



PLANNING COMMITTEE

MINUTES

26 FEBRUARY 2025



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MINUTES - PLANNING COMMITTEE MEETING 26 FEBRUARY 2025



MINUTES OF THE PLANNING COMMITTEE OF THE PORT PHILLIP CITY COUNCIL HELD 26 FEBRUARY 2025 IN ST KILDA TOWN HALL AND VIRTUAL VIA TEAMS

The meeting opened at 6:31pm.

IN ATTENDANCE

Cr Crawford (Chairperson), Cr Buckingham, Cr Cunsolo (virtual), Cr Halliday, Cr Hardy, Cr Jay, Cr Makin, Cr Mears, Cr Thomann.

Paul Wood, Manager City Development, Darren Camilleri, Planning Coordinator Canal Ward, Michael Mowbray, Coordinator Statutory Planning Lake Ward, Grace Brooks, Principal Planner (Floating), Matthew Schreuder, Principal Planner, Prash Manickavasagam, Senior Urban Planner, Emily Williams, Senior Council Business Advisor, Jema Pierson, Business Support Officer Project Delivery.

The City of Port Phillip respectfully acknowledges the Traditional Owners of this land, the people of the Kulin Nations. We pay our respect to their Elders, past and present. We acknowledge and uphold their continuing relationship to this land.

1. APOLOGIES

Councillor Cunsolo joined the meeting at 7:09pm.

2. CONFIRMATION OF MINUTES

MOVED Crs Mears/Crawford

That the minutes of the Planning Committee of the Port Phillip City Council held on 29 August 2024 be confirmed.

A vote was taken and the MOTION was CARRIED unanimously.

3. DECLARATIONS OF CONFLICTS OF INTEREST

Nil



4. PUBLIC QUESTION TIME AND SUBMISSIONS

The following Submissions were made verbally and can be listened to in full on our Website: <http://webcast.portphillip.vic.gov.au/archive.php>

Item 6.1 19-25 The Avenue, Balaclava - PDPL/01434/2021/A

- Jasmine Beschorner
- Timothy Gibson
- Emily Gibson
- Lloyd Elliott (Applicant)

Item 6.2 K7 Raleigh Street, Windsor - PDPL/00789/2022

- Kate Dixon
- Carmen Diaz
- Effie Tangalakis (Applicant)

Item 6.3 10 Greig Street, Albert Park - PDPL/00505/2024

- Ian Vaughan
- Graeme Cooke
- Elizabeth Park

5. COUNCILLOR QUESTION TIME

- **Councillor Halliday:** At a general planning level, our role tonight is to assess these applications against the planning code. What threshold do we have to hold them to, to approve them?

Paul Wood, Manager City Development advised that when we consider planning applications we must have consideration as to why a planning permit is required and within that it then sets out matters that must be considered which are the purpose and decision guidelines which references relevant policies. The benchmark for whether an application in Victoria is acceptable under the planning framework is whether the proposal is reasonably acceptable having regard to the provisions that apply. We strive for excellence, but when it comes to making the decision, we need to be satisfied that something is reasonably acceptable.

6. PRESENTATION OF REPORTS

Discussion took place in the following order:

- 6.1 19-25 The Avenue, Balaclava - PDPL/01434/2021/A
- 6.2 K7 Raleigh Street, Windsor - PDPL/00789/2022
- 6.3 10 Greig Street, Albert Park - PDPL/00505/2024
- 6.4 Statutory Planning Delegated Decisions Report (12 December 2024 until the first sitting of the Ordinary Council Meeting in 2025)



6.1 19-25 The Avenue, Balaclava - PDPL/01434/2021/A

PURPOSE

- 1.1 To consider and determine a Section 72 Amendment Application (PDPL/01434/2021/A) to amend an existing planning permit which includes:
- Incorporation of an additional Lot within the proposal.
 - 6 additional dwellings and car parking spaces
 - additional permit trigger for reduction of car parking (one space).

MOVED Crs Halliday/Thomann

- 3.1 That the Responsible Authority, having caused the application to be advertised and having received and noted the objections, issue a Notice of Decision to Amend a Planning Permit.
- 3.2 That a Notice of Decision to Amend a Planning Permit be issued with the following changes:
- 3.3 That the permit address, preamble, and conditions show changes including deletions as ~~striketrough~~ and the new requirements in **bold (excluding headings which remain in bold)**.
- 3.4 That the decision be issued as follows:

Amended address:

2419-25 The Avenue Balaclava

Amended permit preamble:

~~Construct a three storey residential building (across three sites); a front fence exceeding 1.5 metres, comprising 34 dwellings over one level~~ **Construction of a three storey apartment building containing 40 dwellings over one basement level of car parking and a front fence exceeding 1.5 metres in height on a lot within the General Residential Zone (GRZ1) and affected by the Special Building Overlay (SBO1) and a reduction in car parking requirements, generally in accordance with the endorsed plans and subject to the following conditions:**

Planning Scheme Clause No.:	Description of what is allowed
Clause 32.08-7	Construct two or more dwellings on a lot in a General Residential Zone.
Clause 32.08-7	Construct a front fence within 3m of a street in a General Residential Zone.
Clause 44.05-2	Construct a building or construct or carry out works in a Special Building Overlay.
Clause 52.06-3	Reduce (including reduce to zero) the number of car parking spaces required under Table 1 of Clause 52.06-5.



