and Urban Addressing Standards (4819:2011)". It is the applicant/property owner's obligation to comply with the Street address allocations prior to the completion of construction.

#### Townhouses

Southern – 18 Parkside Street BEAUMARIS 3193

Northern – 20 Parkside Street BEAUMARIS 3193

#### Apartments

Ground Floor – 1/22 Parkside Street BEAUMARIS 3193

Level 1 – 101-106/22 Parkside Street BEAUMARIS 3193

Level 2 – 201-205/22 Parkside Street BEAUMARIS 3193

Level 3 – 301-303/22 Parkside Street BEAUMARIS 3193

For more information on street numbering, please contact Council’s Revenue Services Team on 9599 4444.

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

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

**DIVISION:**      **FOR:**      Crs Laurence Evans OAM, Sonia Castelli, Jo Samuel-King  
   MBBS (Deputy Mayor), Fiona Stitfold and Hanna El Mouallem  
   (Mayor) (5)  
   **AGAINST:** Nil (0)

**CARRIED**



**4.3 19–25 OAKWOOD AVENUE, BRIGHTON  
NOTICE OF DECISION TO REFUSE TO GRANT A PERMIT  
APPLICATION 2022/109/1 WARD: BLEAZBY**

City Planning and Amenity - Development Services  
File No: PSF/22/36 – Doc No: DOC/22/335242

*It is recorded that Mr Simon Huckell submitted a written statement in relation to this item.*

*It is recorded that Mr Simon Huckell, Mr Mark Glikson, Dr David Smyth, Mr Mark Bryce, Mr Rod Greene, Ms Paula Wilton, Mr Aaron Crawford-Flett, and Mr Luka Mrkonjic (for SAC Building Workshop) each spoke for 2 minutes in relation to this item.*

**Moved: Cr El Moullem (Mayor)**

**Seconded: Cr Castelli**

Part A:

That Council resolves to issue a Notice of Decision to Refuse to Grant a Permit under the provisions of the Bayside Planning Scheme in respect of planning application 2022/109/1 for the land known and described as 19–25 Oakwood Avenue, Brighton for the construction of an apartment building comprising 44 dwellings with basement car parking and a front fence exceeding 1.5 metres in height for the following reasons:

1. The proposed development of the land does not comply with the purposes of the General Residential Zone and fails to respond to the objectives of Clause 15.01 (Neighbourhood Character) of the Bayside Planning Scheme, on the following grounds:
  - a) The proposal fails to site the built form to create the appearance of space around the building and accommodate substantial vegetation.
  - b) The proposal fails to demonstrate an appropriate contemporary architectural response that respects surrounding dominant building styles and the fine grain subdivision pattern of the surrounds.
  - c) The proposal fails to respect the dominant buildings forms or scale of buildings in the precinct.
  - d) The proposal fails to use a variety of building materials or finishes to provide visual interest in the streetscape.
  - e) The proposed front fence fails to enable views into and out of the site.
2. The proposed development fails to comply with the Objectives and Standards of Clause 55 of the Bayside Planning Scheme, in particular:
  - a) B1 – Neighbourhood Character
  - b) B3 – Dwelling Diversity
  - c) B5 – Integration with the street
  - d) B8 – Site Coverage
  - e) B9 – Permeability and stormwater management
  - f) B20 – North facing windows
  - g) B22 – Overlooking
  - h) B23 – Internal Views
  - i) B28 - Private Open space



**4.4 123 OAK STREET, BEAUMARIS  
NOTICE OF DECISION TO GRANT A PERMIT  
APPLICATION: 2022/72/1 WARD: BECKETT**

City Planning and Amenity - Development Services  
File No: PSF/22/36 – Doc No: DOC/22/329437

*It is recorded that Mr George Mandalos spoke for 2 minutes in relation to this item.*

**Moved: Cr Evans OAM**

**Seconded: Cr El Moullem (Mayor)**

That Council resolves to issue a Notice of Decision to Grant a Permit under the provisions of the Bayside Planning Scheme in respect of planning application 2022/72/1 for the land known and described as 123 Oak Street, Beaumaris for the construction of two dwellings on a lot and removal of vegetation native to Australia 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. The plans must be generally in accordance with the plans (amended) prepared by Econstruct, referenced 2/2022, date October 2022 and revision C but modified to show:
  - a) provision of visibility splays to each driveway as required by Clause 52.06 of the Bayside Planning Scheme
  - b) details of retaining measures required for driveway construction and any other relevant areas throughout the site. This must include height and material
  - c) a schedule of construction materials, external finishes and colours
  - d) a Sustainable Design Assessment in accordance with Condition 10
  - e) an amended Landscaping Plan in accordance with Condition 11
  - f) an Arboricultural Impact Assessment Report that must include root investigations in accordance with Condition 14. Any required design changes resulting from the report must be incorporated into the design
  - g) a Tree Management and Protection Plan in accordance with Condition 15
  - h) provision of the development contributions fee in accordance with Condition 23all 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.
8. Vehicle Crossings must be constructed to Council's Standard Vehicle Crossover Guidelines and standard drawing unless otherwise approved by the Responsible Authority. Separate consent/permit for crossovers is required from Council's Asset Protection Unit. Kerb and channel to be constructed or reinstated to the satisfaction of Council.
9. All basic services, including water, electricity, gas, sewerage, telephone, NBN and cable TV but excluding any substation, meters or hydrants must be installed underground and located to the satisfaction of the relevant servicing authority and the Responsible Authority.

#### Sustainable Design Assessment

10. Prior to the endorsement of plans pursuant to Condition 1, a Sustainable Design Assessment (SDA) must be submitted to and approved by the Responsible Authority. All Environmentally Sustainable Design (ESD) measures within the SDA must be documented appropriately on revised plans. The SDA should include information such as:
  - a) a BESS report with a minimum 50% score overall and achieve the 50% minimum scores for water, energy and indoor environment quality (IEQ) and 100% for stormwater
  - b) a commitment that the development achieves a 6.5-star average NatHERS Rating. Each new dwelling must meet the minimum 6-star NatHERS rating requirement and not exceed the cooling load of 21 MJ/sqm for NatHERS Climate Zone 62 Moorabbin
  - c) preliminary building energy rating certificates that align with plans
  - d) provision of double glazing to all new windows
  - e) appropriate shading to all north, east and west facing windows
  - f) maximum internal lighting density of 4W/m<sup>2</sup>
  - g) water efficient plumbing fixtures with minimum WELS rating of 5-star for taps, 3-star for shower and 4 star for WC
  - h) water and energy efficient appliances (dishwasher, washing machine, dryer etc.) within one star of best available in the market, if installed
  - i) provision of external dry lines for each dwelling
  - j) bicycle parking space in each garage/ private open space area
  - k) provisions such as Junction box/ Power Point to accommodate infrastructure for charging electric vehicles in future

- l) a STORM Report with minimum score 100% showing calculations to demonstrate the Urban Stormwater Best Practice Environmental Management Guidelines are achieved as required by planning clause 53.18
  - m) the type of water sensitive urban design / stormwater treatment measure/s to be used and their location in relation to buildings, sealed surfaces and landscaped areas, providing design details and cross sections
  - n) rainwater tank/s for new dwellings connected for WC flushing and irrigation that are accessible for maintenance
  - o) provisions for renewable energy systems such as Solar PV
  - p) commitment to recycle at least 70% of construction and demolition waste
  - q) measures to reduce urban heat island impact such as light or medium coloured roof and driveway
  - r) use of sustainable materials such as low VOC paints for the internal walls
  - s) use of timber certified by the Forest Stewardship Council (FSC) or Program for the Endorsement of Forest Certification (PEFC) certified or recycled / reused
  - t) provision of green walls / vertical gardens where practicable.
- all to the satisfaction of the Responsible Authority.

#### Landscaping

11. Prior to the endorsement of plans pursuant to Condition 1, a detailed landscape plan to the satisfaction of the Responsible Authority must be submitted to and be endorsed by the Responsible Authority. The plan must be generally in accordance with the landscape concept plan drawn by The Lonely Tree, reference TLT-45L, dated 11/6/2022 and the Bayside Landscaping Guidelines and be drawn to scale with dimensions. The plan must show:
- a) the planting of one indigenous canopy tree capable of reaching a mature height of at least 8 metres and spread of at least 5 metres in the rear open space of each dwelling
  - b) a survey, including, botanical names of all existing trees to be retained on the site including Tree Protection Zones calculated in accordance with AS4970-2009
  - c) a survey including botanical names, of all existing trees on neighbouring properties where the Tree Protection Zones of such trees calculated in accordance with AS4970-2009 fall partially within the subject site
  - d) a planting schedule of all proposed trees and shrubs, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant
  - e) planting schedule to be a minimum of 80% indigenous species
  - f) landscaping and/or planting within all areas of the site not covered by buildings or hard surfaces
  - g) details of surface finishes of pathways and driveways.

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

#### Arboricultural Impact Assessment

14. Prior to the endorsement of plans pursuant to Condition 1, an Arboricultural Impact Assessment report in accordance with Australian Standard 4970-2009 Protection of Trees on Development Sites must be submitted to and be endorsed by the Responsible Authority. The report will explain design and construction methods proposed to minimize impacts on trees to be retained (site trees and neighbouring trees) where there is encroachment into the calculated TPZ. This report must also include detailed root investigation for Tree 2 and Tree 3, indicating how the site cut required for driveways and the dwelling can be accommodated whilst protecting the immediate and ongoing viability of these trees.

#### Tree Protection Management Plan

15. Prior to the endorsement of plans pursuant to Condition 1, including any related demolition or removal of vegetation, a TPMP, prepared by a suitably qualified arborist, to the satisfaction of the Responsible Authority, must be submitted to and be endorsed by the Responsible Authority. This report must be made available to all relevant parties involved with the site.

