



**STATUTORY PLANNING
COMMITTEE**

MINUTES

11 MAY 2009

**MINUTES OF THE STATUTORY PLANNING COMMITTEE OF THE
PORT PHILLIP CITY COUNCIL HELD ON 11 MAY 2009, IN THE
COUNCIL CHAMBER, ST KILDA TOWN HALL**

The meeting opened at 6.03pm.

PRESENT

Cr. Klepner (Chairperson), Cr. Bolitho, Cr. Middleton, Cr. O'Connor, Cr. Powning, Cr. Thomann, Cr. Touzeau.

IN ATTENDANCE

Darrell Treloar CEO (Interim), George Borg Manager City Development, Jane Birmingham Coordinator Statutory Planning Port Melbourne, South Melbourne and Elwood, Janine Laver Senior Urban Planner.

Council pays its respects to the people and elders, past and present, of Yalukit Wilam and the Kulin Nation. We acknowledge and uphold their relationship to this land.

1. APOLOGIES

Nil.

2. CONFIRMATION OF MINUTES

MOVED Crs Thomann/Touzeau

That the Minutes of the Statutory Planning Committee of the Port Phillip City Council held on 14 April 2009, be confirmed.

A vote was taken and the MOTION was CARRIED.

3. CORRESPONDENCE

Nil.

4. PUBLIC QUESTION TIME

Item 1

Mr Adrian Jackson asked the following questions:-

1. The music from the kiosk on the St Kilda pier is very loud whilst the Penguin Parade is being held – would it be possible to ask the proprietor to turn the music off whilst the parade takes place?
2. The white round raised markers on footpaths for the blind do not last, would council consider putting concrete markers down instead?
3. What activities are the groups utilizing the South Melbourne Town Hall actually engaged in (Friends of the ABC, Save Albert Park and Aboriginal groups)

The Chairperson advised all the above questions would be taken on notice.

Item 2

Mr Jon Webster made the following submission:

1. Suggested seating is put under the large tree outside the St Kilda Town Hall on the Brighton Road frontage.

The Chairperson advised this suggestion would be taken on board.

5. COUNCILLOR QUESTION TIME

Nil.

6. PRESENTATION OF REPORTS

The order of business was as follows:

- B1 74 QUEENS ROAD, MELBOURNE
- B2 PORT MELBOURNE AFFORDABLE HOUSING PROJECT PLANNING
ASSESSMENT PANEL COMMITTEE
- B3 DELGATE REPORT

B1 74 QUEENS ROAD, MELBOURNE

Purpose

Planning permission is sought for the development of an 11 storey residential apartment building with dispensations from the height control, various setbacks and parking requirements of the Scheme, as well as creation of new vehicular accesses to Queens Road (Road Zone Category 1).

MOVED Crs Bolitho/Touzeau

That the Statutory Planning Committee being the Responsible Authority, (having caused the application to be advertised) and having received and noted the objections, is of the opinion that the proposed development of an 11 storey residential apartment building with dispensations from the DDO preferred height and setbacks, a reduction from the parking requirements of the Planning Scheme and the creation of access to a Road Zone Category 1 at 74 Queens Road, Melbourne will not cause material detriment to any person other than the applicant.

That a Notice of Decision to Grant a Planning Permit be issued for the purposes of the development of an 11 storey residential apartment building with dispensations from the DDO preferred height and setbacks, a reduction from the parking requirements of the Planning Scheme and the creation of access to a Road Zone Category 1 for 74 Queens Road, Melbourne.

That a Notice of Decision be issued subject to the following conditions.

1) Amended Plans

Before the development commences, 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 two copies must be provided. The plans must be generally in accordance with the plans submitted with the application (dated Dec 2008) but modified to show:

- a) The reconfiguration of the ground floor layout including the relocation and enlargement of the bin store area from the front to the rear of the building so that bins can be collected from Queens Lane.
- b) The provision of an internal loading zone at ground level adjacent to the bike store and lobby and accessed from Queens Lane.
- c) Details in plan form and written documentation indicating how the curved glass façade would be cleaned, in line with the requirements of Condition 15 of this permit.
- d) A minimum provision of 1 car parking space per each 1-2 bedroom dwelling (excluding studio units, where zero parking is required) and 0.1 visitor spaces per every 5 dwellings (inclusive of studio units).
- e) The basement car park at all levels (and notably the position of the support columns) designed in accordance with the Australian Standards design template in AS 2890.1:2004.
- f) The notation of car park and waste store ramp grades on the relevant floorplans.