Amended conditions:

Amended Plans Required

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and an electronic copy must be provided. The plans must be generally in accordance with the plans submitted with the application (~~prepared by AWA Architects and Interior Design, identified as Drawings TP01 through to TP20, Architect and dated as received on 24 January 2023~~) **(prepared by Jason Goldberg Design, job no. J210701, Revision A, dated 2 August 2024)** but modified to show:
 - a) ~~All changes in accordance with the 'discussion plans' prepared by AWA Architects and Interior Design noted as Basement plan, Ground, First Floor Plan noted as plot date 12 July 2023, Second Floor Plan and Roof Plan noted as plot date 10 July 2023, North and South Elevation Plan noted as plot date 12 July 2023, East and West Elevation Plan noted as plot date 11 July 2011 and Section Plan noted as plot date 10 July 2023 but modified to show the changes required by Condition 1b to q below.~~
 - b) ~~The front setback of the building increased to comply with Clause 55.03-1 Standard B6 (Street Setback Objective)~~
 - c) ~~All views from new habitable room windows and balconies into existing habitable room windows and secluded private open space to be limited in accordance with Clause 55.04-5 Standard B22 (Overlooking Objective)~~
 - d) ~~Changes to the built form to ensure compliance with Clause 55.04-5 Standard B21 (Overshadowing Open Space Objective) as it affects the secluded private open space of No. 19 The Avenue.~~
 - e) ~~The materials schedule amended to change;~~
 - ~~The dark Grey Colour Render (noted as R2) along the ground and first floor front elevation to brick in a similar colour. The brick finish to wrap around the side elevations for a depth of 1 apartment~~
 - ~~The light render wall (noted as R1) on the west elevation above the basement entry,~~
 - ~~The central section of the entry shown as Dark Grey Colour Render (noted as R2) changed to Axon Cladding Dark Colour (noted as Ax dark colour).~~



- f) The location and cubic metre capacity of storage to ~~each apartment~~ **Typology 12** in compliance with Clause 55.07-10 Standard B44 (Storage Objective)
- g) ~~Additional highlight window provided in Bedrooms 2 of apartments G1, 2, 9 and 10 to provide improved air circulation in accordance with Clause 55.07-15 Standard D49 (Natural Ventilation Objective)~~
- h) A notation to achieve a minimum 7 – star average energy rating.
- i) The size and location of the solar photovoltaic system.
- j) A notation outlining that there are electrical provisions at the main switchboard that allows owners the option to install a charge point to their car space.
- k) Details of proposed roof materials that are light reflective to reduce heat gain to the building **as required in the Sustainability Management Plan required at Condition 13 of this permit.**
- l) A notation stating that a minimum 20% of the concrete will be replaced with a supplementary cementitious material (SCM), 50% recycled aggregate and 50% recycled water.
- m) A notation stating that all fabricated structural steelwork to be supplied by a steel fabricator / contractor accredited to the environmental Sustainability Charter of the Australian Steel Institute and a minimum of 60% of all reinforcing bar and mesh is produced using energy - reducing processes in its manufacture.
- n) Any changes or notation required to accord with the amended Sustainability Management Plan required pursuant to Condition ~~14~~**13** of this permit.
- o) Any changes to the plans to accord with the amended Water Sensitive Urban Design Report required pursuant to Condition ~~13~~ **15** of this permit.
- p) Any Changes to the plans to accord with the amended Waste Management Plan required pursuant to Condition ~~16~~**20** of this permit.
- q) Any changes required to comply with the Melbourne Water requirements at Condition ~~18~~ **23** through ~~24~~ **26** of this permit.
- r) **Any changes required to accord with the arborist report required at Condition 10 of this permit.**
- s) **Any changes required to accord with the revised landscape plan required at Condition 11 of this permit.**
- t) **Location of the urban art required by Condition 22 of this permit.**