The TPMP must include:

- a) details of Tree Protection Zones, as per AS4970-2009, for all trees to be retained on the site and for all trees on neighbouring properties (including public open space trees) where any part of the Tree Protection Zone falls within the subject site
- b) protection measures to be utilised and at what stage of the development they will be implemented
- c) appointment of a project arborist detailing their role and responsibilities
- d) stages of development at which the project arborist will inspect tree protection measures
- e) monitoring and certification by the project arborist of implemented protection measures.

Before any works associated with the approved development, a project arborist must be appointed and the name and contact details of the project arborist responsible for implementing the endorsed TPMP must be submitted to the Responsible Authority.

Any modification to the TPMP must be approved by the project arborist. Such approval must be noted and provided to the Responsible Authority within seven days.

The TPMP must include a Tree Protection Plan (TPP) in accordance with AS4970-2009 Protection of Trees on Development Sites.

The TPP must:

- a) be legible, accurate and drawn to scale

- b) indicate the location of all tree protection measures to be utilised
  - c) include the development stages (demolition, construction, landscaping) where all tree protection measures are to be utilised
  - d) include a key describing all tree protection measures to be utilised.
16. All actions and measures identified in the Tree Management Report must be implemented.
17. Before any works associated with the approved development, the contact details of the project arborist responsible for implementing the endorsed Tree Management Report must be submitted to the Responsible Authority.
18. Any pruning that is required to be done to the canopy of any tree to be retained (specify particular tree/s) is to be done by a qualified Arborist to Australian Standard – Pruning of Amenity Trees AS4373-1996. Any pruning of the root system of any tree to be retained (specify particular tree/s) is to be done by hand by a qualified Arborist.

#### Protection of trees for services

19. All underground services must be located outside of Tree Protection Zones (TPZ) of all trees to be retained. If this is not possible, any underground service installations within a TPZ must be bored beneath the entire TPZ to a minimum depth 800mm. If this is not possible, any excavation within the TPZ required for the connection of services must be undertaken by approved non-destructive digging techniques, under the supervision of a project arborist and with the written approval of the Responsible Authority.

#### Drainage

20. Before the development starts, the permit holder must apply to Council for the Legal Point of Discharge for the development from where stormwater is drained under gravity to the Council network.
21. Before the development, detailed plans indicating, but not limited to, the method of stormwater discharge to the nominated Legal Point of Discharge (and On-Site Detention System where applicable) must be submitted to and approved by Council's City Assets and Projects Department.
22. The surface of all balconies and terraces are to be sloped to collect the stormwater run-off into stormwater drainage pipes that connect into the underground drainage system of the development to the satisfaction of the Responsible Authority.

#### Development Contribution

23. 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 Development Levy Charge Sheet and it must include the Building Price Index applicable at the time of payment.

#### Permit Expiry

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

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

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

Permit Notes:

- The permit holder must obtain approval from the relevant authorities to build over the easement(s).
- Subsurface water must be treated in accordance with Council's Policy for "Discharge of Pumped Subterranean Water Associated with Basements or Below Ground Structures.
- Council would be supportive of the applicant and/or owner making a tax deductible donation equal to 0.1% of the sale price of any dwelling approved under this permit to Homes for Homes Limited (CAN 143 141 544) or equivalent social and/or affordable housing not-for-profit organisation.
- Council is the responsible authority for the allocation of street addressing in accordance with the "Rural and Urban Addressing Standards (4819:2011)". It is the applicant/property owner's obligation to comply with the Street address allocations prior to the completion of construction.
  - Southern Dwelling – 123A Oak Street BEAUMARIS 3193
  - Northern Dwelling – 123B Oak Street BEAUMARIS 3193

For more information on street numbering, please contact Council's Revenue Services Team on 9599 4444.

- This permit does not constitute any authority to carry out any building works or occupy the building or part of the building unless all relevant building permits are obtained.
- A permit must be obtained from Council for all vehicular crossings. These must be constructed under Council's supervision for which 24 hours' notice is required.
- Construction of any fence / wall / letterbox structures may necessitate removal / damage of some sections of footpath. If this is the case, a 'Road Opening Permit' must be obtained to facilitate such work.
- A 'Road Opening / Stormwater Tapping Permit' is to be obtained from the Infrastructure Department prior to the commencement of the connection to the Council Drain / kerb / channel.
- Before the development starts the applicant must pay \$5,485.42 to the Responsible Authority for the removal and replacement of an existing street tree. This amount has been determined in accordance with Council's current policy for the removal of street tree(s). This amount may be increased by the Responsible Authority if an extension of time to commence work is granted and the amenity value of the street tree has increased. The Responsible Authority, or a contractor or agent engaged by the Responsible Authority, must undertake the removal and replacement of the street tree. Any replacement planting will be at the discretion of the Responsible Authority.





**4.5 7 D'ARCY AVENUE, SANDRINGHAM  
NOTICE OF DECISION TO GRANT A PERMIT  
APPLICATION 2022/287/1 WARD: EBDEN**

City Planning and Amenity - Development Services  
File No: PSF/22/5043 – Doc No: DOC/22/269873

*It is recorded that Mr David De Giovanni spoke for 2 minutes in relation to this item.*

**Moved: Cr Evans OAM**

**Seconded: Cr Castelli**

That Council resolves to issue a Notice of Decision to Grant a Permit under the provisions of the Bayside Planning Scheme in respect of planning application 2022/287/1 for the land known and described as 7 D'arcy Street, Sandringham to construct two (2) double storey dwellings over a basement, construction of a front fence that exceeds 1.2 metres in height and associated two (2) lot subdivision in a Neighbourhood Residential Zone Schedule 3 (NRZ3) 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. The plans must be generally in accordance with the plans amended prepared by Sketch Building Design referenced Job number 22-036, date 31 August 2022 but modified to show:
  - a) the site coverage to be reduced to a maximum of 50% to comply with Standard B8 (site coverage) of Clause 55.03-3 of the Bayside Planning Scheme
  - b) the street tree (Tree 1) to be annotated as to be removed in accordance with Council's Street and Park Tree Management Policy
  - c) site services to be located away from neighbouring habitable room windows
  - d) a Sustainable Design Assessment in accordance with Condition 11
  - e) a Landscaping Plan in accordance with Condition 12
  - f) a Tree Management and Protection Plan in accordance with Condition 15
  - g) provision of the development contributions fee in accordance with Condition 23

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.
8. Vehicle Crossings must be constructed to Council's Standard Vehicle Crossover Guidelines and standard drawing unless otherwise approved by the Responsible Authority. Separate consent/permit for crossovers is required from Council's Asset Protection Unit. Kerb and channel to be constructed or reinstated to the satisfaction of Council.
9. The existing footpath levels must not be lowered or altered in any way at the property line (to facilitate the basement ramp). This is required to ensure that normal overland flow from the street is not able to enter the basement due to any lowering of the footpath at the property line. Any public assets (including service pits, poles and trees) that are required to be removed/relocated to facilitate the development must be done so at the cost of the owner/applicant and subject to the relevant authority's consent. The redundant vehicular crossing must be removed and the footpath, nature strip and kerb reinstated at the owner's cost to the satisfaction of Council.
10. Prior to the commencement of any proposed works above basement level, all levels and gradients of the ramp must be checked by a qualified surveyor.

#### Sustainable Design Assessment

11. Prior to the endorsement of plans pursuant to Condition 1, a Sustainable Design Assessment (SDA) must be submitted to and approved by the Responsible Authority. All Environmentally Sustainable Design (ESD) measures within the SDA must be documented appropriately on revised plans. The SDA should include information such as:
  - a. a BESS report with a minimum 50% score overall and achieve the 50% minimum scores for water, energy and indoor environment quality (IEQ) and 100% for stormwater
  - b. a commitment that the development achieves a 6.5-star average NatHERS Rating. Each new dwelling must meet the minimum 6-star NatHERS rating requirement and not exceed the cooling load of 21 MJ/sqm for NatHERS Climate Zone 62 Moorabbin
  - c. preliminary building energy rating certificates that align with plans
  - d. provision of double glazing to all new windows
  - e. appropriate shading to all north, east and west facing windows
  - f. maximum internal lighting density of 4W/m<sup>2</sup>
  - g. water efficient plumbing fixtures with minimum WELS rating of 5-star for taps, 3-star for shower and 4 star for WC
  - h. water and energy efficient appliances (dishwasher, washing machine, dryer etc.) within one star of best available in the market, if installed

- i. provision of external dry lines for each dwelling
- j. bicycle parking space in each garage/ private open space area
- k. provisions such as Junction box/ Power Point to accommodate infrastructure for charging electric vehicles in future
- l. a STORM Report with minimum score 100% showing calculations to demonstrate the Urban Stormwater Best Practice Environmental Management Guidelines are achieved as required by planning clause 53.18
- m. the type of water sensitive urban design / stormwater treatment measure/s to be used and their location in relation to buildings, sealed surfaces and landscaped areas, providing design details and cross sections
- n. rainwater tank/s for new dwellings connected for WC flushing and irrigation that are accessible for maintenance
- o. provisions for renewable energy systems such as Solar PV
- p. commitment to recycle at least 70% of construction and demolition waste
- q. measures to reduce urban heat island impact such as light or medium coloured roof and driveway
- r. use of sustainable materials such as low VOC paints for the internal walls
- s. use of timber certified by the Forest Stewardship Council (FSC) or Program for the Endorsement of Forest Certification (PEFC) certified or recycled / reused
- t. provision of green walls / vertical gardens where practicable.

all to the satisfaction of the Responsible Authority.