- g) Clearly identified and detailed vehicular roller door entry points on the rear elevation (to Queens Lane) and inclusion of an identifiable, lit, semi-transparent and numbered pedestrian door (with entry intercom system) to the rear elevation.
- h) The inclusion of air conditioning systems, rooftop solar photovoltaic system and at least 24,000 litres of rainwater storage on the relevant floor and elevation plans as identified in the SBE Melbourne Sustainable Design Statement dated 24 March 2009.
- i) Deletion of the two rearmost dwellings on Level 3 (shown on TP016) with the building at this level (and levels above) setback by a minimum of 4.5m from the rear property boundary.
- j) Revisions to the landscape plan(s) to show:
 - The incorporation of passive water sensitive urban design including an under ground water tank to irrigate vegetation
 - Replacement of Coprosma 'Karo Red' with Correa reflexa or C. or alternatively succulents or native grasses.
 - Replacement of Hedra helix (English Ivy) with Parthenocissus quinquefolia (Virginia creeper).
 - Replacement of Leucosermum with Leucospermum Sp.
- k) The relocation of the end car parking space and store on the south east side of the lot at ground floor level to within one of the other car parking levels and subsequent relocation of at least 7 visitor bicycle parking racks from the external north west side of the lot at the front of the building to the vacated car parking space and store area on the south east elevation.

2. No Alterations

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

3. Environmental Features

Prior to occupation of the building the developer must implement the sustainable design features detailed as part of the endorsed plans and endorsed sustainable design statement to the satisfaction of the Responsible Authority unless alterations to the statement are authorised in writing by the Responsible Authority.

4. Construction Management Plan

Prior to commencement of the development hereby permitted, a Construction Management Plan must be submitted to and approved to the satisfaction of the Responsible Authority. The Plan must include details of (but not be limited to):

- a) Construction hours;
- b) Control of construction noise to minimise impact on neighbouring properties;
- c) Maintaining cleanliness in abutting streets;
- d) Minimising disruption to pedestrian access along footpaths;

- e) Management of parking of construction worker vehicles (including construction machinery), management of site deliveries and traffic management;
- f) The demolition waste removal process and duration, including the positions of trucks, equipment and rubbish bins, including the on-site storage of waste construction bins as much as practicable during the project's construction stages.

Once submitted and approved the works detailed in the plan must be carried out to the satisfaction of the Responsible Authority.

5. Urban Art Details

Prior to the commencement of the development full details of the design, materials and fixing mechanisms of the urban art wall at ground floor level must be provided to Council's satisfaction, and in accordance with Council's Urban Art Strategy the art work must be at least 0.5% of the total building cost of the development.

6. Urban Art Construction

Prior to the completion of the development the urban art work required by Condition 5 of this permit must be installed to the satisfaction of the Responsible Authority.

7. Landscaping

Landscaping approved in accordance with Condition 1(j) must be completed before the commencement of the occupation of the building hereby permitted. The landscaped areas shown on the endorsed plans (including the green wall on the north and south elevations) must be maintained in a proper, tidy and healthy condition for the life of the building to the satisfaction of the responsible authority. Should any tree, shrub or creeper be removed or destroyed it may be required to be replaced by a tree, shrub or creeper of similar size and variety.

8. Waste Management Plan for Higher Density Residential Development.

Prior to the commencement of the development, a Waste Management Plan prepared by a Waste Management Engineer or Waste Management Planner and based on the draft "Best Practice Guidelines for Kerbside Recycling at Multi-Occupancy Residential Developments (Sustainability Victoria June 2006) must be submitted to, approved by and be to the satisfaction of the Responsible Authority. The Plan must include but not be limited to reference to the following:

- The collection service requirements, including the frequency of collection.
- The location of, proximity, screening of and space allocated both to the garbage and recycling storage areas and collection points (in line with Condition No. 1(a) of the permit).
- The path of access for both users and collection vehicles.
- How noise, odour and litter will be managed and minimised.
- Approved facilities for washing bins and storage areas.
- Who is responsible for each stage of the waste management process.
- How tenants and residents will be regularly informed of the waste management arrangements.