- u) **Notation of the rainwater tank volume and connection details for stormwater reuse on the basement plan.**
- v) **An access hatch to the rainwater tank for maintenance purposes on the basement plan.**
- w) **Notation that identifies the car parking allocation for each unit. 2 car parking spaces must be allocated to the 3bed dwelling and one 1bed dwelling is to be allocated no car parking space.**
- x) **The bottom 1 in 8 grade transition of the ramp with a minimum 2.5m length.**
- y) **Minimum 2.2m headroom as per AS2890.1 at the entrance to the basement when the roller door is at the opened position and throughout the basement.**
- z) **Ceiling height in waste collection point to enable the 6.4m rear mini loader to lift the bins.**
- aa) **Increase the height of the wall between the accessway and bedroom window of G.01 to 1.4m as required by Clause 55.03-1 Standard B15 (Parking Location Objective).**
- bb) **The mailbox size and location to comply with the requirements of Clause 55.07-18 Standard B52 (Site Services Objective).**
- cc) **Paved areas at the rear of the site, outside of the Tree Protection Zone of Trees 1 and 2 at 17 The Avenue, as being permeable paving to achieve an overall minimum permeable area of 16% to satisfy Clause 55.05-3 Standard B9 (Permeability and Stormwater Management Objective).**
- dd) **Changes required by Ironbark Environmental Arboriculture, dated 28 March 2024 and shown on TP06 prepared by Jason Goldberg Design received 14 November 2024 to protect Trees 1 and 2 at 17 The Avenue.**

No Alterations

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 without the prior written consent of the Responsible Authority.

Satisfactory Continuation and Completion

3. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.

Ongoing involvement of the Architect

4. The applicant must retain ~~AWArchitects and Interior Design~~ **Jason Goldberg Design** to complete the design and provide architectural



oversight of the delivery of the detailed design as shown in the endorsed plans and endorsed schedule of materials and finishes during the construction except with the prior written approval of the Responsible Authority.

Privacy Screening Must Be Installed

5. Prior to the issue of any Certificate of Occupation for the development allowed by this permit the installation of privacy screens must be undertaken in accordance with the endorsed plans. The privacy screens must be maintained thereafter to the satisfaction of the Responsible Authority.

Walls on or Facing the Boundary

6. Prior to the issue of any Certificate of Occupation for the development allowed by this permit all new or extended walls on or facing the boundary of adjoining properties and/or a laneway must be cleaned and finished to a uniform standard to the satisfaction of the Responsible Authority. Unpainted or unrendered masonry walls must have all excess mortar removed from the joints and face and all joints must be tooled or pointed also to the satisfaction of the Responsible Authority. Painted or rendered or bagged walls must be finished to a uniform standard to the satisfaction of the Responsible Authority.

No Equipment or Services

7. Any plant, equipment or domestic services visible from the primary street (other than a lane) or public park must be located and visually screened to the satisfaction of the Responsible Authority.

Vehicle Crossings

8. Prior to the issue of any Certificate of Occupation for the development allowed by this permit, vehicle crossings must be constructed in accordance with Council's current Vehicle Crossing Guidelines and standard drawings to the satisfaction of the Responsible Authority. All redundant crossings must be removed and the footpath, nature strip, kerb and road reinstated as necessary at the cost of the applicant/owner and to the satisfaction of the Responsible Authority.

Car and Bicycle Parking layout

9. Before the occupation of the development starts, the area(s) set aside for the parking of vehicles and bicycles and access lanes as shown on the endorsed plans must, to the satisfaction of the Responsible Authority, be:
 - a) Constructed;
 - b) Properly formed to such levels that may be used in accordance with the plans;



- c) Surfaced with an all weather surface or seal coat (as appropriate);
- d) Drained and maintained;
- e) Line marked to indicate each car space, bicycle space, loading bay and/or access lane; and
- f) Clearly marked to show the direction of traffic along access land and driveways.

Revised Arboricultural Impact Assessment

10. **Simultaneously with the plans submitted under Condition 1, a revised arborist report must be submitted to and approved by the responsible authority. When the arborist report is approved, it will be endorsed and form part of this permit. The arborist report must be generally in accordance with the submitted arborist report (prepared by Ironbark Environmental Arboriculture, dated 28 March 2024) but revised to show:**
- a) **Assessment of the proposal and impact on Tree 1 and Tree 2 at 17 The Avenue.**

Revised Landscape Plan

11. **Simultaneously with the plans submitted under Condition 1, a revised landscape plan must be submitted to and approved by the responsible authority. When the landscape plan is approved, it will be endorsed and form part of this permit. The landscape plan must be generally in accordance with the submitted landscape plan (prepared by Urbis, Revision C, dated November 2024) but revised to show:**
- a) **Changes required by Ironbark Environmental Arboriculture, dated 28 March 2024 and shown on landscape plan prepared by Urbis received 14 November 2024 to protect Trees 1 and 2 at 17 The Avenue.**
 - b) **A survey plan, including botanical names, of all existing vegetation/trees to be removed or retained.**
 - c) **Buildings and vegetation, including botanical names, on neighbouring properties within 3m of the boundaries.**
 - d) **Plant and tree schedule to the satisfaction of the responsible authority.**
 - e) **Notation indicating proposed plant and tree species in all proposed landscaped areas.**
 - f) **Details of planters, including sections.**



- g) **Sections of the basement and the rooftop to show the relationship with the planters.**
- h) **Lighting in common areas.**
- i) **Paving materials in the material schedule.**
- j) **Irrigation information.**
- k) **Ongoing maintenance schedule.**

Completion and maintenance of Landscaping

12. The landscaping as shown on the endorsed Landscape Plan must be carried out and completed to the satisfaction of the Responsible Authority before the occupation of the development and/or the commencement of the use or at such later date as is approved by the Responsible Authority in writing. The landscaping as shown the endorsed Landscape Plan must be maintained, and any dead, diseased or damaged plant replaced in accordance with the landscaping plan to the satisfaction of the Responsible Authority.