#### Landscaping

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 Justin Hutchison Landscape Design, referenced project number 3681, Revision A, dated 6 July 2022 and the Bayside Landscaping Guidelines and be drawn to scale with dimensions. The plan must show:

- a) an additional canopy tree in the Secluded Private Open Space of both Dwelling 1 and 2 with a minimum mature height of 6 metres
- b) a survey, including, botanical names of all existing trees to be retained on the site including Tree Protection Zones calculated in accordance with AS4970-2009
- c) a survey including botanical names, of all existing trees on neighbouring properties where the Tree Protection Zones of such trees calculated in accordance with AS4970-2009 fall partially within the subject site
- d) a planting schedule of all proposed trees and shrubs, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant

- 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) where practicable, the inclusion of green walls at appropriate locations
  - h) planting schedule to be a minimum of 80% indigenous species
  - i) before the occupation of the development the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.
13. 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.

#### Tree Protection Management Plan

15. Before the development starts, including any related demolition or removal of vegetation, a TPMP, prepared by a suitably qualified arborist, to the satisfaction of the Responsible Authority, must be submitted to and be endorsed by the Responsible Authority. This report must be made available to all relevant parties involved with the site.

The TPMP must include:

- a) details of Tree Protection Zones, as per AS4970-2009, for all trees to be retained on the site and for all trees on neighbouring properties (including public open space trees) where any part of the Tree Protection Zone falls within the subject site
- b) protection measures to be utilised and at what stage of the development they will be implemented
- c) appointment of a project arborist detailing their role and responsibilities
- d) stages of development at which the project arborist will inspect tree protection measures
- e) monitoring and certification by the project arborist of implemented protection measures.

Before any works associated with the approved development, a project arborist must be appointed and the name and contact details of the project arborist responsible for implementing the endorsed TPMP must be submitted to the Responsible Authority.

Any modification to the TPMP must be approved by the project arborist. Such approval must be noted and provided to the Responsible Authority within seven days.

The TPMP must include a Tree Protection Plan (TPP) in accordance with AS4970-2009 Protection of Trees on Development Sites.

The TPP must:

- a) be legible, accurate and drawn to scale
- b) indicate the location of all tree protection measures to be utilised

- c) include the development stages (demolition, construction, landscaping) where all tree protection measures are to be utilised
  - d) include a key describing all tree protection measures to be utilised.
16. All actions and measures identified in the Tree Management Report must be implemented.
17. Before any works associated with the approved development, the contact details of the project arborist responsible for implementing the endorsed Tree Management Report must be submitted to the Responsible Authority.
18. Any pruning that is required to be done to the canopy of any tree to be retained (specify particular tree/s) is to be done by a qualified Arborist to Australian Standard – Pruning of Amenity Trees AS4373-1996. Any pruning of the root system of any tree to be retained (specify particular tree/s) is to be done by hand by a qualified Arborist.

#### Protection of trees for services

19. All underground services must be located outside of Tree Protection Zones (TPZ) of all trees to be retained. If this is not possible, any underground service installations within a TPZ must be bored beneath the entire TPZ to a minimum depth 800mm. If this is not possible, any excavation within the TPZ required for the connection of services must be undertaken by approved non-destructive digging techniques, under the supervision of a project arborist and with the written approval of the Responsible Authority.

#### Drainage

20. Before the development starts, the permit holder must apply to Council for the Legal Point of Discharge for the development from where stormwater is drained under gravity to the Council network.
21. Before the development, detailed plans indicating, but not limited to, the method of stormwater discharge to the nominated Legal Point of Discharge (and On-Site Detention System where applicable) must be submitted to and approved by Council's Infrastructure Assets Department.
22. The surface of all balconies and terraces are to be sloped to collect the stormwater run-off into stormwater drainage pipes that connect into the underground drainage system of the development to the satisfaction of the Responsible Authority.

#### Development Contribution

23. 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 Development Levy Charge Sheet and it must include the Building Price Index applicable at the time of payment.

#### Subdivision

24. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity and gas services to each lot shown on the endorsed plan in accordance with the authorities' requirements and relevant legislation at the time.

25. All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created.
26. The plan of subdivision submitted for certification under the Subdivision Act 1988 must be referred to the relevant authority in accordance with Section 8 of that Act.
27. The owner of the land must enter into an agreement with:
  - a) telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time
  - b) a suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.
28. Before the issue of a Statement of Compliance for any stage of the subdivision under the *Subdivision Act 1988*, the owner of the land must provide written confirmation from:
  - a) a telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time
  - b) a suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.
29. Prior to the Plan of Subdivision being certified by the Responsible Authority, unless otherwise agreed in writing by the Responsible Authority or the construction on site reaching a minimum of a completed frame stage, the owner of the land must enter into an agreement pursuant to Section 173 of the Planning and Environment Act 1987 with the Responsible Authority to the effect that:
  - a) The development of the land indicated on the plan of subdivision shall be in accordance with approved plans forming part of this Planning Permit (No. 2022/287/1) or any amendment to the plans approved by the Responsible Authority
  - b) The agreement shall be prepared and executed at the owner's cost.

#### Permit Expiry

30. 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
  - c) the plan of subdivision is not certified within two (2) years of the date of this permit
  - d) the registration of the subdivision is not completed within five (5) years of the date of certification of the plan of subdivision.

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:

- Council would be supportive of the applicant and/or owner making a tax-deductible donation equal to 0.1% of the sale price of any dwelling approved under this permit to Homes for Homes Limited (CAN 143 141 544) or equivalent social and/or affordable housing not-for-profit organisation.
- Council is the responsible authority for the allocation of street addressing in accordance with the "Rural and Urban Addressing Standards (4819:2011)". It is the applicant/property owner's obligation to comply with the Street address allocations prior to the completion of construction.

Eastern Dwelling – 7B D'arcy Avenue SANDRINGHAM 3191 (alongside 7A)

Western Dwelling – 7C D'arcy Avenue SANDRINGHAM 3191

For more information on street numbering, please contact Council's Revenue Services Team on 9599 4444.

- This permit does not constitute any authority to carry out any building works or occupy the building or part of the building unless all relevant building permits are obtained.
- A permit must be obtained from Council for all vehicular crossings. These must be constructed under Council's supervision for which 24 hours' notice is required.
- Construction of any fence / wall / letterbox structures may necessitate removal / damage of some sections of footpath. If this is the case, a 'Road Opening Permit' must be obtained to facilitate such work.
- A 'Road Opening / Stormwater Tapping Permit' is to be obtained from the Infrastructure Department prior to the commencement of the connection to the Council Drain / kerb / channel.
- Before the development starts the applicant must pay \$5,449.14 to the Responsible Authority for the removal and replacement of an existing street tree. This amount has been determined in accordance with Council's current policy for the removal of street tree(s). This amount may be increased by the Responsible Authority if an extension of time to commence work is granted and the amenity value of the street tree has increased. The Responsible Authority, or a contractor or agent engaged by the Responsible Authority, must undertake the removal and replacement of the street tree. Any replacement planting will be at the discretion of the Responsible Authority.
- Council records indicate that there is 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 land may be inspected by Council to ensure compliance with this planning permit and any plans and documents endorsed to this permit. Investigations and possible prosecutions may apply if you fail to accord with all requirements of this Planning Permit and any relevant Building Regulation, Local Law or other legislation. This includes the need for the retention and maintenance of any building, hard and soft landscaping assets and all building services.



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

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

**DIVISION:**   **FOR:**       Crs Laurence Evans OAM, Sonia Castelli, Jo Samuel-King  
  MBBS (Deputy Mayor), Fiona Stitfold and Hanna El Mouallem  
  (Mayor) (5)  
**AGAINST:** Nil (0)

**CARRIED**

**4.6 14 ALEXANDER STREET, HAMPTON  
NOTICE OF DECISION TO GRANT A PERMIT  
APPLICATION 2021/629/1 WARD: BOYD**

City Planning and Amenity - Development Services  
File No: PSF/22/36 – Doc No: DOC/22/297877

*It is recorded that Mr John McCaffrey spoke for 2 minutes in relation to this item.*

**Moved: Cr Stitfold**

**Seconded: Cr Castelli**

That Council resolves to issue a Notice of Decision to Grant a Permit under the provisions of the Bayside Planning Scheme in respect of planning application 2021/629/1 for the land known and described as 14 Alexander Street, Hampton for the construction of two dwellings on a lot and construction of a front fence exceeding 1.2 metres in height in accordance with the endorsed plans and subject to the following conditions from the standard conditions:

1. Before the or development start/s, 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. The plans must be generally in accordance with the Amended plans prepared by Andrew Inglis referenced Site Plan, Ground Floor Plan, First Floor Plan, Roof Plan, Elevations, date 18/07/2022 and revision number B but modified to show:
  - a) the storage sheds to detail a minimum of 6 cubic metres in compliance with Standard B30 Storage
  - b) the replacement of the northern vehicle crossing to be located within the footprint of the existing crossover
  - c) sightlines in accordance with Clause 52.06-9 (car parking) of the Bayside Planning Scheme. All fencing within sightlines must also comply with the standard
  - d) a tandem second car space detailed in the driveway of the northern dwelling in accordance with Clause 52.06-9 (car parking) of the Bayside Planning Scheme
  - e) a Sustainable Design Assessment in accordance with Condition 10
  - f) a Landscaping Plan in accordance with Condition 11
  - g) a Tree Management and Protection Plan in accordance with Condition 14
  - h) provision of the development contributions fee in accordance with Condition 26all 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.
8. Vehicle Crossings must be constructed to Council's Standard Vehicle Crossover Guidelines and standard drawing unless otherwise approved by the Responsible Authority. Separate consent/permit for crossovers is required from Council's Asset Protection Unit. Kerb and channel to be constructed or reinstated to the satisfaction of Council.
9. All basic services, including water, electricity, gas, sewerage, telephone, NBN and cable TV but excluding any substation, meters or hydrants must be installed underground and located to the satisfaction of the relevant servicing authority and the Responsible Authority.