The occupier of this site must ensure that the Waste Management Plan approved under this condition is implemented at the commencement of the use and continuously complied with to the satisfaction of the Responsible Authority.

9. Civil Works Plan

Prior to commencement of the development hereby permitted, a Civil Works Plan must be submitted to and approved by Council and be to the satisfaction of the Responsible Authority. The civil works must include (but is not limited to):

- a) The method of treatment and discharge of stormwater to the nominated point. The stormwater treatment works must incorporate water sensitive urban design principles (including re-use) to improve stormwater discharge quality and minimise any increase in runoff as a result of the approved development. The system must be maintained to the satisfaction of the Responsible Authority. (Council's Development Engineer can advise on treatment options);
- b) The new (and/or modified) vehicle crossings to Queens Lane constructed to Council's standard concrete vehicle crossing (Standard Drawing SD4101 Rev C.) to meet the gradient guidelines and highlight pedestrian priority. The grade restrictions may require the crossover(s) to be lowered and the footpath may need to be ramped down from the existing footpath level which is to have a grade as required under DDA requirements.

The design plan is to show:

- Footpath, its width and surface (concrete, asphalt, other)
- All physical constraints (posts, poles, infrastructure, street trees etc)
- Levels to AHD at the following points:
 - Centre of the Road
 - Channel Invert
 - Outside edge of the footpath (where applicable)
 - At property boundary.
- Distances between the AHD points

The works must be undertaken prior to the completion of the development and prior to the commencement of the uses on site at a cost to the owner/developer.

10. Drainage and Sewerage Easement

The basement car park areas must not encroach into the easement on the south side of the lot containing the 375mm diameter drain.

11. Vehicle Crossings

Prior to the completion of the development the Applicant/Owner must do the following things to the satisfaction of the responsible authority:

- a) Remove all redundant vehicle crossovers and reconstruct the pavement, kerb and channel prior to the occupation of the dwellings.
- b) Construct the new crossovers (and any other associated works) including the reconstruction of the laneway crossovers in accordance

with Council's current 'vehicle crossing specifications' (Concrete vehicle crossing SD4101 Rev C.) that provide pedestrian priority at a cost to the applicant/owner prior to the occupation of the dwellings. Any surplus bluestone pitchers must be returned to Council's depot, at cost to the applicant or owner.

- c) Undertake any road/on-street parking space line marking/signage works that are required as a result of this development in life long materials prior to the occupation of the dwellings.
- d) Obtain relevant written approval from Council's Local Laws Department for any road/footpath alterations/reinstatements (including the construction of new crossovers) prior to the commencement of the development.
- e) Ensure that the new crossovers have satisfactory clearance of any side-entry pit, power or telecommunications pole, manhole cover or marker, or street tree prior to the commencement of the development. Any relocation, alteration or replacement required must be in accordance with the requirements of the relevant Authority, and undertaken prior to the commencement of the development.
- f) Comply with conditions (if any) required by any Council department or other relevant authority in respect of road alteration/reinstatement.
- g) Pay the costs of all alterations/reinstatement of Council and Public Authority assets necessary as required by such authorities for development.

12. Car Parking Areas

Prior to the occupation of the development, the area(s) set aside for the parking of vehicles and access lanes as shown on the endorsed plans must 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, loading bay and/or access lane; and
- f) Clearly marked to show the direction of traffic along access land and driveways.

All to the satisfaction of the Responsible Authority.

13. Availability of Parking

Parking areas must be kept available for those purposes at all times and must not be used for any other purpose such as storage.

14. Car Parking Allocation

The car parking allocation for this development must include at least 1 car space for each 1-2 bedroom dwellings (excluding studio dwellings up to 40m² in overall floorspace, where the allocation is zero spaces per dwelling) and 0.1 visitor spaces per every 5 dwellings (inclusive of studio units). This allocation must also be identified on any future Plan of Subdivision.

15. No Equipment or Services

No equipment, services and/or architectural features other than those shown on the endorsed plan (including but not limited to service equipment to facilitate glass cleaning of the curved façade) are permitted on the exterior of the building (including on the roof) or over the laneway boundary unless otherwise agreed to in writing by the Responsible Authority. Any building or individual apartment plant and equipment, television antenna and/or satellite dishes must be visually and acoustically screened (as applicable) from view as far as practicable and located to the satisfaction of the Responsible Authority.