Amended Sustainability Management Plan

13. Prior to the plans being endorsed under condition 1 of this permit, an amended Sustainability Management Plan (SMP) must be submitted to and be approved by the Responsible Authority. The SMP must be generally in accordance with the SMP by ~~Ecocity Sustainability Consultants dated May 2022~~ **ECM Group, Revision 1, dated 29 July 2024** but modified to be in accordance with all changes required pursuant to Condition 1 of this permit **and the following:**

- a) **Delete any references to City of Stonnington and replace with City of Port Phillip.**
- b) **At Section 1.6 Transport and Section 8 Transport revise 'Electrical infrastructure for future EV charger to enable each resident to charge cars in the future' to add 'to each car space'.**
- c) **Revised site permeability and STORM assessment to accurately reflect the plans. Impermeable surfaces and areas above the basement cannot be included in the calculation of permeability.**

Where alternative ESD initiatives are proposed to those specified in this condition, the Responsible Authority may vary the requirements of this condition at its discretion, subject to the development achieving equivalent (or greater) ESD outcomes.

When approved, the Assessment will be endorsed and will then form part of this permit and the project must incorporate the sustainable design measures listed.



Incorporation and Maintenance of Sustainable Design Initiatives

14. Prior to the issue of any Certificate of Occupation for development allowed by this permit, the provisions, recommendations and requirements of the endorsed Sustainability Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

The ESD initiatives of the endorsed Sustainability Management Plan must be fully implemented and maintained throughout the operational life of the development to the satisfaction of the Responsible Authority.

Amended Water Sensitive Urban Design Report

15. Prior to the plans being endorsed under Condition 1 of this permit, an amended Water Sensitive Urban Design (Stormwater Management) Report must be submitted to and approved by the Responsible Authority. The report must be generally in accordance with the SMP by ~~Eco-city Sustainability Consultants dated May 2022~~ **ECM Group, Revision 1, dated 29 July 2024** and must demonstrate how the proposed stormwater devices will be maintained on an on-going basis. This can be demonstrated by providing a maintenance manual including the following information:

- A full list of maintenance tasks,
- The required frequency of each maintenance task (monthly, annually etc.),
- Person responsible for each maintenance task.

When approved, the Report will be endorsed and will form part of this permit.

Incorporation of Water Sensitive Urban Design Measures

16. Prior to the occupation of any dwelling/building approved under this permit, the provisions, recommendations and requirements of the endorsed Water Sensitive Urban Design Report must be implemented and complied with to the satisfaction of the Responsible Authority.

General Amenity Provision

17. **The use and development must be managed so that the amenity of the area is not detrimentally affected, through the:**
- a) **Transport of materials, good or commodities to and from the land**
 - b) **Appearance of any building, works or materials**
 - c) **Emission of noise, artificial light, vibration, smell fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil**
 - d) **Presence of vermin**



To the satisfaction of the responsible authority.

Dust Control

18. **External stockpiles must be covered and maintained to avoid dust nuisance to any residential area to the satisfaction of the responsible authority.**

Construction Management Water Sensitive Urban Design

19. The developer must ensure that throughout the construction of the building(s) and construction and carrying out of works allowed by this permit:
- a) No water containing oil, foam, grease, scum or litter will be discharged to the stormwater drainage system from the site;
 - b) All stored wastes are kept in designated areas or covered containers that prevent escape into the stormwater system;
 - c) The amount of mud, dirt, sand, soil, clay or stones deposited by vehicles on the abutting roads is minimised when vehicles are leaving the site.
 - d) No mud, dirt, sand, soil, clay or stones are washed into, or are allowed to enter the stormwater drainage system;
 - e) The site is developed and managed to minimise the risks of stormwater pollution through the contamination of run-off by chemicals, sediments, animal wastes or gross pollutants in accordance with currently accepted best practice.

Amended Waste Management Plan

20. Prior to the plans being endorsed under Condition 1, an amended Waste Management Plan (WMP) must be submitted to and approved by the Responsible Authority. The WMP must be generally in accordance with the WMP submitted by One Mile Grid dated ~~11 April 2022~~ **6 August 2024** but modified to include:
- a) ~~The correct numbers of units/bedrooms on pages 6 and 7~~
 - b) ~~Allocated space for glass recycle bins~~
 - c) ~~An increased collection frequency for both waste and recycling.~~
 - d) ~~Allocation of storage space for hard/green waste /e-waste with notes on how residents with bulky items will access the bin room.~~
 - e) **Increase the collection frequency or provide an additional bin for recycling.**
 - f) **Bin wash area on the waste management drawings.**



When approved the WMP will be endorsed and form part of the permit.

