



**STATUTORY PLANNING
COMMITTEE**

MINUTES

17 AUGUST 2009

**MINUTES OF THE STATUTORY PLANNING COMMITTEE OF THE
PORT PHILLIP CITY COUNCIL HELD ON 17 AUGUST, 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

Kay Rundle Chief Executive Officer, Greg Wood Acting Executive Director Community Development and Planning, George Borg Manager City Development, Richard Schuster Coordinator Statutory Planning St Kilda/Albert Park, Phillip Beard 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

MOVED Crs Thomman/Touzea

An apology was received and leave of absence granted to Cr Middleton.

A vote was taken and the MOTION was CARRIED.

2. CONFIRMATION OF MINUTES

MOVED Crs O'Connor/Powning

That the Minutes of the Statutory Planning Committee of the Port Phillip City Council held on 9 June 2009, be confirmed.

A vote was taken and the MOTION was CARRIED.

3. DECLARATIONS OF CONFLICTS OF INTEREST

Nil.

4. PUBLIC QUESTION TIME

Item 1

Mr John Webster asked the following question:

I noted in the media over the weekend that there was a proposal for the Federal Government to tax houses worth more than \$2M in a wealth tax and it was dismissed by the Treasurer, a mechanism exists for local Council to do that by varying the rate of the land value.

The Chairperson, Cr Klepner advised Mr Webster that the Statutory Planning Committee is not delegated to answer questions other than planning questions, but the Committee will refer your comments on to the relevant Manager for consideration.

5. COUNCILLOR QUESTION TIME

Nil.

6. PRESENTATION OF REPORTS

The order of business was as follows:

- 1 314 DANDENONG ROAD, EAST ST KILDA
- 2 DELEGATE REPORT

1. 314 DANDENONG ROAD, EAST ST KILDA

Purpose

Construction of a four level building as per permit 1221/2002/A but with external amendments to the design affecting height and setbacks, along with increasing dwelling numbers to 15 and inclusion of a basement car park and ground level dwellings.

The following speakers made verbal submissions regarding this item:-

- Chris Spillane (objector)
- Mary Studdert (objector)
- Terry Harper (applicant)

MOVED Crs Powning/Bolitho

That the Responsible Authority, having caused the application to be advertised and having received 20 objections is of the opinion that the construction of a four storey building, comprising 15 dwellings with basement car parking will not cause material detriment to any person.

That an amended permit be issued for construction of a four storey building, comprising 15 dwellings with basement car parking generally in accordance with the endorsed plans.

That the Planning Permit be issued with amended conditions and pre-amble as follows:

(Pre-amble)

“construction of a four level building containing 15 dwellings with one car space each and a total of three visitor car spaces generally in accordance with the endorsed plans and subject to the following conditions”

(Amended 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 generally in accordance with the plans forming part of the application but modified to show the following:
 - (a) The building lowered by 180mm so as to have a maximum height not exceeding 47.0m AHD from natural ground level.
 - (b) The basement plan to depict provision of bicycle storage, including details of racks, and two 5,000 litre rainwater tanks.
 - (c) An increase in the upper floor front balcony face setback from the front boundary to a consistent 6m along with the deletion of the north-west ‘return’ of that balcony.

- (d) An increase in the first level rear setback (unit 8) from 2m to a minimum of 2.9metres and deletion of the 'robe' from the rear wall of unit 13 so as to increase its rear setback to a minimum of 4metres.
 - (e) Deletion of the upper level (third floor) rear balcony, relating to unit 15.
 - (f) The balcony screening to units 7, 8 and 9 constructed of a solid material with zero percent transparency.
 - (g) The bedroom 1 window to unit 4 appropriately screened to prevent overlooking into neighbouring adjacent open space or habitable room windows.
 - (h) The screening to the balcony accessed from the living room of unit 13 constructed of a solid material with zero percent transparency along with the 'return' to the balcony to unit 11 screened with translucent glass to a minimum of 1.7metres above finished floor level.
16. Prior to the commencement of the development, a Waste Management Plan based on the draft "Best Practice Guidelines for Kerbside Recycling at Multi-Occupancy Residential Developments (Sustainability Victoria June 2006) must be prepared by a Waste Management Engineer or Waste Management Planner to the satisfaction of the Responsible Authority and endorsed as part of this permit. The Plan must include reference to the following:
- The estimated garbage and recycling generation volumes for the whole development.
 - The garbage and recycling equipment to be used and 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.
 - 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.

Once approved, the plan will be endorsed as part of the permit and all waste management must be carried out in accordance with this plan.

17. 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.

That conditions 2-15 remain unchanged and that current conditions 16 and 17 be renumbered accordingly to 18 and 19.

20. Construction Management Plan

Prior to commencement of the buildings and works hereby permitted, a Construction Management Plan shall be submitted to the Responsible Authority and must be to its satisfaction. The Plan shall include details of:

- (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 and the lane.
- (e) Management of parking of construction worker vehicles (including construction machinery), management of site deliveries and traffic management to ensure that no adverse impact occurs to the laneway and its users.
- (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 to ensure that no adverse impact occurs to the laneway and its users.

Once approved this plan will be endorsed as part of the permit and all works must be carried out in accordance with the plan.

A vote was taken and the MOTION was CARRIED.

2. DELEGATE REPORT

Purpose

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

MOVED Crs O'Connor/Thomann

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: 14 September 2009

Chairperson: _____