



CITY OF  
**PORT PHILLIP**

**STATUTORY PLANNING  
COMMITTEE**

**MINUTES**

**8 APRIL 2002**

**MINUTES OF THE STATUTORY PLANNING COMMITTEE OF THE  
PORT PHILLIP CITY COUNCIL HELD ON 8 APRIL 2002, IN THE  
COUNCIL CHAMBER, ST KILDA TOWN HALL**

The meeting opened at 6.08pm.

**PRESENT**

Cr Hill (Chairperson), Cr Brand, Cr Hutchens, Cr Logan, Cr Ray (from 6.56pm), David Spokes Chief Executive Officer, Geoff Oulton Director City Development, Bruce Phillips Manager Planning and Building Services, Richard Schuster Senior Planner.

The Chairperson (Cr Hill) acknowledged the traditional owners of the land on which the Council meets, the Boonerwung language people and the Wurundjeri people as custodians.

**1. APOLOGIES**

**MOVED Crs Hutchens/Brand**

An apology was received and leave of absence granted to Crs Gross and Johnstone. It was noted that Cr Ray will be arriving late to the meeting.

**A vote was taken and the MOTION was CARRIED.**

**2. CONFIDENTIAL MATTERS**

Nil.

**3. DECLARATIONS OF PECUNIARY INTEREST**

Nil.

**4. CONFIRMATION OF MINUTES**

Nil.

**5. QUESTION TIME**

Nil.

## 6. PRESENTATION OF REPORTS

The order of business was as follows:

- B2 27 CHARNWOOD ROAD, ST KILDA
- BI 2-34 GRAHAM STREET, ALBERT PARK
- B3 372 DANKS STREET, MIDDLE PARK
- B4 230 ALMA ROAD, EAST ST KILDA
- B5 135 RICHARDSON STREET, ALBERT PARK
- B6 DELEGATE REPORT

**B1 2-34 GRAHAM STREET, ALBERT PARK**

**Purpose**

Application has been made to develop and use of the land for the purpose of a residential village (172 dwellings) and a convenience shop in a building ranging in height from two storeys to a seven storeys. A dispensation from the car parking requirements of the Planning Scheme is required.

**MOVED Crs Brand/Hill**

That this matter be stood down until the end of the meeting.

**A vote was taken and the MOTION was CARRIED.**

**MOVED Crs Hutchens/Logan**

**PART A**

That the Statutory Planning Committee (having caused the application to be advertised) and having received and noted two hundred and fifty objections, is of the opinion that the proposed development and use of the land for the purpose of a residential village (172 dwellings) and a convenience shop in a building ranging in height from two storeys to a seven storey section 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 development and use of the land for the purpose of a residential village (172 dwellings) and a convenience shop in a building ranging in height from two storeys to a seven storey section.

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

1. Before the development and use 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 submitted with the application, but modified to show:
  - (a) The development generally in accordance with the amended plans numbered 'TP01A, TP02A, TP03A, TP04A, TP05A, TP06A, TP07A, TP08A, TP09A, TP010A, TP011A', prepared by Brayshaw Architects, and dated '16 November Issue A', but modified to show additional alterations as required in Conditions 1(b)-1(l) below.
  - (b) All elevations of buildings facing Graham, Danks, Foote and Pickles Street to be to the satisfaction of the Responsible Authority which may include but are not limited to Conditions 1(b)-1(l).
  - (c) Alterations to the exterior finishes so that the use of textured or coloured concrete is reduced and replaced with brickwork.
  - (d) The Danks Street elevation to be modified so that the pitched roof element over Level 2 is deleted and replaced with a parapet.