No Damage to Existing Street Trees

21. The proposed works must not cause any damage to existing street trees. Root pruning of any street tree must be carried out to the satisfaction of the Responsible Authority prior to the construction/reinstatement of the kerb and channel/works. All trees will require a tree protection zone which complies with AS 4970-2009 at all times throughout the demolition and construction phase of the development. A tree protection fence is to be installed around any tree that is likely to be impacted by construction.

The fence is to be constructed in a diamond or square position around each tree trunk from 4 panels of a minimum height 1.8m x minimum length 2.1m, interlocking by bolted clamps and concrete pads. No entry to this area is permitted without the consent of the Responsible Authority.

Urban Art

22. Prior to the endorsement of plans under Condition 1 of this permit, an urban art plan in accordance with Council's Urban Art Strategy must be submitted to and approved by the Responsible Authority. The value of the urban art must be at least 0.5% of the total building cost of the development to the satisfaction of the Responsible Authority. Urban art in accordance with the approved Urban Art plan must be installed prior the issue of any Certificate of Occupancy for the development.

Melbourne Water Conditions

23. Finished floor levels of the ground floor must be constructed no lower than 9.34 metres to Australian Height Datum (AHD).
24. The basement entrance/ exist must incorporate a flood proof apex and associated bunding constructed no lower than 9.04 metres to AHD.
25. The front fence must be 'open style' (50%) of construction or timber paling to allow for the conveyance of overland flow.
26. Prior to the issue of an Occupancy Permit, a certified survey plan, showing finished floor levels (as constructed) reduced to the Australian Height Datum, must be submitted to Melbourne Water to demonstrate that the floor levels have been constructed in accordance with Melbourne Water requirements.

Time for Starting and Completion

27. This permit will expire if one of the following circumstances applies:
 - a) The development is not started within two (2) years of the date of this permit.

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- b) The development is not completed within four (4) years of the date of this permit.

The Responsible Authority may extend the periods referred to if a request is made in writing:

- before or within 6 months after the permit expiry date, where the use or development allowed by the permit has not yet started; and
- within 12 months after the permit expiry date, where the development allowed by the permit has lawfully started before the permit expires.

Amendment Table (to be added to the amended permit)

Date of Amendment	Brief description of amendment	Name of responsible authority that approved the amendment	Section of the Act under which the permit has been amended
Application Amendment Number: PDPL/01434/2 021/A Date: <i>insert date</i>	Amendment to the planning permit pursuant to Section 72 of the <i>Planning and Environment Act 1987</i> involving: <ul style="list-style-type: none"> • <i>Amendment to the address.</i> • <i>Amendment to preamble.</i> • <i>Amended plans including incorporation of additional land and additional dwellings.</i> • <i>Deletion of Conditions <insert conditions here>.</i> • <i>Amendment of Conditions<insert conditions here>.</i> • <i>Addition of Conditions <insert conditions here>.</i> 	City of Port Phillip	Section 72

- 3.5 Authorise the Manager City Development to instruct Council's Statutory Planners and/or Council's advocate on any VCAT application for review should one be lodged.

A vote was taken and the MOTION was CARRIED.

Cr Halliday called for a DIVISION.

FOR: Crs Halliday, Hardy, Buckingham, Thomann, Crawford, Makin, Mears and Cunsolo

AGAINST: Cr Jay

The MOTION was CARRIED.



6.2 K7 Raleigh Street, Windsor - PDPL/00789/2022

PURPOSE

- 1.1 To determine an application for the construction of a multi-storey building with roof terrace and basement carparking in a Residential Growth Zone and the reduction of the car parking requirements of Clause 52.06.

MOVED Crs Halliday/Makin

- 3.1 That the Responsible Authority, having caused the application to be advertised and having received and noted the objections, issue a Notice of Decision to Grant a Permit
- 3.2 That a Notice of Decision to Grant a Permit be issued for the construction of two or more dwellings on a lot in a Residential Growth Zone and a reduction of the car parking requirements of Clause 52.06 at K7 Raleigh Street, Windsor
- 3.3 That the decision be issued as follows:

Amended Plans required

- 1 Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and an electronic copy must be provided. The plans must be generally in accordance with the plans *prepared by Kavellaris Urban Design titled Proposed multi Residential apartment development- K7 – K9 Raleigh Street, Windsor, plan No's Sk.01, TP000, TP1.01-TP1.08, TP2.01-TP2.09, TP009, TP010, TP100-TP106, TP200-TP204, TP300-TP302, TP400-TP406, TP500-TP503, project No. 20-020 and Council date stamped 18 December 2023*) but modified to show:
 - a) Location, area in cubic metres and allocation of storage areas for each dwelling in accordance with Standard D21 of Clause 58.05-4 – Storage Objective.
 - b) Unit types 1.1, 1.2, 1.3 and 1.5 with location of toilet and wash basins swapped to make 1 bathroom per apartment compliant with standard D18 of Clause 58.05-1 - Accessibility Objective.
 - c) Notations relating to permeability on floor plans.
 - d) The following ESD notations on the plans
 - i. EV chargers to each car stacker
 - ii. WELS rating
 - iii. 20 x 350W = 7 kW PV to power building and EV charging.
 - e) Any changes required by Condition 6 (Sustainability Management Plan), Condition 8 (Water Sensitive Urban Design), Condition 14 (Landscape Plan), and Condition 16 (Arborist Report)

No Alterations



- 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 without the prior written consent of the Responsible Authority.