16. Piping and Ducting

All piping and ducting above the ground floor level of the building (except for downpipes and rainwater heads) must be concealed.

17. Utility Services

All basic services to the property including water, electricity, gas, sewerage, telephone and telecommunications (whether by means of a line or cable) must be installed underground and located in a position approved by the Responsible Authority.

18. External and Car Park Lighting

All lighting of external areas and internal car parking areas must be of a limited intensity to ensure no nuisance is caused to adjoining or nearby residents or alternatively must be screened or provided with approved baffles, so that no direct light or glare is emitted outside the site.

19. New Boundary Walls

Prior to the occupation of the building allowed by this permit, 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 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 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.

20. Laneways to be kept clear

During the construction of the buildings and works allowed by this permit, Queens Lane adjacent to the subject land must be kept free of parked or standing vehicles or any other obstruction, including building materials, equipment etc. so as to maintain free vehicular passage to abutting benefiting properties at all times, unless with the written consent of the Responsible Authority.

21. Satisfactory Completion

Once the development has started it must be continued and completed to the satisfaction of the responsible authority.

22. Time for Starting and Completing

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

- a) The development is not commenced within two (2) years of the date of this permit.
- b) The development is not completed within three (3) years of the date of commencement of works.

The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires or within three months afterwards.

Melbourne Water Conditions (Nos. 23-28 inclusive)

23. No Polluted and/or sediment laden runoff is to be discharged directly or indirectly into Melbourne Water's drains or watercourses.
24. The building must be constructed with ground floor levels a minimum of 300mm above the applicable flood level.
25. All doors, windows, vents and openings to the basement car park must be a minimum of 300mm above the applicable flood level.
26. The entry/exit driveway of the basement car park must incorporate a flood proof apex of a minimum of 300mm above the applicable flood level.
27. Any drainage system to the basement must be designed such that stormwater is unable to penetrate the basement.
28. Prior to the issue of a Certificate of Occupancy, a certified survey plan showing finished floor levels (as constructed) reduced to the Australian Height Datum, must be submitted to Melbourne Water to demonstrate that the floor levels have been constructed in accordance with Melbourne Water's requirements.

Notations:

Building Approval Required

This permit does not authorise the commencement of any building construction works. Before any such development may commence, the applicant must apply for and obtain appropriate building approval.

Building Works to Accord with Planning Permit

The applicant/owner will provide a copy of this planning permit to any appointed Building Surveyor. It is the responsibility of the applicant/owner and Building Surveyor to ensure that all building development works approved by any building permit is consistent with this planning permit.

Due Care

The developer shall show due care in the development of the proposed extensions so as to ensure that no damage is incurred to any dwelling on the adjoining properties.

Air Conditioning Plant

Any air conditioning plant must be screened and baffled and/or insulated to minimise noise and vibration to other residences in accordance with Environmental Protection Authority Noise Control Technical Guidelines as follows:

- i) Noise from the plant during the day and evening (7.00am to 10.00pm Monday to Friday, 9.00am to 10.00pm Weekends and Public Holidays) must not exceed the background noise level by more than 5 dB(A) measured at the property boundary;
- ii) Noise from the plant during the night (10.00pm to 7.00am Monday to Friday, 10.00pm to 9.00am Weekends and Public Holidays) must not be audible within a habitable room of any other residence (regardless of whether any door or window giving access to the room is open).

Days and Hours of Construction Works

Except in the case of an emergency, a builder must not carry out building works outside the following times, without first obtaining a permit from Council's Local Laws Section:

- Monday to Friday: 7.00am to 6.00pm; or
- Saturdays: 9.00am to 3.00pm.

An after hours building works permit cannot be granted for an appointed public holiday under the Public Holidays Act, 1993.

Drainage Point and Method of Discharge

The legal point of stormwater discharge for the proposal shall be to the satisfaction of the responsible authority. Engineering construction plans for the satisfactory drainage and discharge of stormwater from the site must be submitted to and approved by the responsible authority prior to the commencement of any buildings or works.

Roads and laneways to be kept clear

During the construction of the buildings and works allowed by this permit, the roads and/or laneway(s) adjacent to the subject land must be kept free of parked or standing vehicles or any other obstruction, including building materials, equipment etc. so as to maintain free vehicular passage to abutting benefiting properties at all times, unless with the written consent of the Responsible Authority.