- (e) The Danks Street elevation to be modified so that the Level 1 and 2 form reinforces the traditional, 'vertical' row houses opposite.
- (f) The Danks Street elevation to be modified so that Level 3 appears as a recessive, glazed and lightweight upper level, with an expressed eaves line, exhibiting a horizontal character.
- (g) The four storey component facing Graham Street to be modified so that a sense of verticality is provided. This may be achieved through the use of more traditional and fine-grain materials (brick, timber, tiles, etc.).
- (h) The pavement area in front of the porte cochere on Graham Street to have a width to the satisfaction of Council's road and traffic engineers.
- (i) All boundary fences (elevations and layout) and setback treatments (including landscaping) to be shown on the plans.
- (j) The incorporation of integrated urban art in the development including along the exterior swimming pool wall to the satisfaction of the Responsible Authority.
- (k) All wall heights above natural ground level to be nominated on the plans.
- (l) A schedule of finishes (2 coloured copies to be provided), detailing materials and colours of main external surfaces, including roofs, walls, windows, doors.
- (m) Details of environmental features within the development which would promote energy efficient use of resources and energy efficiency.
- (n) Reduction in height of the three level apartment facing Graham Street by 0.2 metres to a total height of 9.00 metres in accordance with the preferred height limit of the Design and Development Overlay.
- (o) Double glazing of windows or other glazing treatments adjacent to Pickles Street as required to ensure internal amenity of units is not adversely affected by traffic noise.
- (p) Prior to the commencement of works the owner of the land shall enter into an Agreement with Council in the form to satisfaction of Council and at the owners expense including those costs incurred by Council, to provide for a development contribution towards the upgrade of Graham Street generally in accordance with the agreed concept plan and the agreement to provide for among other things:
  - The timing of the contribution by the owner and the Council.
  - The requirement for either cash contribution to the satisfaction of the Responsible Authority or works in kind.
  - The ongoing involvement of Gasworks Management in the development of a detailed design plan and specification to the satisfaction of the Responsible Authority.
  - The timing of the works to be mutually agreed by the landowner and Council.
  - A requirement that should the works proposed in the concept plan not proceed, then the contribution should be put towards an alternative streetscape improvement.

2. Prior to the commencement of the development and use hereby permitted, a landscape plan and schedule shall be submitted to and approved by the responsible authority. Landscaping in accordance with such approved plan and schedule shall be completed before the commencement of the occupation of the building hereby permitted. The Council's Planning Inspector shall be advised of the completion of the landscaping so that a site inspection can be carried out. A further inspection will be carried out six (6) months after completion of the landscaping to ensure that species have been adequately maintained.
3. It is a fundamental aspect of this permit that all elements of this approval, particularly the environmental features required under Condition 1(l) are developed as approved by the Responsible Authority. In this regard, an agreement in accordance with Section 173 of the Planning and Environment Act, 1987 be shall be entered into by the owner of the land known as 2-34 Graham Street, Albert Park with Council to covenant the full inclusion of the agreed environmental features in the completed building.
4. The development and use as shown on the endorsed plans must not be altered without the written consent of the responsible authority.
5. Once the development and use has started it must be continued and completed to the satisfaction of the responsible authority.
6. Prior to the commencement of the development hereby permitted must either:
  - a) Pay or provide a bank guarantee, insurance bond or similar security to the satisfaction of the Responsible Authority for the full amount of the development levy applying to the land in accordance with the provisions of the Port Melbourne Mixed Use Area Development Contributions Plan (Streetscape Works) July 1999 which is an incorporated plan under the Port Phillip Planning Scheme ('the DCP').
  - b) Or elect by notice in writing to Council to carry out the works ('the Works') generally in accordance with plans of the streetscape works provided by the owner and consented to by the Council.

If the election referred to in (b) is made, the following provisions shall apply:

- (a) Prior to the commencement of the Works, plans and specifications of the Works shall be submitted to the Council for its approval. Once approved, the Works shall be carried out only in accordance with such plans and specifications subject to any amendments that the Council may agree to.
  - Unless otherwise agreed in writing by the Council, the Works shall be completed to the satisfaction of the Council prior to the issue of a Certificate of Occupancy.
- (b) As security for the carrying out of Works, on approval by the Council of the plans and specifications for the Works, the owner shall lodge with the Council a bank guarantee or insurance bond for the value of the Works.
  - The Councils shall be entitled to call upon such security to meet the cost of carrying out or completing the works as the case may be in the event that the works have not been completed to its satisfaction by the completion date.
  - The Bank Guarantee or insurance bond must be returned to the owner immediately upon Council advising the owner in writing that the streetscape works have been completed to its satisfaction.