No change to external finishes

- 3 All external materials, finishes and colours as shown on the endorsed plans must not be altered without the written consent of the responsible authority.

No equipment or services

- 4 Any plant, equipment or domestic services visible from the primary street frontage (other than a lane) or public park must be located and visually screened to the satisfaction of the Responsible Authority.

Urban Art Plan

- 5 Before the development is occupied, an urban art plan in accordance with Council's Urban Art Strategy must be submitted to, be to the satisfaction of and approved by the Responsible Authority. The value of the urban art must be at least 0.5% of the total building cost of the development to the satisfaction of the Responsible Authority. Urban art in accordance with the approved plan must be installed prior to the occupation of the building to the satisfaction of the Responsible Authority.

Updated Sustainability Management Plan

- 6 Before the plans are endorsed under Condition 1 of this permit, an updated Sustainability Management Plan (SMP) must be submitted to and approved by the Responsible Authority. The updated SMP must be generally in accordance with the SMP submitted with the application titled Town Planning – Proposed Class 2 & 7a Development, dated 11 July 2022, authored by Enrate (Aust) Pty Ltd, Version v1, but modified to address the following:
 - a) The development to be gas free.
 - b) Apartment types to meet the minimum heating loads.
 - c) Apartments type 8 to meet average NatHERS star ratings.
 - d) P.85 Preliminary Energy Efficiency Assessment NCC 2016 updated to reference current standard.

Where alternative ESD initiatives are proposed to those specified in this condition, the Responsible Authority may vary the requirements of this condition at its discretion, subject to the development achieving equivalent (or greater) ESD outcomes.

When approved, the updated SMP will be endorsed and will then form part of this permit. The ESD initiatives in the endorsed SMP must be fully implemented and must be maintained throughout the operational life of the development to the satisfaction of the Responsible Authority.

As Built Report for Environmentally Sustainable Design measures.

- 7 Before the development is occupied, an As-Built report (or reports) for Environmentally Sustainable Design measures is to be provided from a suitably qualified person or company, must be submitted to and endorsed by the Responsible Authority. The Report/s must confirm and provide supporting evidence that all ESD initiatives in the endorsed SDA/SMP and WSUD report



have been implemented in accordance with the approved plans/documents to the satisfaction of the Responsible Authority. The ESD and WSUD initiatives must be maintained throughout the operational life of the development to the Satisfaction of the Responsible Authority.

Water Sensitive Urban Design Response

8 Before the plans are endorsed under Condition 1 of this permit, a Water Sensitive Urban Design (Stormwater Management) Report must be submitted to the Responsible Authority in electronic format. When approved, the Water Sensitive Urban Design Report will be endorsed and will then form part of this permit. The report must provide:

- a) Details of how the water sensitive urban design stormwater treatment measures will be maintained on an on-going basis. This must be demonstrated by providing a maintenance manual including the following information:
 - i. A full list of maintenance tasks.
 - ii. The required frequency of each maintenance task (monthly, annually etc.).
 - iii. Person responsible for each maintenance task.
 - iv. Access to underground rainwater tanks

Car And Bicycle Parking Layout

9 Before the building is occupied, the areas set aside for the parking of vehicles and bicycles and access lanes as shown on the endorsed plans must, to the satisfaction of the Responsible Authority, be:

- a) Constructed.
- b) Properly formed to such levels that may be used in accordance with the plans.
- c) Surfaced with an all weather surface or seal coat (as appropriate).
- d) Drained and maintained.
- e) Line marked to indicate each car space, visitor space, bicycle space, loading bay and/or access lane.
- f) Clearly marked to show the direction of traffic along access land and driveways.

Parking and Loading Areas Must Be Available

10 Car and bicycle parking and loading areas and access lanes must be developed and kept available for those purposes at all times and must not be used for any other purpose such as storage to the satisfaction of the Responsible Authority.

Lighting

11 External lighting of the areas set aside for car parking, access lanes and driveways must be designed, baffled and located to the satisfaction of the Responsible Authority to prevent any adverse effect on adjoining land.

Vehicle Crossings



- 12** Before the building is occupied, vehicle crossings must be constructed in accordance with Council's current Vehicle Crossing Guidelines and standard drawings to the satisfaction of the Responsible Authority. All redundant crossings must be removed and the footpath, naturestrip, kerb and road reinstated as necessary at the cost of the applicant/owner and to the satisfaction of the Responsible Authority.