#### Sustainable Design Assessment

10. Prior to the endorsement of plans pursuant to Condition 1, a Sustainable Design Assessment (SDA) must be submitted to and approved by the Responsible Authority. All Environmentally Sustainable Design (ESD) measures within the SDA must be documented appropriately on revised plans. The SDA should include information such as:
  - a) a BESS report with a minimum 50% score overall and achieve the 50% minimum scores for water, energy and indoor environment quality (IEQ) and 100% for stormwater
  - b) a commitment that the development achieves a 6.5-star average NatHERS Rating. Each new dwelling must meet the minimum 6-star NatHERS rating requirement and not exceed the cooling load of 21 MJ/sqm for NatHERS Climate Zone 62 Moorabbin
  - c) preliminary building energy rating certificates that align with plans
  - d) provision of double glazing to all new windows
  - e) appropriate shading to all north, east and west facing windows
  - f) maximum internal lighting density of 4W/m<sup>2</sup>
  - g) water efficient plumbing fixtures with minimum WELS rating of 5-star for taps, 3-star for shower and 4 star for WC
  - h) water and energy efficient appliances (dishwasher, washing machine, dryer etc.) within one star of best available in the market, if installed
  - i) provision of external dry lines for each dwelling
  - j) bicycle parking space in each garage/ private open space area
  - k) provisions such as Junction box/ Power Point to accommodate infrastructure for charging electric vehicles in future

- l) a STORM Report with minimum score 100% showing calculations to demonstrate the Urban Stormwater Best Practice Environmental Management Guidelines are achieved as required by planning clause 53.18
- m) the type of water sensitive urban design / stormwater treatment measure/s to be used and their location in relation to buildings, sealed surfaces and landscaped areas, providing design details and cross sections
- n) rainwater tank/s for new dwellings connected for WC flushing and irrigation that are accessible for maintenance
- o) provisions for renewable energy systems such as Solar PV
- p) commitment to recycle at least 70% of construction and demolition waste
- q) measures to reduce urban heat island impact such as light or medium coloured roof and driveway
- r) use of sustainable materials such as low VOC paints for the internal walls
- s) use of timber certified by the Forest Stewardship Council (FSC) or Program for the Endorsement of Forest Certification (PEFC) certified or recycled / reused
- t) provision of green walls / vertical gardens where practicable.

all to the satisfaction of the Responsible Authority.

#### Landscaping

11. Prior to the endorsement of plans pursuant to Condition 1, a detailed landscape plan to the satisfaction of the Responsible Authority must be submitted to and be endorsed by the Responsible Authority. The plan must be generally in accordance with the landscape concept plan drawn by Andrew Inglis, reference Landscape Plan, dated 10/02/2022 and the Bayside Landscaping Guidelines and be drawn to scale with dimensions. 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) where practicable, the inclusion of green walls at appropriate locations
  - g) planting schedule to be a minimum of 80% indigenous species
  - h) one tree to grow to 12 metres tall or greater or two trees to grow to 8 metres or greater in the front setback of the development
  - i) one large 10-15 metre tree or two 6-8 metre tall trees to the rear of each dwelling.
12. Before the occupation of the development the landscaping works shown on the

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

13. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority, including that any dead, diseased or damaged plants are to be replaced.

#### Tree Protection Management Plan

14. Prior to the endorsement of plans pursuant to Condition 1, including any related demolition or removal of vegetation, a TPMP, prepared by a suitably qualified arborist, to the satisfaction of the Responsible Authority, must be submitted to and be endorsed by the Responsible Authority. This report must be made available to all relevant parties involved with the site.

The TPMP must include:

- a) details of Tree Protection Zones, as per AS4970-2009, for all trees to be retained on the site and for all trees on neighbouring properties (including public open space trees) where any part of the Tree Protection Zone falls within the subject site
- b) protection measures to be utilised and at what stage of the development they will be implemented
- c) appointment of a project arborist detailing their role and responsibilities
- d) stages of development at which the project arborist will inspect tree protection measures
- e) monitoring and certification by the project arborist of implemented protection measures.

Before any works associated with the approved development, a project arborist must be appointed and the name and contact details of the project arborist responsible for implementing the endorsed TPMP must be submitted to the Responsible Authority.

Any modification to the TPMP must be approved by the project arborist. Such approval must be noted and provided to the Responsible Authority within seven days.

The TPMP must include a Tree Protection Plan (TPP) in accordance with AS4970-2009 Protection of Trees on Development Sites.

The TPP must:

- a) be legible, accurate and drawn to scale
  - b) indicate the location of all tree protection measures to be utilised
  - c) include the development stages (demolition, construction, landscaping) where all tree protection measures are to be utilised
  - d) include a key describing all tree protection measures to be utilised.
15. All actions and measures identified in the Tree Management Report must be implemented.
  16. Before any works associated with the approved development, the contact details of the project arborist responsible for implementing the endorsed Tree Management Report must be submitted to the Responsible Authority.

#### Protection of trees for services

17. All underground services must be located outside of Tree Protection Zones

(TPZ) of all trees to be retained. If this is not possible, any underground service installations within a TPZ must be bored beneath the entire TPZ to a minimum depth 800mm. If this is not possible, any excavation within the TPZ required for the connection of services must be undertaken by approved non-destructive digging techniques, under the supervision of a project arborist and with the written approval of the Responsible Authority.

#### Street tree protection

18. 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 Tree Protection Zone is to be established and maintained in accordance with AS 4970–2009. The fencing is to be as close to the TPZ boundary as practically possible provided that it does not encroach onto the road, footpath, crossover or proposed works.
19. Street trees must not be removed, lopped, damaged or pruned by any party other than Bayside City Council authorised contractors. Any soil excavation adjacent to street tree *Melaleuca linariifolia*, asset Id 437580 must be limited to surface scraping for levelling purposes only (i.e., no greater than 100mm in depth). Removal of existing infrastructure, installation of services and drainage within the TPZ must be undertaken using root-sensitive, non-destructive techniques.
20. Removal of existing infrastructure is undertaken by approved root sensitive non-destructive techniques only.
21. Any excavation adjacent to street tree *Melaleuca linariifolia*, asset Id 437580 will be limited to surface scraping for levelling purposes only (e.g. no greater than 100mm in depth).
22. Root pruning within the TPZ (Tree Protection Zone)
  - a) Prior to soil excavation, a trench along the line of the proposed new crossover must be dug by hand.
  - b) All roots that will be affected must be correctly pruned in accordance with AS4373-2007 'Pruning of Amenity Trees'.
  - c) Roots greater than 50mm must not be cut unless authorised by Bayside's Open Space Arborist in writing.

#### Drainage

23. 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.
24. 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.
25. The surface of all balconies and terraces are to be sloped to collect the stormwater run-off into stormwater drainage pipes that connect into the underground drainage system of the development to the satisfaction of the Responsible Authority.

#### Development Contribution

26. 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.

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

#### Permit Expiry

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

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

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

#### Permit Notes:

- Council would be supportive of the applicant and/or owner making a tax deductible donation equal to 0.1% of the sale price of any dwelling approved under this permit to Homes for Homes Limited (CAN 143 141 544) or equivalent social and/or affordable housing not-for-profit organisation.
- Council is the responsible authority for the allocation of street addressing in accordance with the "Rural and Urban Addressing Standards (4819:2011)". It is the applicant/property owner's obligation to comply with the Street address allocations prior to the completion of construction.
  - Northern Dwelling – 14 Alexander Street HAMPTON 3188
  - Southern Dwelling – 16 Alexander Street HAMPTON 3188
  - For more information on street numbering, please contact Council's Revenue Services Team on 9599 4444.
- This permit does not constitute any authority to carry out any building works or occupy the building or part of the building unless all relevant building permits are obtained.
- A permit must be obtained from Council for all vehicular crossings. These must be constructed under Council's supervision for which 24 hours' notice is required.
- Construction of any fence / wall / letterbox structures may necessitate removal / damage of some sections of footpath. If this is the case, a 'Road Opening Permit' must be obtained to facilitate such work.
- A 'Road Opening / Stormwater Tapping Permit' is to be obtained from the Infrastructure Department prior to the commencement of the connection to the Council Drain / kerb / channel.
- Council records indicate that there is a 1.83m wide drainage and sewerage easement along the eastern 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.
- 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 OAM, Sonia Castelli, Jo Samuel-King  
                                    MBBS (Deputy Mayor), Fiona Stitfold and Hanna El Mouallem  
                                    (Mayor) (5)  
                  **AGAINST:** Nil (0)

**CARRIED**



**4.7 119 COLE STREET, BRIGHTON  
NOTICE OF DECISION TO GRANT A PERMIT  
APPLICATION 2022/259/1 WARD: DENDY**

City Planning and Amenity - Development Services  
File No: PSF/22/4724 – Doc No: DOC/22/326347

*It is recorded that Ms Annabel Paul submitted a written statement in relation to this item.*

*It is recorded that Mr Marcus Fakhry, and Ms Annabel Paul each spoke for 2 minutes in relation to this item.*

**Moved: Cr El Mouallem (Mayor)**

**Seconded: Cr Evans OAM**

That Council resolves to issue a Notice of Decision to Grant a Permit under the provisions of the Bayside Planning Scheme in respect of planning application 2022/259/1 for the land known and described as 119 Cole Street, Brighton for part demolition, alterations and additions to an existing dwelling on a lot under 500sqm, within a Heritage 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. The plans must be generally in accordance with the plans advertised but modified to show:
  - a) the provision of a demolition method statement by a suitably qualified person demonstrating how the to be retained chimney will be supported throughout and post construction
  - b) recommendations in Impact assessment report regarding root sensitive design within TPZ of Tree 1 to be employed and noted on the floor plan
  - c) a Tree Management and Protection Plan in accordance with Condition 6
  - d) the eastern side setback of bedroom 4 increased to a minimum of 3.2m. The redesign is to occur to the satisfaction of the Responsible Authority and must be contained within the currently proposed first floor footprint
  - e) external cladding of the additions amended to a light colour  
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.