7. If the works are carried out on or behalf of the owner, the owner shall pay to the Council a supervision fee determined in accordance with the Subdivision Act 1998 for the supervision of the Works.
8. The garden areas shown on the endorsed plan and schedule shall only be used as gardens and shall be maintained in a proper, tidy and healthy condition to the satisfaction of the responsible authority. Should any tree or shrub be removed or destroyed it may be required to be replaced by a tree or shrub of similar size and variety.
9. No equipment (including but not limited to ducting and piping, air conditioning and heating units) and services and architectural features other than those shown on the endorsed plan shall be permitted without the written consent of the responsible authority.
10. Provision must be made for a suitable structure or structures for receiving mail and newspapers. Such area shall be kept clean and tidy.
11. All service meters must be located in the front of the units in a location easily accessible to the various authorities.
12. Parking areas/spaces and all access lanes must be kept available for those purposes at all times.
13. Each dwelling must be provided with a minimum of one car parking space.
14. Engineering construction plans and drainage computations shall be submitted for approval by the responsible authority, and shall be completed to the satisfaction of the responsible authority.
15. Before the construction or carrying out of buildings and works in association with a sensitive use commences, either:
  - A certificate of environmental audit must be issued for the land in accordance with Section 57AA of the Environmental Protection Act 1970, or
  - An environmental auditor appointed under the Environmental Protection Act 1970 must make a statement in accordance with Section 57AA(5)(b) of that Act that the environmental conditions of the land are suitable for the sensitive use.
16. Outdoor lighting must be designed, baffled and located to the satisfaction of the responsible authority to prevent any adverse effect on adjoining land.
17. All piping and ducting (excluding down pipes) shall be concealed to the satisfaction of the Responsible Authority.
18. 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.
19. 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.

20. The development of the site shall not cause nuisance or be detrimental to the amenity of the neighbourhood by the emission of noise. In this regard noise from construction and/or demolition activities should comply with the Environment Protection Authority guidelines for "Construction and Demolition Site Noise".
21. Before the use starts, areas set aside for parked vehicles and access lanes as shown on the endorsed plans must be:
- (a) Constructed to the satisfaction of the responsible authority.
  - (b) Properly formed to such levels that they can be used in accordance with the plans.
  - (c) Surfaced with an all-weather sealcoat to the satisfaction of the responsible authority.
  - (d) Drained and maintained to the satisfaction of the responsible authority.
  - (e) Line marked to indicate each car space and all access lanes to the satisfaction of responsible authority.
- Parking areas and access lanes must be kept available for these purposes at all times.
22. Vehicular crossings shall be constructed in accordance with the endorsed plans to the satisfaction of the responsible authority, before the use is commenced or building occupied:
- (a) standard vehicular crossings shall be constructed and/or widened at right angles to the road to suit the proposed driveways incorporating bluestone pitchers or suitably shaped and coloured concrete kerb and channel to match the existing laneway or kerb and guttering (as appropriate),
  - (b) any redundant crossing (or part thereof) shall be removed and the footpath and kerb reconstructed incorporating bluestone pitchers or suitably shaped and coloured concrete kerb and channel to match existing kerb and guttering (as appropriate) to specifications to the satisfaction of the Responsible Authority and at no cost to the Responsible Authority. Any new car space(s) created along the street frontage of the site as a result of the removal of the crossing must be line marked to the satisfaction of the responsible authority. Any surplus bluestone pitchers must be returned to Council's depot, at cost to the applicant or owner.
  - (c) any proposed vehicular crossing shall have satisfactory clearance of any side-entry pit, power or telecommunications pole, manhole cover or marker, or street tree. Any relocation, alteration or replacement required shall be in accordance with the requirements of the relevant Authority and shall be at the applicant's expense.
23. The Applicant/Owner shall do the following things to the satisfaction of the Responsible Authority:
- (a) Pay the costs of all alterations/reinstatement of Council and Public Authority assets necessary and required by such Authorities for development.
  - (b) Obtain the prior written approval of the Council or other relevant Authority for such alterations/reinstatement.
  - (c) Comply with conditions (if any) required by the Council or other relevant Authorities in respect of reinstatement.