Council contacts

Approval may be required from other Council Departments (where relevant) before the proposal may commence. And discussion with Council's Development Engineer is recommended prior to the submission of plans for standards of construction of crossovers and stormwater drains.

The following contact details are provided for your assistance:

- Building Department 9209.6253
- Health Department (Community Amenity) 9209.6262
- Local Laws 9209.6852
- Development Engineer 9209.6774

No resident or visitor parking permits

The owners and occupiers of the development allowed by this permit will not be eligible for Council resident or visitor parking permits.

Melbourne Water

The applicable flood level for the property is 4.4m to Australian Height Datum (AHD).

If further information is required in relation to Melbourne Water's conditions, Melbourne Water can be contacted on telephone 03 9235 2517, quoting Ref. 155711.

MOVED Crs Middleton/Thomann - AMENDMENT to condition 1. i) of the proposed MOTION above.

1. i) The entire building (and bin store area referred to in Condition 1.a) be set back by a minimum of 4.5 meters from the rear property boundary (Queens Lane).

A vote was taken and the AMENDMENT was LOST.

MOVED Crs Bolitho/Touzeau – SUBSTANTIVE MOTION

That the Statutory Planning Committee being the Responsible Authority, (having caused the application to be advertised) and having received and noted the objections, is of the opinion that the proposed development of an 11 storey residential apartment building with dispensations from the DDO preferred height and setbacks, a reduction from the parking requirements of the Planning Scheme and the creation of access to a Road Zone Category 1 at 74 Queens Road, Melbourne will not cause material detriment to any person other than the applicant.

That a Notice of Decision to Grant a Planning Permit be issued for the purposes of the development of an 11 storey residential apartment building with dispensations from the DDO preferred height and setbacks, a reduction from the parking requirements of the Planning Scheme and the creation of access to a Road Zone Category 1 for 74 Queens Road, Melbourne.

That a Notice of Decision be issued subject to the following conditions.

1) Amended Plans

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- a) The reconfiguration of the ground floor layout including the relocation and enlargement of the bin store area from the front to the rear of the building so that bins can be collected from Queens Lane.
- b) The provision of an internal loading zone at ground level adjacent to the bike store and lobby and accessed from Queens Lane.
- c) Details in plan form and written documentation indicating how the curved glass façade would be cleaned, in line with the requirements of Condition 15 of this permit.
- d) A minimum provision of 1 car parking space per each 1-2 bedroom dwelling (excluding studio units, where zero parking is required) and 0.1 visitor spaces per every 5 dwellings (inclusive of studio units).
- e) The basement car park at all levels (and notably the position of the support columns) designed in accordance with the Australian Standards design template in AS 2890.1:2004.
- f) The notation of car park and waste store ramp grades on the relevant floorplans.
- g) Clearly identified and detailed vehicular roller door entry points on the rear elevation (to Queens Lane) and inclusion of an identifiable, lit, semi-transparent and numbered pedestrian door (with entry intercom system) to the rear elevation.
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- i) Deletion of the two rearmost dwellings on Level 3 (shown on TP016) with the building at this level (and levels above) setback by a minimum of 4.5m from the rear property boundary.
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 - Replacement of Hedra helix (English Ivy) with Parthenocissus quinquefolia (Virginia creeper).
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- k) The relocation of the end car parking space and store on the south east side of the lot at ground floor level to within one of the other car parking levels and subsequent relocation of at least 7 visitor bicycle parking racks from the external north west side of the lot at the front of the building to the vacated car parking space and store area on the south east elevation.

2. No Alterations

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3. Environmental Features

Prior to occupation of the building the developer must implement the sustainable design features detailed as part of the endorsed plans and endorsed sustainable design statement to the satisfaction of the Responsible Authority unless alterations to the statement are authorised in writing by the Responsible Authority.

4. Construction Management Plan

Prior to commencement of the development hereby permitted, a Construction Management Plan must be submitted to and approved to the satisfaction of the Responsible Authority. The Plan must include details of (but not be limited to):

- a) Construction hours;
- b) Control of construction noise to minimise impact on neighbouring properties;
- c) Maintaining cleanliness in abutting streets;
- d) Minimising disruption to pedestrian access along footpaths;
- e) Management of parking of construction worker vehicles (including construction machinery), management of site deliveries and traffic management;
- f) The demolition waste removal process and duration, including the positions of trucks, equipment and rubbish bins, including the on-site storage of waste construction bins as much as practicable during the project's construction stages.