#### Tree Protection Management Plan

6. Before the development starts, including any related demolition or removal of vegetation, a TPMP, prepared by a suitably qualified arborist, to the satisfaction of the Responsible Authority, must be submitted to and be endorsed by the Responsible Authority. This report must be made available to all relevant parties involved with the site.

The TPMP must include:

- a) details of Tree Protection Zones, as per AS4970-2009, for all trees to be retained on the site and for all trees on neighbouring properties (including public open space trees) where any part of the Tree Protection Zone falls within the subject site
- b) protection measures to be utilised and at what stage of the development they will be implemented
- c) appointment of a project arborist detailing their role and responsibilities
- d) stages of development at which the project arborist will inspect tree protection measures
- e) monitoring and certification by the project arborist of implemented protection measures.

Before any works associated with the approved development, a project arborist must be appointed and the name and contact details of the project arborist responsible for implementing the endorsed TPMP must be submitted to the Responsible Authority.

Any modification to the TPMP must be approved by the project arborist. Such approval must be noted and provided to the Responsible Authority within seven days.

The TPMP must include a Tree Protection Plan (TPP) in accordance with AS4970-2009 Protection of Trees on Development Sites.

The TPP must:

- a) be legible, accurate and drawn to scale
  - b) indicate the location of all tree protection measures to be utilised
  - c) include the development stages (demolition, construction, landscaping) where all tree protection measures are to be utilised
  - d) include a key describing all tree protection measures to be utilised.
7. All actions and measures identified in the Tree Management Report must be implemented.
  8. Before any works associated with the approved development, the contact details of the project arborist responsible for implementing the endorsed Tree Management Report must be submitted to the Responsible Authority.
  9. Any pruning that is required to be done to the canopy of any tree to be retained (located at 117 Cole Street Brighton) is to be done by a qualified Arborist to Australian Standard – Pruning of Amenity Trees AS4373-1996. Any pruning of the root system of any tree to be retained (located at 117 Cole Street Brighton) is to be done by hand by a qualified Arborist.

Permit Expiry

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

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

Permit Notes:

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

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

**DIVISION:**    **FOR:**        Crs Laurence Evans OAM, Sonia Castelli, Jo Samuel-King  
   MBBS (Deputy Mayor), Fiona Stiffold and Hanna El Mouallem  
   (Mayor) (5)  
**AGAINST:** Nil (0)

**CARRIED**

**4.8 18 WAVE STREET, HAMPTON  
NOTICE OF DECISION TO GRANT A PERMIT  
APPLICATION 2022/382/1 WARD: BOYD**

City Planning and Amenity - Development Services  
File No: PSF/22/36 – Doc No: DOC/22/327973

*It is recorded that Mr Endre Peterfy submitted a written statement and spoke for 2 minutes in relation to this item.*

**Moved: Cr Stitfold**

**Seconded: Cr El Mouallem (Mayor)**

That Council resolves to issue a Notice of Decision to Grant a Permit under the provisions of the Bayside Planning Scheme in respect of planning application 2022/382/1 for the land known and described as 18 Wave Street, Hampton for buildings and works comprising one dwelling in a Design and Development Overlay Schedule 12 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. The plans must be generally in accordance with the advertised plans prepared by Carter Grange referenced TP01–TP09, TP11, & TP12, dated 21 December 2021 but modified to show:
  - a) the setback of the southern wall of the second floor increased by 2.0 metres
  - b) the setback of the northern wall of the second floor, including the balcony, increased by 1.0 metre
  - c) a schedule of construction materials, external finishes and colours (incorporating for example paint samples)
  - d) an amended Landscaping Plan in accordance with Condition 7
  - e) a Tree Management and Protection Plan in accordance with Condition 10 all to the satisfaction of the Responsible Authority.
2. The layout of the site and the size, levels, design and location of buildings and works shown on the endorsed plans must not be modified for any reason (unless the Bayside Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
3. Before the occupation of the site commences or by such later date as is approved in writing by the Responsible Authority, all buildings and works must be carried out and completed to the satisfaction of the Responsible Authority.
4. No plant, equipment, services or architectural features other than those shown on the endorsed plans are permitted above the roof level of the building/s without the written consent of the Responsible Authority.
5. All pipes (excluding downpipes), fixtures, fittings and vents servicing any building on the site must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.

6. Vehicle Crossings must be constructed to Council's Standard Vehicle Crossover Guidelines and standard drawing unless otherwise approved by the Responsible Authority. Separate consent/permit for crossovers is required from Council's Asset Protection Unit. Kerb and channel to be constructed or reinstated to the satisfaction of Council.

#### Landscaping

7. 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 Pty Ltd, dated 8/07/2022 and the Bayside Landscaping Guidelines and be drawn to scale with dimensions. The plan must show:
  - a) The proposed canopy trees in the rear setback to be set at least 1 metre in from the property boundaries
  - b) The replacement of the Burgundy Myrtle in the rear setback with an indigenous species capable of reaching at least 8 metres in height at maturity
  - c) a survey, including, botanical names of all existing trees to be retained on the site including Tree Protection Zones calculated in accordance with AS4970-2009
  - d) a survey including botanical names, of all existing trees on neighbouring properties where the Tree Protection Zones of such trees calculated in accordance with AS4970-2009 fall partially within the subject site
  - e) a planting schedule of all proposed trees and shrubs, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant
  - f) landscaping and/or planting within all areas of the site not covered by buildings or hard surfaces
  - g) details of surface finishes of pathways and driveways
  - h) planting schedule to be a minimum of 80% indigenous species.
8. 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.
9. 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 Protection Management Plan

10. Before the development starts, including any related demolition or removal of vegetation, a TPMP, prepared by a suitably qualified arborist, to the satisfaction of the Responsible Authority, must be submitted to and be endorsed by the Responsible Authority. This report must be made available to all relevant parties involved with the site.

The TPMP must include:

- a) details of Tree Protection Zones, as per AS4970-2009, for all trees to be retained on the site and for all trees on neighbouring properties (including

public open space trees) where any part of the Tree Protection Zone falls within the subject site

- b) protection measures to be utilised and at what stage of the development they will be implemented
- c) appointment of a project arborist detailing their role and responsibilities
- d) stages of development at which the project arborist will inspect tree protection measures
- e) monitoring and certification by the project arborist of implemented protection measures.

Before any works associated with the approved development, a project arborist must be appointed and the name and contact details of the project arborist responsible for implementing the endorsed TPMP must be submitted to the Responsible Authority.

Any modification to the TPMP must be approved by the project arborist. Such approval must be noted and provided to the Responsible Authority within seven days.

The TPMP must include a Tree Protection Plan (TPP) in accordance with AS4970-2009 Protection of Trees on Development Sites.

The TPP must:

- a) be legible, accurate and drawn to scale
  - b) indicate the location of all tree protection measures to be utilised
  - c) include the development stages (demolition, construction, landscaping) where all tree protection measures are to be utilised
  - d) include a key describing all tree protection measures to be utilised.
11. All actions and measures identified in the Tree Management Report must be implemented.
  12. Before any works associated with the approved development, the contact details of the project arborist responsible for implementing the endorsed Tree Management Report must be submitted to the Responsible Authority.

#### Protection of trees for services

13. All underground services must be located outside of Tree Protection Zones (TPZ) of all trees to be retained. If this is not possible, any underground service installations within a TPZ must be bored beneath the entire TPZ to a minimum depth 800mm. If this is not possible, any excavation within the TPZ required for the connection of services must be undertaken by approved non-destructive digging techniques, under the supervision of a project arborist and with the written approval of the Responsible Authority.

#### Drainage

14. Before the development starts, the permit holder must apply to Council for the Legal Point of Discharge for the development from where stormwater is drained under gravity to the Council network.
15. Before the development, detailed plans indicating, but not limited to, the method of stormwater discharge to the nominated Legal Point of Discharge (and On-Site Detention System where applicable) must be submitted to and approved by Council's Infrastructure Assets Department.

16. The surface of all balconies and terraces are to be sloped to collect the stormwater run-off into stormwater drainage pipes that connect into the underground drainage system of the development to the satisfaction of the Responsible Authority.
17. 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.

#### 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:

- 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.
- This permit application was not assessed against the provisions of Clause 54 – One Dwelling on a Lot (ResCode) of the Bayside Planning Scheme. It is the responsibility of the applicant/owner to appoint a Registered Building Surveyor to determine compliance of the endorsed plans associated with the issue of this Planning Permit against Part 5 of the Building Regulations 2018. Non-compliance with any regulation will require dispensation from Council's Building Department.
- A permit must be obtained from Council for all vehicular crossings. These must be constructed under Council's supervision for which 24 hours' notice is required.
- Construction of any fence / wall / letterbox structures may necessitate removal / damage of some sections of footpath. If this is the case, a 'Road Opening Permit' must be obtained to facilitate such work.
- A 'Road Opening / Stormwater Tapping Permit' is to be obtained from the Infrastructure Department prior to the commencement of the connection to the Council Drain / kerb / channel.
- The permit holder must obtain approval from the relevant authorities to build over the easement(s).