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

- (a) The use and development and use is not started within 2 years of the date of this permit.
- (b) The development is not completed within 2 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.

#### Melbourne Water

25. No polluted and/or sediments laden runoff is to be discharged directly or indirectly into Melbourne Water's drains or watercourses.

26. The Owner shall enter into and comply with an agreement with Melbourne Water Corporation, under Section 269A of the Melbourne and Metropolitan Board of Works Act 1958, for the provisions of drainage works and the acceptance of surface and storm water from the subject land directly or indirectly into Melbourne Water's drainage system.

27. The apex of the ramp to the basement carpark must be a minimum 300mm above the road surface level.

#### **FOOTNOTES**

- **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.*

- **Vehicle Crossing Approval Required**

*A cross-over permit must be obtained from Standard Roads (contact 9209.6684) prior to the carrying out of any vehicle crossing works.*

- **Melbourne Water**

*If further information is required in relation to Melbourne Water's permit conditions shown above, please contact Robert Swan on telephone 9235 2241, quoting Melbourne Water's reference 73728.*

*The 'Best Practice Environmental Manage Guidelines for Urban Stormwater' (The Stormwater Committee, 1999) may be used as a guide when development site controls to minimise sediment laden runoff and stormwater pollution during construction. Section 6.3 "Construction Activity" of these guidelines provides a useful checklist to develop a site management plan.*

**PART B**

That Council has determined to grant a dispensation of the number of car parking spaces required from the number ordinarily required by its Policy, based only on the likely car ownership rates of persons likely to occupy the units within the residential village (aged persons).

**PART C**

Please note that Port Phillip Council will not issue 'resident/visitor parking permits' to any owner or occupier in the current development for this development/landuse. This is because at the time of the application it was claimed by the developer that sufficient on site parking is supplied.

**NOTE**

That the Statutory Planning Committee has made this decision having particular regard to Sections 58, 59, 60, 61 and 62 of the Planning & Environment Act 1987.

**A vote was taken and the MOTION was CARRIED.**

**B2            27 CHARNWOOD ROAD, ST KILDA**

**Purpose**

The construction of a three level building containing 13 dwellings and basement carparking.

**MOVED Crs Hill/Brand**

That this matter be deferred for further advice on traffic movements in the lane and practicability thereof should private land cease to be available for passing traffic.

**A vote was taken and the MOTION was CARRIED.**

Cr Ray entered the meeting at 6.56pm.

**MOVED Crs Brand/Hutchens**

That Cr Ray be the Chairperson for the remainder of the meeting.

**A vote was taken and the MOTION was CARRIED.**

Cr Hill left the meeting at 7.10pm.

**B3            372 DANKS STREET, MIDDLE PARK**

**Purpose**

The proposal is for the construction of alterations and additions to the existing two storey dwelling. The additions include a ground floor extension, new first floor balcony and construction of a cellar and in ground swimming pool at rear.

**MOVED Crs Hutchens/Logan**

That this item be deferred to allow further discussion between Council, the owners of the subject site and the owners of 374 Danks Street, Middle Park regarding the appropriate means of addressing the issue of overlooking of the common boundary.

**A vote was taken and the MOTION was CARRIED.**

**B4            230 ALMA ROAD, EAST ST KILDA**

**Purpose**

To consider an application to develop 230 Alma Road with 12 residential dwellings.

**MOVED Crs Brand/Hutchens**

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 granting of a Planning Permit for the proposed development will not cause material detriment to any persons other than the applicant.

That the Statutory Planning Committee, issue a Notice of Decision under the provisions of the Port Phillip Planning Scheme to develop the land known as No. 230 Alma Road, East, St.Kilda for a three storey building comprising 12 residential dwellings with basement car park (13 spaces) generally in accordance with the endorsed plans.