Car Parking Stacker Maintenance and Provision

- 13** The mechanical car stackers are to be maintained in a good working order and be permanently available for the parking of vehicles in accordance with their purpose, to the satisfaction of the Responsible Authority.

Prior to the occupation of the approved development, the owner/permit holder must prepare and have approved in writing by the Responsible Authority, a car stacker system management plan including but not limited to the following:

- a) Allocation of car parking spaces according to vehicle size and type.
- b) Ongoing maintenance of the car stacker system.
- c) Instructions to owners/occupiers about the operation of the car stacker system.
- d) Communicating to prospective residents about the availability of car stacker spaces and sizes.

Once approved this document must be complied with to the satisfaction of the Responsible Authority and must not be varied except with the written approval of the Responsible Authority.

Landscape Plan

- 14** Before the development starts (other than demolition or works to remediate contaminated land), a detailed Landscape Plan must be submitted to, approved by and be to the satisfaction of the Responsible Authority. When the Landscape Plan is approved, it will become an endorsed plan forming part of this Permit. The Landscape Plan must incorporate:

- a) A survey plan, including botanical names, of all existing vegetation/trees to be retained.
- b) Buildings and vegetation (including botanical names) on neighbouring properties within 3m of the boundary.
- c) Significant trees greater than 1.5m in circumference, 1m above ground.
- d) A planting schedule of all proposed vegetation including botanical names; common names; pot sizes; sizes at maturity; quantities of each plant; and details of surface finishes of pathways and driveways.
- e) Landscaping and planting within all open space areas of the site.
- f) Water sensitive urban design consistent with Condition 8.
- g) 1 advanced tree stock (minimum 45 litre pot or bag 2.5 metres tall when planted unless otherwise agreed to in writing by the Responsible Authority) within each of the following areas:
 - i. Within the front setback of Apartment 0.4 and within the rear setback of apartments 0.1, 0.2 and 0.3.



- ii. Trees are not to be sited over easements.

Completion of Landscaping

- 15** The landscaping as shown on the endorsed Landscape Plan must be carried out and completed to the satisfaction of the Responsible Authority before the occupation of the development and/or the commencement of the use or at such later date as is approved by the Responsible Authority in writing.

Arborist report

- 16** Before the development starts, a report and plan by a suitably qualified Arborist to comply with AS 4970 - 2009 Tree protection on development sites setting out how the 2 existing (*Casuarina cunninghamiana*) trees at (K11 Raleigh Street) will be protected during and after construction, must be submitted to, approved by and be to the satisfaction of the Responsible Authority. When approved the report and plan will be endorsed and form part of the permit. The tree protection measures outlined in the report must be complied with to the satisfaction of the Responsible Authority.

Soundproofing of plant and equipment

- 17** All external plant and equipment must be acoustically treated or placed in soundproof housing to reduce noise to a level to the satisfaction of the responsible authority.

Construction over easements

- 18** No buildings or works are to be constructed over any easement or other restriction on the land or any sewers, drains, pipes, wires or cables under the control of a public authority without the prior written consent of the relevant authority and the Responsible Authority.

Noise Attenuation for Apartments

- 19** External traffic noise intrusion within apartment bedroom and living areas (upon completion; with furnishing within the spaces and with windows and doors closed) and measured in accordance with AS/NZS 2107:2016 'Acoustics - Recommended Design Sound levels and Reverberation Times for Building Interiors' must comply with the following:

- a) Between 10pm and 6am in bedrooms areas must not exceed LAeq, 8hour 35dB(A).
- b) Between 6am and 10pm in living rooms must not exceed LAeq (16hour) 40dB(A).

A report prepared by a suitably qualified acoustic professional demonstrating compliance with the requirements of this condition must be submitted to the responsible authority prior to the issue of any Certificate of Occupation or Certificate of Final Inspection for the development allowed by this Permit).

Time for Starting and Completion

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



The Responsible Authority may extend the periods referred to if a request is made in writing:

- Before or within 6 months after the permit expiry date, where the development allowed by this permit has not yet started; and
- Within 12 months after the permit expiry date, where the development allowed by the permit has lawfully started before the permit expires.

A vote was taken and the MOTION was CARRIED unanimously.

6.3 10 Greig Street, Albert Park - PDPL/00505/2024

PURPOSE

- 1.1 To consider and determine Planning Application PDPL/01004/2021 for the partial demolition of an existing dwelling and buildings and works on a lot over 300m² in a Heritage Overlay.