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

**DIVISION:**      **FOR:**      Crs Laurence Evans OAM, Sonia Castelli, Jo Samuel-King  
MBBS (Deputy Mayor), Fiona Stiffold and Hanna El Mouallem  
(Mayor) (5)  
**AGAINST:** Nil (0)

**CARRIED**

**4.9 64 LYNCH CRESCENT, BRIGHTON  
NOTICE OF DECISION TO GRANT A PERMIT  
APPLICATION 2022/386/1 WARD: CASTLEFIELD**

City Planning and Amenity - Development Services  
File No: PSF/22/36 – Doc No: DOC/22/328247

*It is recorded that Mr Lex O'Connor, and Mr James McGann each spoke for 2 minutes in relation to this item.*

**Moved: Cr El Moullem (Mayor)**

**Seconded: Cr Evans OAM**

That Council resolves to issue a Notice of Decision to Grant a Permit under the provisions of the Bayside Planning Scheme in respect of planning application 2022/386/1 for the land known and described as 64 Lynch Crescent, Brighton for the construction of two (2) dwellings on a lot and a front fence exceeding 1.2 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. The plans must be generally in accordance with the plans advertised prepared by Mancini Made, project No. 90.21, dated 17/08/2022 and revision B but modified to show:
  - a) a Sustainable Design Assessment in accordance with Condition 13
  - b) a Landscaping Plan in accordance with Condition 14
  - c) a Tree Management and Protection Plan in accordance with Condition 17
  - d) provision of the development contributions fee in accordance with Condition 28
  - e) boundary fencing on the northern boundary to a height of 2m
  - f) the proposed screening to the first floor north-facing windows to fully comply with Standard B22 with 45 degree angle slatsall 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.
  8. Vehicle Crossings must be constructed to Council's Standard Vehicle Crossover Guidelines and standard drawing unless otherwise approved by the Responsible Authority. Separate consent/permit for crossovers is required from Council's Asset Protection Unit. Kerb and channel to be constructed or reinstated to the satisfaction of Council.
  9. The existing footpath levels must not be lowered or altered in any way at the property line (to facilitate the basement ramp). This is required to ensure that normal overland flow from the street is not able to enter the basement due to any lowering of the footpath at the property line. Any public assets (including service pits, poles and trees) that are required to be removed/relocated to facilitate the development must be done so at the cost of the owner/applicant and subject to the relevant authority's consent. The redundant vehicular crossing must be removed and the footpath, nature strip and kerb reinstated at the owner's cost to the satisfaction of Council.
  10. Prior to the commencement of any proposed works above basement level, all levels and gradients of the ramp must be checked by a qualified surveyor.
  11. All basic services, including water, electricity, gas, sewerage, telephone, NBN and cable TV but excluding any substation, meters or hydrants must be installed underground and located to the satisfaction of the relevant servicing authority and the Responsible Authority.
  12. Storage areas within the basement visible from common areas to be enclosed within a metal cladding to ensure they are secure and goods within the storage area are not visible and in accordance with Standard D20 of Clause 58 of the Bayside Planning Scheme.

#### Sustainable Design Assessment

13. Prior to the endorsement of plans pursuant to Condition 1, a Sustainable Design Assessment (SDA) must be submitted to and approved by the Responsible Authority. All Environmentally Sustainable Design (ESD) measures within the SDA must be documented appropriately on revised plans. The SDA should include information such as:
  - a) a BESS report with a minimum 50% score overall and achieve the 50% minimum scores for water, energy and indoor environment quality (IEQ) and 100% for stormwater
  - b) a commitment that the development achieves a 6.5-star average NatHERS Rating. Each new dwelling must meet the minimum 6-star NatHERS rating requirement and not exceed the cooling load of 21 MJ/sqm for NatHERS Climate Zone 62 Moorabbin
  - c) preliminary building energy rating certificates that align with plans
  - d) provision of double glazing to all new windows
  - e) appropriate shading to all north, east and west facing windows
  - f) maximum internal lighting density of 4W/m<sup>2</sup>

- g) water efficient plumbing fixtures with minimum WELS rating of 5-star for taps, 3-star for shower and 4 star for WC
  - h) water and energy efficient appliances (dishwasher, washing machine, dryer etc.) within one star of best available in the market, if installed
  - i) provision of external dry lines for each dwelling
  - j) bicycle parking space in each garage/ private open space area
  - k) provisions such as Junction box/ Power Point to accommodate infrastructure for charging electric vehicles in future
  - l) a STORM Report with minimum score 100% showing calculations to demonstrate the Urban Stormwater Best Practice Environmental Management Guidelines are achieved as required by planning clause 53.18
  - m) the type of water sensitive urban design / stormwater treatment measure/s to be used and their location in relation to buildings, sealed surfaces and landscaped areas, providing design details and cross sections
  - n) rainwater tank/s for new dwellings connected for WC flushing and irrigation that are accessible for maintenance
  - o) provisions for renewable energy systems such as Solar PV
  - p) commitment to recycle at least 70% of construction and demolition waste
  - q) measures to reduce urban heat island impact such as light or medium coloured roof and driveway
  - r) use of sustainable materials such as low VOC paints for the internal walls
  - s) use of timber certified by the Forest Stewardship Council (FSC) or Program for the Endorsement of Forest Certification (PEFC) certified or recycled / reused
  - t) provision of green walls / vertical gardens
- all to the satisfaction of the Responsible Authority.

#### Landscaping

14. 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 Peninsula Landscape Architects, reference 22-2310, dated Aug 2022 and the Bayside Landscaping Guidelines and be drawn to scale with dimensions. The plan must show:
- a) the Silver Banksia trees located within the rear setback of each dwelling to be replaced with a species that can reach a minimum height of 8 metres at maturity
  - b) a survey, including, botanical names of all existing trees to be retained on the site including Tree Protection Zones calculated in accordance with AS4970-2009
  - c) a survey including botanical names, of all existing trees on neighbouring properties where the Tree Protection Zones of such trees calculated in accordance with AS4970-2009 fall partially within the subject site

- d) a planting schedule of all proposed trees and shrubs, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant.
  - 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) where practicable, the inclusion of green walls at appropriate locations
  - h) planting schedule to be a minimum of 80% indigenous species.
15. Before the occupation of the development the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.
16. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority, including that any dead, diseased or damaged plants are to be replaced.

#### Tree Protection Management Plan

17. Before the development starts, including any related demolition or removal of vegetation, a TPMP, prepared by a suitably qualified arborist, to the satisfaction of the Responsible Authority, must be submitted to and be endorsed by the Responsible Authority. This report must be made available to all relevant parties involved with the site.

The TPMP must include:

- a) details of Tree Protection Zones, as per AS4970-2009, for all trees to be retained on the site and for all trees on neighbouring properties (including public open space trees) where any part of the Tree Protection Zone falls within the subject site
- b) protection measures to be utilised and at what stage of the development they will be implemented
- c) appointment of a project arborist detailing their role and responsibilities
- d) stages of development at which the project arborist will inspect tree protection measures
- e) monitoring and certification by the project arborist of implemented protection measures.

Before any works associated with the approved development, a project arborist must be appointed and the name and contact details of the project arborist responsible for implementing the endorsed TPMP must be submitted to the Responsible Authority.

Any modification to the TPMP must be approved by the project arborist. Such approval must be noted and provided to the Responsible Authority within seven days.

The TPMP must include a Tree Protection Plan (TPP) in accordance with AS4970-2009 Protection of Trees on Development Sites.

The TPP must:

- a) be legible, accurate and drawn to scale
- b) indicate the location of all tree protection measures to be utilised

- c) include the development stages (demolition, construction, landscaping) where all tree protection measures are to be utilised
  - d) include a key describing all tree protection measures to be utilised.
18. All actions and measures identified in the Tree Management Report must be implemented.
  19. Before any works associated with the approved development, the contact details of the project arborist responsible for implementing the endorsed Tree Management Report must be submitted to the Responsible Authority.
  20. Any pruning that is required to be done to the canopy of any tree to be retained (specify particular tree/s) is to be done by a qualified Arborist to Australian Standard – Pruning of Amenity Trees AS4373-1996. Any pruning of the root system of any tree to be retained (specify particular tree/s) is to be done by hand by a qualified Arborist.

#### Protection of trees for services

21. All underground services must be located outside of Tree Protection Zones (TPZ) of all trees to be retained. If this is not possible, any underground service installations within a TPZ must be bored beneath the entire TPZ to a minimum depth 800mm. If this is not possible, any excavation within the TPZ required for the connection of services must be undertaken by approved non-destructive digging techniques, under the supervision of a project arborist and with the written approval of the Responsible Authority.

#### Street tree protection

22. Soil excavation must not occur within 3.5 metres from the edge of the *Zelkova serrata* (Japanese Zelkova) street tree asset's stem at ground level.
23. A tree protection fence is for the protection of a tree's canopy and root zone. Conditions for street tree protection fencing during development are as follows:
  - a) Fencing is to be secured and maintained prior to demolition and until all site works are complete.
  - b) Fencing must be installed to comply with AS4970-2009, Protection of trees on development sites.
  - c) Fencing should encompass the Tree Protection Zone (TPZ) for all street trees adjacent to the development.
  - d) Fencing is to be constructed and secured so its positioning cannot be modified by site workers.
  - e) If applicable, prior to construction of the Council approved crossover, TPZ fencing may be reduced to the edge of the new crossover to facilitate works.
24. Prior to soil excavation for a Council approved crossover within the TPZ, a trench must be excavated along the line of the crossover adjacent to the tree using root sensitive non-destructive techniques. All roots that will be affected by must correctly pruned.
25. Any installation of services and drainage within the TPZ must be undertaken using root sensitive non-destructive techniques.