That the Statutory Planning Committee issue a Notice of Decision subject to the following conditions.

1. Before the use and 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 submitted with the application but modified to show:
  - (a) West facing habitable room windows screened to avoid overlooking of 228 Alma Road.
  - (b) The Sustainable Design/Environmental Impact Statement indicating achievement of a four star energy rating for the dwellings.
  - (c) Modification of the car park layout to achieve 13 on site car parking spaces.
  - (d) Modifications, including to the architecture and design, car park and access design increased setbacks and reduced heights, car park vents and rubbish bin enclosures in accordance with plans date stamped 8 March 2002.
  - (e) Details of noise attenuation measures between units and protecting units from Orrong Road traffic noise.
  - (f) Sensitive location of air-conditioning units, plant and heating.
  - (g) Balconies facing Orrong Road designed to appear as light weight add-ons.
  - (h) Fencing modified to provide increased transparency and to comply with Rescode requirements, including individual gateway entrances to the ground floor units directly from the street.
  - (i) Landscaping indicating minimal hard surfaced areas and retention of some existing vegetation within the Orrong Road frontage.
2. The use and development as shown on the endorsed plans must not be altered without the written consent of the responsible authority.

3. The Applicant/Owner shall do the following things to the satisfaction of the Responsible Authority:
  - (a) Pay the costs of all alterations/ reinstatement of Council and Public Authority assets necessary and required by such authorities for development.
  - (b) Obtain the prior written approval of the Council or other relevant Authority for such alterations/reinstatements.
  - (c) Comply with conditions (if any) required by the Council or other relevant Authorities in respect of such alterations/reinstatement.
  - (d) Make good the existing cross-overs.
4. All external lights must be of a limited intensity to ensure no nuisance is caused to adjoining or nearby residents and must be provided with approved baffles, so that no direct light or glare is emitted outside the site.
5. The colour of external cladding and trim of the proposed building shall be to the satisfaction of the Responsible Authority and all paintwork shall be satisfactorily maintained.
6. All piping and ducting above the ground floor storey of the building shall be concealed.
7. No equipment, services and architectural features, solar panels, satellite dishes, air conditioning units & other building equipment other than those shown on the endorsed plan shall be permitted above the roof level of the building unless otherwise agreed to in writing by the Responsible Authority.
8. Provision shall be made for the storage and disposal of garbage to the satisfaction of the Responsible Authority. All garbage storage areas must be screened from public view.
9. The garden areas shown on the endorsed plan and schedule must be completed and shall only be used as gardens and shall be maintained in a proper, tidy and healthy condition to the satisfaction of the Responsible Authority. Should any tree or shrub be removed or destroyed it may be required to be replaced by a tree or shrub of similar size and variety.

The Councils Planning Inspector shall be advised of the completion of the landscaping so that a site inspection can be carried out. A further inspection will be carried out six (6) months after completion of the landscaping to ensure that species have been adequately maintained.

10. The car parking allocation used in any Plan of Subdivision for this development shall:
  - include not less than 1 car space per single bedroom apartment
  - 2 car spaces for 3 or more bedroom apartments
  - visitor spaces (as required in the assessment) shown and marked accordingly, and the
  - remainder of car spaces allocated for the 2 bedroom apartments provided each unit has at least 1 car space.

All carparking spaces for the residential apartments shall be shown on any Plan of Subdivision as part lots to the dwelling lots.

11. This permit will expire if one of the following circumstances applies:
- (a) The development and use is not commenced within two (2) years from the date of issue of this permit,
  - (b) The development is not completed within four (4) years from the date of this permit.

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.

12. The developer shall produce a management plan for construction works to the satisfaction of the Responsible Authority, an objective of which will be to minimise impact of construction works on neighbouring properties and to minimise any impact on the use of Orrong Road. Construction vehicles shall comply with the Management Plan produced in accordance with this condition.

13. Any Body Corporate rules produced for the development hereby approved shall include restrictions to ensure that any use of the balconies does not detract from the visual appearance of the building as seen from Alma or Orrong Roads.