MOVED Crs Buckingham/Halliday

- 3.1 That the Responsible Authority, having caused the application to be advertised and having received and noted the objections, issue a Notice of Decision to Grant a Permit in relation to land at 10 Greig Street, Albert Park.
- 3.2 That a Notice of Decision to Grant a Permit be issued subject to the following permissions:

Planning Scheme Clause No:	Description of what is allowed
Clause 43.01-1	Demolish or remove a building
Clause 43.01-1	Construct a building or construct or carry out works
Clause 43.01-1	A fence if the fence is visible from a street
Clause 43.01-1	Externally paint (noting external paint controls apply)
In accordance with the endorsed plans.	

- 3.3 That the decision be issued subject to the following conditions:

Amended Plans Required

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and an electronic copy must be provided. The plans must be generally in accordance with the plans submitted with the application, date stamp received 18 October 2024 and subsequently advertised, (identified as those prepared by Seaboard Building Design) but modified to show:



- a) Amended material schedule to replace 'Regal Cast – Recycled Linen White Brick Facing Brick Tile' with 'Bricks painted with Lime white'.
- b) The finished floor level of the garage increased to a minimum of 2.4 metres to Australian High Datum with no overall increase in the height of the garage building.

No Alterations

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 without the prior written consent of the Responsible Authority.

No Change to External Finishes

3. All external materials, finishes and colours as shown on the endorsed plans must not be altered without the written consent of the responsible authority.

Satisfactory continuation

4. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.

Walls on or facing the boundary

5. Before the dwelling is occupied, all new or extended walls on or facing the boundary of adjoining properties and/or the laneway must be cleaned and finished to a uniform standard. Unpainted or unrendered masonry walls must have all excess mortar removed from the joints and face and all joints must be tooled or pointed to the satisfaction of the responsible authority. Painted or rendered or bagged walls must be finished to a uniform standard to the satisfaction of the Responsible Authority.

Piping and ducting

6. All piping and ducting (excluding down pipes, guttering and rainwater heads) must be concealed to the satisfaction of the Responsible Authority.

No equipment or services

7. No plant, equipment or domestic services (including any associated screening devices) or architectural features, other than those shown on the endorsed plan are permitted, except where they would not be visible from a street (other than a lane) or public park without the written consent of the responsible authority.

Water Sensitive Urban Design

8. Before the plans are endorsed under condition 1 of this permit, a Water Sensitive Urban Design (Stormwater Management) Report that outlines proposed stormwater treatment measures must be submitted to, be to the satisfaction of and approved by the Responsible Authority. The report must demonstrate how the development meets the water quality performance objectives as set out in the Urban Stormwater Best Practice Environmental Management Guidelines (CSIRO) or as amended. This can be demonstrated by providing:
 - A STORM report with a score of 100% or greater (or MUSIC modelling for large scale developments),



- A plan showing the catchment area in m²,
- The stormwater device included on the relevant floor plans (devices are to include raingarden(s), rainwater tank(s), permeable paving etc. or a combination of one or more).

The report must demonstrate how the stormwater device will be maintained on an on-going basis. This can be demonstrated by providing a maintenance manual including the following information:

- A full list of maintenance tasks,
- The required frequency of each maintenance task (monthly, annually etc.),
- Person responsible for each maintenance task.

When approved, the Report will be endorsed and will form part of this permit.

Incorporation of Water Sensitive Urban Design Initiatives

9. Before the dwelling is occupied, the provisions, recommendations and requirements of the endorsed Water Sensitive Urban Design Report must be implemented and complied with to the satisfaction of the Responsible Authority.

Time for starting and completion

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.

The Responsible Authority may extend the periods referred to if a request is made in writing in accordance with Section 69 of the *Planning and Environment Act 1987*.

A vote was taken and the MOTION was CARRIED.

Cr Halliday called for a DIVISION.

FOR: Crs Makin, Mears, Halliday, Crawford, Thomann, Buckingham and Cunsolo

AGAINST: Crs Jay and Hardy

The MOTION was CARRIED.

6.4 Statutory Planning Delegated Decisions Report (12 December 2024 until the first sitting of the Ordinary Council meeting in 2025)

PURPOSE

- 1.1 To present a summary of planning decisions made by the Chief Executive Officer over the summer holiday period between 12 December 2024 and the first sitting of the Ordinary Council meeting in 2025, as authorised by delegation at the Ordinary Council Meeting on 11 December 2024.

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MOVED Crs Makin/Thomann

That Council:

- 3.1 Notes the one decision made by the Chief Executive Officer under delegation from Council for the period between 12 December 2024 and 5 February 2025, being the period between last Ordinary Council Meeting in 2024 and the first sitting of the Ordinary Council Meeting in 2025.

A vote was taken and the MOTION was CARRIED.

Cr Halliday called for a DIVISION.

FOR: Crs Makin, Mears, Halliday, Crawford, Thomann, Buckingham and Cunsolo

AGAINST: Crs Jay and Hardy

The MOTION was CARRIED.

7. URGENT BUSINESS

Nil.

8. CONFIDENTIAL BUSINESS

Nil.

As there was no further business the meeting closed at 8:10pm.

Confirmed: 27 February 2025

Chairperson _____