Once submitted and approved the works detailed in the plan must be carried out to the satisfaction of the Responsible Authority.

5. Urban Art Details

Prior to the commencement of the development full details of the design, materials and fixing mechanisms of the urban art wall at ground floor level must be provided to Council's satisfaction, and in accordance with Council's Urban Art Strategy the art work must be at least 0.5% of the total building cost of the development.

6. Urban Art Construction

Prior to the completion of the development the urban art work required by Condition 5 of this permit must be installed to the satisfaction of the Responsible Authority.

7. Landscaping

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8. Waste Management Plan for Higher Density Residential Development.

Prior to the commencement of the development, a Waste Management Plan prepared by a Waste Management Engineer or Waste Management Planner and based on the draft "Best Practice Guidelines for Kerbside Recycling at Multi-Occupancy Residential Developments (Sustainability Victoria June 2006) must be submitted to, approved by and be to the satisfaction of the Responsible Authority. The Plan must include but not be limited to reference to the following:

- The collection service requirements, including the frequency of collection.
- The location of, proximity, screening of and space allocated both to the garbage and recycling storage areas and collection points (in line with Condition No. 1(a) of the permit).
- The path of access for both users and collection vehicles.
- How noise, odour and litter will be managed and minimised.
- Approved facilities for washing bins and storage areas.
- Who is responsible for each stage of the waste management process.
- How tenants and residents will be regularly informed of the waste management arrangements.

The occupier of this site must ensure that the Waste Management Plan approved under this condition is implemented at the commencement of the use and continuously complied with to the satisfaction of the Responsible Authority.

9. Civil Works Plan

Prior to commencement of the development hereby permitted, a Civil Works Plan must be submitted to and approved by Council and be to the satisfaction of the Responsible Authority. The civil works must include (but is not limited to):

- a) The method of treatment and discharge of stormwater to the nominated point. The stormwater treatment works must incorporate water sensitive urban design principles (including re-use) to improve stormwater discharge quality and minimise any increase in runoff as a result of the approved development. The system must be maintained to the satisfaction of the Responsible Authority. (Council's Development Engineer can advise on treatment options);
- b) The new (and/or modified) vehicle crossings to Queens Lane constructed to Council's standard concrete vehicle crossing (Standard Drawing SD4101 Rev C.) to meet the gradient guidelines and highlight pedestrian priority. The grade restrictions may require the crossover(s) to be lowered and the footpath may need to be ramped down from the existing footpath level which is to have a grade as required under DDA requirements.

The design plan is to show:

- Footpath, its width and surface (concrete, asphalt, other)
- All physical constraints (posts, poles, infrastructure, street trees etc)
- Levels to AHD at the following points:
 - Centre of the Road
 - Channel Invert
 - Outside edge of the footpath (where applicable)
 - At property boundary.
- Distances between the AHD points

The works must be undertaken prior to the completion of the development and prior to the commencement of the uses on site at a cost to the owner/developer.

10. Drainage and Sewerage Easement

The basement car park areas must not encroach into the easement on the south side of the lot containing the 375mm diameter drain.

11. Vehicle Crossings

Prior to the completion of the development the Applicant/Owner must do the following things to the satisfaction of the responsible authority:

- a) Remove all redundant vehicle crossovers and reconstruct the pavement, kerb and channel prior to the occupation of the dwellings.
- b) Construct the new crossovers (and any other associated works) including the reconstruction of the laneway crossovers in accordance with Council's current 'vehicle crossing specifications' (Concrete vehicle crossing SD4101 Rev C.) that provide pedestrian priority at a cost to the applicant/owner prior to the occupation of the dwellings. Any surplus bluestone pitchers must be returned to Council's depot, at cost to the applicant or owner.
- c) Undertake any road/on-street parking space line marking/signage works that are required as a result of this development in life long materials prior to the occupation of the dwellings.
- d) Obtain relevant written approval from Council's Local Laws Department for any road/footpath alterations/reinstatements (including the construction of new crossovers) prior to the commencement of the development.