Drainage

26. 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.
27. Before the development, detailed plans indicating, but not limited to, the method of stormwater discharge to the nominated Legal Point of Discharge (and On-Site Detention System where applicable) must be submitted to and approved by Council's City Assets and Projects Department.

Development Contribution

28. 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 Development Levy Charge Sheet and it must include the Building Price Index applicable at the time of payment.

Permit Expiry

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

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

Permit Notes:

- Council would be supportive of the applicant and/or owner making a tax-deductible donation equal to 0.1% of the sale price of any dwelling approved under this permit to Homes for Homes Limited (CAN 143 141 544) or equivalent social and/or affordable housing not-for-profit organisation.
- Council is the responsible authority for the allocation of street addressing in accordance with the "Rural and Urban Addressing Standards (4819:2011)". It is the applicant/property owner's obligation to comply with the Street address allocations prior to the completion of construction.
  - Eastern Dwelling – 64A Lynch Crescent BRIGHTON 3186
  - Western Dwelling – 64B Lynch Crescent BRIGHTON 3186

For more information on street numbering, please contact Council's Revenue Services Team on 9599 4444.

- This permit does not constitute any authority to carry out any building works or occupy the building or part of the building unless all relevant building permits are obtained.
- A permit must be obtained from Council for all vehicular crossings. These must be constructed under Council's supervision for which 24 hours' notice is required.

- Construction of any fence / wall / letterbox structures may necessitate removal / damage of some sections of footpath. If this is the case, a 'Road Opening Permit' must be obtained to facilitate such work.
- A 'Road Opening / Stormwater Tapping Permit' is to be obtained from the Infrastructure Department prior to the commencement of the connection to the Council Drain / kerb / channel.

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

**DIVISION:**    **FOR:**        Crs Laurence Evans OAM, Sonia Castelli, Jo Samuel-King  
    MBBS (Deputy Mayor), Fiona Stitfold and Hanna El Mouallem  
    (Mayor) (5)  
**AGAINST:** Nil (0)

**CARRIED**

**4.10 11 DOUGLAS STREET, BEAUMARIS  
GRANT A PERMIT  
APPLICATION 2022/438/1 WARD: BECKETT**

City Planning and Amenity - Development Services  
File No: PSF/22/36 – Doc No: DOC/22/306246

*It is recorded that Mr Simon Medd submitted a written statement in relation to this item.*

*It is recorded that Cr El Mouallem (Mayor) left the Meeting at 8.33 pm. Councillor El Mouallem (Mayor) returned to the Meeting at 8:34 pm.*

**Moved: Cr Evans OAM**

**Seconded: Cr Stitfold**

That Council resolves to Grant a Permit the provisions of the Bayside Planning Scheme in respect of planning application 2022/438/1 for the land known and described as 11 Douglas Street, Beaumaris for the removal of native vegetation in Vegetation Protection Overlay Schedule 3, in accordance with the endorsed plans and subject to the following conditions from the standard conditions:

1. 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.

Landscaping

2. 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.

Permit Expiry

3. 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 Motion was PUT and a **DIVISION** was called:

**DIVISION: FOR:** Crs Laurence Evans OAM, Sonia Castelli, Jo Samuel-King  
MBBS (Deputy Mayor), Fiona Stitfold and Hanna El Mouallem  
(Mayor) (5)  
**AGAINST:** Nil (0)

**CARRIED**

**4.11 25A CAMPERDOWN STREET, BRIGHTON EAST  
EXTENSION OF TIME - APPROVE  
APPLICATION 2016/363/1 WARD: BLEAZBY**

City Planning and Amenity - Development Services  
File No: PSF/22/36 – Doc No: DOC/22/331357

**Moved: Cr Castelli**

**Seconded: Cr Evans OAM**

That Council resolves to Approve the Extension of time of two (2) years to Planning Permit 2016/363/1, so that the development must now commence no later than 15 November 2024 and be completed no later than 15 November 2026.

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

**DIVISION:**    **FOR:**        Crs Laurence Evans OAM, Sonia Castelli, Jo Samuel-King  
   MBBS (Deputy Mayor), Fiona Stitfold and Hanna El Mouallem  
   (Mayor) (5)  
   **AGAINST:** Nil (0)

**CARRIED**

**NOTE:** Item 4.11 was **CARRIED** as part of a block motion.



**4.12 68–76 UNION STREET, BRIGHTON EAST  
SUPPORT THE GRANT OF A PERMIT (VCAT CONSENT ORDER)  
APPLICATION: 2021/312/1 WARD: BLEAZBY**

City Planning and Amenity - Development Services  
File No: PSF/22/36 – Doc No: DOC/22/319299

**Moved: Cr Castelli**

**Seconded: Cr Evans OAM**

That Council resolves, subject to all other parties to the proceedings consenting, to Support the Grant of a Permit under the provisions of the Bayside Planning Scheme in respect of Planning application 2021/312/1 for the land known and described as 68–76 Union Street, Brighton East, for the construction of multi dwellings on a lot and a front fence in excess of 1.2m in height 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. The plans must be generally in accordance with the plans (amended) prepared by BG Architecture, job number 20.35, date 15/03/2022 and revision number E but modified to show:
  - a) annotation that internal easement between Nos. 68 and 76 Union Street has been removed and confirmed by relevant authorities
  - b) retention of Tree 7 and associated changes to the front yard of Apartment 1 to enable its retention
  - c) the first floor western setback (associated with Apartment 3) and eastern setbacks (associated with Apartments 13 and 14) amended to comply with Standard B17 under Clause 55 of the Bayside Planning Scheme, without reduction of any other setbacks. No change is required to the eastern setback of the lift and foyer between Apartments 13 and 14
  - d) site coverage to be reduced to 50% in accordance with the Standard B8 of Clause 55 of the Bayside Planning Scheme
  - e) amendments required to ensure the proposed shadow cast will not overshadow the secluded private open space of No. 2/8 Grant Street, Brighton East in accordance with Standard B21 under Clause 55 of the Bayside Planning Scheme, without reduction of any other setbacks
  - f) details of the ground floor internal fence height with a minimum of 1.8m measured from finished ground levels where a fence separates two townhouse secluded private open space areas
  - g) first floor plan (including sectional diagrams or similar) showing the proposed screening/glazing details to each habitable room windows in accordance with Standard B22 and Standard B23 under Clause 55 of the Bayside Planning Scheme
  - h) revised Secluded Private Open Space and Private Open Space of TH03-TH06, TH15, 16, 20 and Apartment 05 to have areas in accordance with Standard B28 under Clause 55 of the Bayside Planning Scheme

- i) balcony widths of Apartments 3, 4, 7 and 8 to achieve a minimum dimension of 2.4m by reducing its room size in accordance with Standard B43 under Clause 55 of the Bayside Planning Scheme
  - j) minimum dimension of 2m measured internally for balconies of Apartments 12 – 14 in accordance with Standard B43 under Clause 55 of the Bayside Planning Scheme
  - k) details of the ground floor clotheslines and mailboxes in accordance with Standard B34 under Clause 55 of the Bayside Planning Scheme
  - l) details of south elevation of Apartment 11 and 14 and ensure these elevations comply with Standard B20 under Clause 55 of the Bayside Planning Scheme
  - m) all built form changes must be accommodated within the development internally not altering the approved setbacks
  - n) revised Sustainable Management Plan including NatHERS Assessment confirming the proposed development will provide an appropriate level of energy efficiency in accordance with Standard B35 under Clause 55 of the Bayside Planning Scheme in accordance with condition 15
  - o) a minimum of 3 x 10,000L water tanks are provided in accordance with the submitted MUSIC modelling prepared by IGS, Project No:21008, Date 29/10/2021
  - p) details of internal and external storage in accordance with Standard B30 and Standard B44 under Clause 55 of the Bayside Planning Scheme
  - q) updated floor plan confirming the proposed apartments continue to comply with Standard B46 – Standard B49 under Clause 55 of the Bayside Planning Scheme
  - r) 60 degree splays provided on both edges of the proposed crossover to Union Street
  - s) sight triangles for the dwellings with access to Milliarda Grove or Granter Street to be provided in accordance with Clause 52.06-8
  - t) annotation that new crossover and footpaths within the entire site frontage to be designed and constructed at applicants cost to Council's satisfaction
  - u) annotation that applicant is to bear the cost to remove and reinstate any street furniture, infrastructure items, and redundant vehicle crossings at the applicants cost to Council's satisfaction
  - v) schedule of construction materials, external finishes and colours
  - w) Water Sensitive Urban Design measures in accordance with Condition 13
  - x) a Landscaping Plan in accordance with Condition 16
  - y) a Tree Management and Protection Plan in accordance with Condition 19
  - z) provision of the development contributions fee in accordance with Condition 31
  - aa) updated Waste Management Plan in accordance with Condition 32
  - bb) notation on the plans confirming that only Dwelling 17 and Dwelling 19 will have vehicle access from Milliarda Grove
- 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.
8. Vehicle Crossings must be constructed to Council's Standard Vehicle Crossover Guidelines and standard drawing unless otherwise approved by the Responsible Authority. Separate consent/permit for crossovers is required from Council's Asset Protection Unit. Kerb and channel to be constructed or reinstated to the satisfaction of Council.
9. The existing footpath levels must not be lowered or altered in any way at the property line (to facilitate the basement ramp). This is required to ensure that normal overland flow from the street is not able to enter the basement due to any lowering of the footpath at the property line. Any public assets (including service pits, poles and trees) that are required to be removed/relocated to facilitate the development must be done so at the cost of the owner/applicant and subject to the relevant authority's consent. The redundant vehicular crossing must be removed and the footpath, nature strip and kerb reinstated at the owner's cost to the satisfaction of Council.
10. Prior to the commencement of any proposed works above basement level, all levels and gradients of the ramp must be checked by a qualified surveyor.
11. All basic services, including water, electricity, gas, sewerage, telephone, NBN and cable TV but excluding any substation, meters or hydrants must be installed underground and located to the satisfaction of the relevant servicing authority and the Responsible Authority.
12. Storage areas within the basement visible from common areas to be enclosed within a metal cladding to ensure they are secure and goods within the storage area are not visible and in accordance with Standard B44 of Clause 55 of the Bayside Planning Scheme.