That Statutory Planning Committee has made this decision having particular regard to Sections 58, 59, 60, 61 and 62 of the Planning and Environment Act 1987.

**A vote was taken and the MOTION was CARRIED.**

**B5 135 RICHARDSON STREET, ALBERT PARK**

**Purpose**

Development of alterations and additions to convert former church to three (3) dwellings, and partial dispensation from car parking.

**MOVED Crs Hutchens/Logan**

That the Statutory Planning Committee having caused the application to be advertised and having received six (6) objections, is of the opinion that the proposed development of alterations and additions to convert former church to three (3) dwellings, and dispensation from car parking at 135 Richardson Street, Albert Park will not cause material detriment to any person other than the applicant.

That a Notice of Decision to Grant a Permit be issued to the applicant and objectors for the development of alterations and additions to convert former church to three (3) dwellings, and dispensation from car parking at 135 Richardson Street, Albert Park.

That the decision be issued as follows:

**1. Amended Plans Required**

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 two copies must be provided. The plans must be generally in accordance with the plans submitted with the application but modified to show:

- (a) Revisions to the Mills Street elevation dormer windows fenestration and eaves treatment in accordance with photomontage lodged with Council on 19<sup>th</sup> March, 2002;
- (b) Deletion of the vehicle cross-over, two on-site car parking spaces and garage doors proposed to Mills Street;
- (c) The first floor level rear terrace to Dwelling No. 3 reduced in length so that it does not project past the side light court of No. 73 Mills Street;
- (d) Deletion of the second floor side balcony to Dwelling No. 3;
- (e) The first floor level south-east side windows for dwellings Nos. 1, 2 and 3 to be screened or fitted with fixed translucent glazing to 1.7m above floor level to prevent overlooking;
- (f) The second floor level south-east side balconies to dwellings Nos. 1 and 2 to incorporate solid screening to at least 1.7m above floor level to prevent noise and overlooking of the private open space of adjacent dwellings;
- (g) Detailed design of the Richardson Street and Mills Street front fences and gates including fence height to be not more than 1.5m to the front and corner, and not more than 1.8m along the balance of the Mills Street boundary, and adoption of a vertical format (i.e. vertical timber pickets);

(h) Plan notations for the inclusion of environmental features for the dwellings such as:

- MEPS compliant hot water service units;
- water efficient shower heads and wash basin outlets;
- energy efficient low voltage and fluorescent fittings; and
- energy efficient electrical appliances;

(i) Provision of a store area of at least 6m<sup>3</sup> for Dwelling No. 2;

(j) A coloured schedule (two copies) of the materials, colours and finishes to be used in the external surfaces of the proposed building.

## **2. Layout Not Altered**

The development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.

## **3. Finish of Walls on Boundary**

The walls on the boundary of adjoining properties and/or the laneway shall be cleaned and finished in a manner to the satisfaction of the responsible authority.

## **4. No Equipment on Roof**

No equipment, services and architectural features other than those shown on the endorsed plan shall be permitted above the roof level of the building unless otherwise agreed to in writing by the Responsible Authority. Any plant and equipment, television antenna and/or satellite dishes shall be visually and acoustically screened (as applicable) from view as far as practicable and located to the satisfaction of the Responsible Authority.

## **5. Air Conditioning Plant – Residential Areas**

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:

- (a) 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;
- (b) 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).

## **6. Concealment of Pipes**

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

## **7. Time for Starting and Completion**

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 three years of the date of this permit.

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.

## **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.*

## **NOTE**

That the Statutory Planning Committee has made this decision having particular regard to Sections 58, 59, 60, 61 and 62 of the Planning & Environment Act 1987.

**A vote was taken and the MOTION was CARRIED.**

**B6 DELEGATE REPORT**

**Purpose**

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

**MOVED Crs Hutchens/Logan**

That, subject to clarification of applications 699/2001 and 1261/2001, the Council receive and note the report regarding the summary of all Planning Permits 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 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 8.06pm.

Confirmed: 22 April 2002

Chairperson: \_\_\_\_\_