- e) Ensure that the new crossovers have satisfactory clearance of any side-entry pit, power or telecommunications pole, manhole cover or marker, or street tree prior to the commencement of the development. Any relocation, alteration or replacement required must be in accordance with the requirements of the relevant Authority, and undertaken prior to the commencement of the development.
- f) Comply with conditions (if any) required by any Council department or other relevant authority in respect of road alteration/reinstatement.
- g) Pay the costs of all alterations/reinstatement of Council and Public Authority assets necessary as required by such authorities for development.

12. Car Parking Areas

Prior to the occupation of the development, the area(s) set aside for the parking of vehicles and access lanes as shown on the endorsed plans must 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, loading bay and/or access lane; and
- f) Clearly marked to show the direction of traffic along access land and driveways.

All to the satisfaction of the Responsible Authority.

13. Availability of Parking

Parking areas must be kept available for those purposes at all times and must not be used for any other purpose such as storage.

14. Car Parking Allocation

The car parking allocation for this development must include at least 1 car space for each 1-2 bedroom dwellings (excluding studio dwellings up to 40m² in overall floorspace, where the allocation is zero spaces per dwelling) and 0.1 visitor spaces per every 5 dwellings (inclusive of studio units). This allocation must also be identified on any future Plan of Subdivision.

15. No Equipment or Services

No equipment, services and/or architectural features other than those shown on the endorsed plan (including but not limited to service equipment to facilitate glass cleaning of the curved façade) are permitted on the exterior of the building (including on the roof) or over the laneway boundary unless otherwise agreed to in writing by the Responsible Authority. Any building or individual apartment plant and equipment, television antenna and/or satellite dishes must be visually and acoustically screened (as applicable) from view as far as practicable and located to the satisfaction of the Responsible Authority.

16. Piping and Ducting

All piping and ducting above the ground floor level of the building (except for downpipes and rainwater heads) must be concealed.

17. Utility Services

All basic services to the property including water, electricity, gas, sewerage, telephone and telecommunications (whether by means of a line or cable) must

be installed underground and located in a position approved by the Responsible Authority.

18. External and Car Park Lighting

All lighting of external areas and internal car parking areas must be of a limited intensity to ensure no nuisance is caused to adjoining or nearby residents or alternatively must be screened or provided with approved baffles, so that no direct light or glare is emitted outside the site.

19. New Boundary Walls

Prior to the occupation of the building allowed by this permit, 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 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 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.

20. Laneways to be kept clear

During the construction of the buildings and works allowed by this permit, Queens Lane adjacent to the subject land must be kept free of parked or standing vehicles or any other obstruction, including building materials, equipment etc. so as to maintain free vehicular passage to abutting benefiting properties at all times, unless with the written consent of the Responsible Authority.

21. Satisfactory Completion

Once the development has started it must be continued and completed to the satisfaction of the responsible authority.

22. Time for Starting and Completing

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

- a) The development is not commenced within two (2) years of the date of this permit.
- b) The development is not completed within three (3) years of the date of commencement of works.

The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires or within three months afterwards.

Melbourne Water Conditions (Nos. 23-28 inclusive)

- 23.** No Polluted and/or sediment laden runoff is to be discharged directly or indirectly into Melbourne Water's drains or watercourses.
- 24.** The building must be constructed with ground floor levels a minimum of 300mm above the applicable flood level.
- 25.** All doors, windows, vents and openings to the basement car park must be a minimum of 300mm above the applicable flood level.
- 26.** The entry/exit driveway of the basement car park must incorporate a flood proof apex of a minimum of 300mm above the applicable flood level.
- 27.** Any drainage system to the basement must be designed such that stormwater is unable to penetrate the basement.

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

Notations:

Building Approval Required

This permit does not authorise the commencement of any building construction works. Before any such development may commence, the applicant must apply for and obtain appropriate building approval.

Building Works to Accord with Planning Permit

The applicant/owner will provide a copy of this planning permit to any appointed Building Surveyor. It is the responsibility of the applicant/owner and Building Surveyor to ensure that all building development works approved by any building permit is consistent with this planning permit.

Due Care

The developer shall show due care in the development of the proposed extensions so as to ensure that no damage is incurred to any dwelling on the adjoining properties.