#### Sustainable Design Assessment

13. 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.

14. 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.
15. Prior to the endorsement of plans pursuant to Condition 1, a Sustainable Design Assessment (SDA) must be submitted to and approved by the Responsible Authority. All Environmentally Sustainable Design (ESD) measures within the SDA must be documented appropriately on revised plans. The SDA should include information such as:
  - a) a BESS report with a minimum 50% score overall and achieve the 50% minimum scores for water, energy and indoor environment quality (IEQ) and 100% for stormwater
  - b) a commitment that the development achieves a 6.5-star average NatHERS Rating. Each new dwelling must meet the minimum 6-star NatHERS rating requirement and not exceed the cooling load of 21 MJ/sqm for NatHERS Climate Zone 62 Moorabbin
  - c) preliminary building energy rating certificates that align with plans
  - d) provision of double glazing to all new windows
  - e) appropriate shading to all north, east and west facing windows
  - f) maximum internal lighting density of 4W/m<sup>2</sup>
  - g) water efficient plumbing fixtures with minimum WELS rating of 5-star for taps, 3-star for shower and 4 star for WC
  - h) water and energy efficient appliances (dishwasher, washing machine, dryer etc.) within one star of best available in the market, if installed
  - i) provision of external dry lines for each dwelling
  - j) bicycle parking space in each garage/ private open space area
  - k) provisions such as Junction box/ Power Point to accommodate infrastructure for charging electric vehicles in future
  - l) rainwater tank/s for new dwellings connected for WC flushing and irrigation that are accessible for maintenance
  - m) provisions for renewable energy systems such as Solar PV
  - n) commitment to recycle at least 70% of construction and demolition waste
  - o) measures to reduce urban heat island impact such as light or medium coloured roof and driveway

- p) use of sustainable materials such as low VOC paints for the internal walls
  - q) use of timber certified by the Forest Stewardship Council (FSC) or Program for the Endorsement of Forest Certification (PEFC) certified or recycled / reused
  - r) provision of green walls / vertical gardens where appropriate
- all to the satisfaction of the Responsible Authority.

#### Landscaping

16. 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 360 Degrees Landscape Architects, project reference 68-76 Union Street, Brighton East, dated 11.04.22, Revision F and the Bayside Landscaping Guidelines and be drawn to scale with dimensions. The plan must show:
  - a) any changes required by condition 1
  - b) retention of Tree 7 and associated changes to the front yard of Apartment 1
  - c) a survey, including, botanical names of all existing trees to be retained on the site including Tree Protection Zones calculated in accordance with AS4970-2009
  - d) a survey including botanical names, of all existing trees on neighbouring properties where the Tree Protection Zones of such trees calculated in accordance with AS4970-2009 fall partially within the subject site
  - e) a planting schedule of all proposed trees and shrubs, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant
  - f) landscaping and/or planting within all areas of the site not covered by buildings or hard surfaces
  - g) details of surface finishes of pathways and driveways
  - h) where practicable, the inclusion of green walls at appropriate locations.
17. 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.
18. 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 Protection Management Plan

19. Before the development starts, including any related demolition or removal of vegetation, a TPMP, prepared by a suitably qualified arborist, to the satisfaction of the Responsible Authority, must be submitted to and be endorsed by the Responsible Authority. This report must be made available to all relevant parties involved with the site.

The TPMP must include:

- a) details of Tree Protection Zones, as per AS4970-2009, for all trees to be retained on the site and for all trees on neighbouring properties (including

public open space trees) where any part of the Tree Protection Zone falls within the subject site

- b) protection measures to be utilised and at what stage of the development they will be implemented
- c) appointment of a project arborist detailing their role and responsibilities
- d) stages of development at which the project arborist will inspect tree protection measures
- e) monitoring and certification by the project arborist of implemented protection measures.

Before any works associated with the approved development, a project arborist must be appointed and the name and contact details of the project arborist responsible for implementing the endorsed TPMP must be submitted to the Responsible Authority.

Any modification to the TPMP must be approved by the project arborist. Such approval must be noted and provided to the Responsible Authority within seven days.

The TPMP must include a Tree Protection Plan (TPP) in accordance with AS4970-2009 Protection of Trees on Development Sites.

The TPP must:

- a) be legible, accurate and drawn to scale
  - b) indicate the location of all tree protection measures to be utilised
  - c) include the development stages (demolition, construction, landscaping) where all tree protection measures are to be utilised
  - d) include a key describing all tree protection measures to be utilised.
20. All actions and measures identified in the Tree Management Report must be implemented.
21. Before any works associated with the approved development, the contact details of the project arborist responsible for implementing the endorsed Tree Management Report must be submitted to the Responsible Authority.
22. Any pruning that is required to be done to the canopy of any tree to be retained (specify particular tree/s) is to be done by a qualified Arborist to Australian Standard – Pruning of Amenity Trees AS4373-1996. Any pruning of the root system of any tree to be retained (specify particular tree/s) is to be done by hand by a qualified Arborist.

#### Protection of trees for services

23. All underground services must be located outside of Tree Protection Zones (TPZ) of all trees to be retained. If this is not possible, any underground service installations within a TPZ must be bored beneath the entire TPZ to a minimum depth 800mm. If this is not possible, any excavation within the TPZ required for the connection of services must be undertaken by approved non-destructive digging techniques, under the supervision of a project arborist and with the written approval of the Responsible Authority.

#### Street tree protection

24. Soil excavation must not occur within 2 metres from the edge of the Tree 4, Liquidambar styraciflua, street tree asset's stem at ground level.

25. A tree protection fence is for the protection of a tree's canopy and root zone. Conditions for street tree protection fencing during development are as follows:
  - a) Fencing is to be secured and maintained prior to demolition and until all site works are complete.
  - b) Fencing must be installed to comply with AS4970-2009, Protection of trees on development sites.
  - c) Fencing should encompass the Tree Protection Zone (TPZ) for all street trees adjacent to the development.
  - d) Fencing is to be constructed and secured so its positioning cannot be modified by site workers.
  - e) If applicable, prior to construction of the Council approved crossover, TPZ fencing may be reduced to the edge of the new crossover to facilitate works.
26. Prior to soil excavation for a Council approved crossover within the TPZ, a trench must be excavated along the line of the crossover adjacent to the tree using root sensitive non-destructive techniques. All roots that will be affected by must correctly pruned.
27. Any installation of services and drainage within the TPZ must be undertaken using root sensitive non-destructive techniques.

#### Drainage

28. 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.
29. 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.

#### For Subterranean and Basement Drainage

Council Stormwater drainage is for surface rainwater, no water below the Ground Water Table is accepted into the Council Stormwater system. Only occasional, clean, uncontaminated seepage water (associated with a rain event) is accepted to an appropriate Council underground drain OR this subterranean water must be suitably retained on-site.

30. The surface of all balconies and terraces are to be sloped to collect the stormwater run-off into stormwater drainage pipes that connect into the underground drainage system of the development to the satisfaction of the Responsible Authority.

#### Development Contribution

31. 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 Development Levy Charge Sheet and it must include the Building Price Index applicable at the time of payment.

Waste Management Plan

32. Before the endorsement of plans, 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)
  - h) method of hard waste collection
  - i) method of presentation of bins for waste collection
  - j) sufficient headroom within the basement to accommodate waste collection vehicles
  - k) sufficient turning circles for the waste collection vehicles to enter and exit the site in a forward direction
  - l) strategies for how the generation of waste and recyclables will be minimised
  - m) 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.

Construction Management Plan

33. Prior to the commencement of development, 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
- s) no construction vehicles are to access, or egress from, the site to Milliard Grove.

#### Permit Expiry

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

- a) the development is not started within three years of the date of this permit
- b) the development is not completed within five 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.

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

**DIVISION:**     **FOR:**     Crs Laurence Evans OAM, Sonia Castelli, Jo Samuel-King  
MBBS (Deputy Mayor), Fiona Stitfold and Hanna El Mouallem  
(Mayor) (5)  
**AGAINST:** Nil (0)

**CARRIED**

**NOTE:** Item 4.12 was **CARRIED** as part of a block motion.

#### 4.13 STATUTORY PLANNING - MONTHLY REPORT (SEPTEMBER 2022)

City Planning and Amenity - Development Services  
File No: PSF/15/8764 – Doc No: DOC/22/335482

**Moved: Cr El Mouallem (Mayor)**

**Seconded: Cr Evans OAM**

That Council resolves to:

- receive and note the report
- note the outcome of VCAT decisions on the planning applications handed down during September 2022.

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

**DIVISION:**      **FOR:**      Crs Laurence Evans OAM, Sonia Castelli, Jo Samuel-King  
MBBS (Deputy Mayor), Fiona Stitfold and Hanna El Mouallem  
(Mayor) (5)

**AGAINST:** Nil (0)

**CARRIED**

*The Chairperson declared the meeting closed at 8.37pm.*