Air Conditioning Plant

Any air conditioning plant must be screened and baffled and/or insulated to minimise noise and vibration to other residences in accordance with Environmental Protection Authority Noise Control Technical Guidelines as follows:

- i) Noise from the plant during the day and evening (7.00am to 10.00pm Monday to Friday, 9.00am to 10.00pm Weekends and Public Holidays) must not exceed the background noise level by more than 5 dB(A) measured at the property boundary;
- ii) Noise from the plant during the night (10.00pm to 7.00am Monday to Friday, 10.00pm to 9.00am Weekends and Public Holidays) must not be audible within a habitable room of any other residence (regardless of whether any door or window giving access to the room is open).

Days and Hours of Construction Works

Except in the case of an emergency, a builder must not carry out building works outside the following times, without first obtaining a permit from Council's Local Laws Section:

- Monday to Friday: 7.00am to 6.00pm; or
- Saturdays: 9.00am to 3.00pm.

An after hours building works permit cannot be granted for an appointed public holiday under the Public Holidays Act, 1993.

Drainage Point and Method of Discharge

The legal point of stormwater discharge for the proposal shall be to the satisfaction of the responsible authority. Engineering construction plans for the satisfactory drainage and discharge of stormwater from the site must be submitted to and approved by the responsible authority prior to the commencement of any buildings or works.

Roads and laneways to be kept clear

During the construction of the buildings and works allowed by this permit, the roads and/or laneway(s) adjacent to the subject land must be kept free of parked or standing vehicles or any other obstruction, including building materials, equipment etc. so as to maintain free vehicular passage to abutting benefiting properties at all times, unless with the written consent of the Responsible Authority.

Council contacts

Approval may be required from other Council Departments (where relevant) before the proposal may commence. And discussion with Council's Development Engineer is recommended prior to the submission of plans for standards of construction of crossovers and stormwater drains.

The following contact details are provided for your assistance:

- Building Department 9209.6253
- Health Department (Community Amenity) 9209.6262
- Local Laws 9209.6852
- Development Engineer 9209.6774

No resident or visitor parking permits

The owners and occupiers of the development allowed by this permit will not be eligible for Council resident or visitor parking permits.

Melbourne Water

The applicable flood level for the property is 4.4m to Australian Height Datum (AHD).

If further information is required in relation to Melbourne Water's conditions, Melbourne Water can be contacted on telephone 03 9235 2517, quoting Ref. 155711.

A vote was taken and the SUBSTANTIVE MOTION was CARRIED.

B2 PORT MELBOURNE AFFORDABLE HOUSING PROJECT PLANNING ASSESSMENT PANEL COMMITTEE

Purpose

Council established the Port Melbourne Affordable Housing Project Planning Assessment Panel ('The Panel') in June 2008. The Panel was established as a special committee by the council under section 86 of the Local Government Act to decide on planning application received from the Port Phillip Housing Association in relation to 121 Liardet Street/Kyme Place Port Melbourne.

This report formally advises Council of the details and outcome of the considerations of the Panel.

The following speaker made a submission regarding this item:

- Mr Adrian Jackson asked what Council is going to do to re-house homeless people in the City of Port Phillip?

The Chairperson advised that this question was more appropriate for the Ordinary Meeting of Council at the end of the month (25 May 2009) and could be addressed at that time.

MOVED Crs O'Connor/Powning

1. That the Statutory Planning Committee recommend that Council resolve to:
 - a) Note the activities of the Panel.
 - b) Note the decision that the Panel made on behalf of Council as Responsible Planning Authority.
 - c) Thank the Panel Members.
 - d) Note the Panel is now concluded.
2. That the Statutory Planning Committee note that the Port Melbourne Affordable Housing Project Planning Assessment Panel Committee has resolved to advise the Council that direction signs should be erected within the public realm identifying the location of the Kyme Place car park subsequent to the completion of the residential building (rooming house) approved as per Recommendation A (above).

A vote was taken and the MOTION was CARRIED.

B3 DELEGATE REPORT

Purpose

To present Council with a summary of all Planning Permits issued under Delegation.

MOVED Crs Bolitho/O'Connor

That the Council receive and note the report regarding the summary of all Planning Decisions issued in accordance with the Schedule of Delegation made under Section 98 of the Local Government Act 1989 and Section 188 of the Planning & Environment Act 1987 adopted by Council on 24 July 1996 and as amended, for the Port Phillip Planning Scheme.

A vote was taken and the MOTION was CARRIED.

As there was no further business the meeting closed at 7.05pm.

Confirmed: 9 June 2009

Chairperson: _____