



CITY OF
PORT PHILLIP

**STATUTORY PLANNING
COMMITTEE**

MINUTES

4 MARCH 2002

**MINUTES OF THE STATUTORY PLANNING COMMITTEE OF THE
PORT PHILLIP CITY COUNCIL HELD ON 4 MARCH 2002,
IN THE COUNCIL CHAMBER, ST KILDA TOWN HALL**

The meeting opened at 6.10pm.

PRESENT

Cr Hill (Chairperson), Cr Brand, Cr Hutchens, Cr Johnstone, Cr Lewisohn (from 6.15pm), David Spokes Chief Executive Officer, Geoff Oulton Director City Development, Sue Wilkinson Team Leader Statutory Planning, Simon Gutteridge 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 Brand/Hutchens

Apologies were received and leave of absence granted to Crs Gross and Ray.
A vote was taken and the MOTION was CARRIED.

MOVED Crs Hill/Brand

It was noted that Cr Lewisohn 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.

6. PRESENTATION OF REPORTS

The order of business was as follows:

- B2 111 NOTT STREET, PORT MELBOURNE
- B3 123 BEACONSFIELD PARADE, ALBERT PARK – VICTORIA HOTEL, ALBERT PARK
- B1 215–217 PARK STREET AND 54 DOW STREET, SOUTH MELBOURNE–SOUTH MELBOURNE POST OFFICE
- B4 16 CRUIKSHANK STREET, PORT MELBOURNE
- B5 DELEGATE REPORT

B1 215-217 PARK STREET, AND 54 DOW STREET, SOUTH MELBOURNE – SOUTH MELBOURNE POST OFFICE

Purpose

Demolish rear of existing buildings and construct new 1st floor additions to Park Street and new 4 level building (incorporating attic 4th level) to Dow Street for 4 dwellings and associated car parking.

*Cr Hill tabled a late submission from a resident living at 168 Napier Street, South Melbourne, in regards to their concern about the effect the construction will have on the amenity and utility of the area.

MOVED Crs Lewisohn/Hill

That the Statutory Planning Committee, having caused the application to be advertised and having received sixteen (16) objections is of the opinion that the proposed demolition of the rear of existing buildings and construction of new 1st floor additions to Park Street and new 4 level building (incorporating attic 4th level) to Dow Street for 4 dwellings and associated car parking at 215-217 Park Street and 54 Dow Street, South Melbourne will not cause material detriment to any person other than the applicant.

That a Notice of Decision to Grant a Permit be issued for the demolition of the rear of existing buildings and construction of new 1st floor additions to Park Street and new 4 level building (incorporating attic 4th level) to Dow Street for 4 dwellings and associated car parking at 215-217 Park Street and 54 Dow Street, South Melbourne.

That the decision be issued as follows:

(1) Amended Plans Required

Before 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) The scale of the Dow Street building reduced by a reduction of wall height at least 700mm, such as by reductions in floor to ceiling heights and/or ramping down of the garage floor level or similar;
- (b) The double height stair well at the Park Street frontage deleted in favour of a continuation of the front balcony across the full width of the frontage;
- (c) The Dow Street building wall materials changed from render to red brick;
- (d) Deletion of the frame and fascias to the roof top dormer windows facing Dow Street, so as to make them more recessive;
- (e) Addition of windows to the Dow Street elevation of the stair well.
- (f) The proposed first and second floor level outdoor terraces (not facing the streets) of all dwellings, and the 3rd floor level north facing dormer windows of dwellings 3 and 4 modified to incorporate 1.7m high solid privacy screens or fixed translucent glazing to prevent overlooking.

- (g) details of environmental features within the development which would promote energy efficient use of resources and energy efficiency;
- (h) Plan notations for the dwellings to incorporate appropriate noise shielding techniques such as use of double glazing or thick glass, sealing of gaps, solid-core doors, insulation and acoustic insulation and deflection surfaces in their construction;
- (i) Details of the location and design of mailboxes, and details of lighting of main building entries, pedestrian areas & car parks; such lighting to not detract from surrounding properties' amenity;
- (j) A coloured schedule (two copies) of the materials, colours and finishes to be used in the external surfaces of the proposed building.
- (k) Modification to the building by the setting back of the southern façade from the second floor level by not less than 1 metre.

and will be subject to the following conditions.

(2) Layout Not Altered

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

(3) Number of Car Parking Spaces Required

Not fewer than ten (10) car parking spaces must be provided on the land for the uses approved by this permit. Two (2) car spaces must be made available at all times for the Commercial (Post Office) use.

(4) Street Crossings

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 pavers or suitably shaped and coloured concrete kerb and channel to match existing kerb and guttering (as appropriate),
- (b) any redundant existing crossing shall be removed and the footpath and kerb reconstructed incorporating bluestone pavers or suitably shaped and coloured concrete kerb and channel to match existing kerb and guttering (as appropriate), and 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.
- (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.

(5) Alteration/Reinstatement of Council or Public Authority Assets

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.

(6) 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.

(7) 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.

(8) 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).

(9) Amenity

The amenity of the area must not be detrimentally affected by the development through the:

- (a) Transport of materials, goods or commodities to or from the land.
- (b) Appearance of any building, works or materials;
- (c) Emissions of noise, artificial light, vibration, smell, fumes, smoke, steam, soot, ash, dust, waste water, waste products, grit or oil;
- (d) Presence of vermin;
- (e) Change to television and/or radio reception; or
- (f) In any other way.

(10) Concealment of Pipes

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

(11) Roads and Laneways to be kept clear

During the construction of the buildings and works allowed by this permit, the road(s) and laneway(s) adjacent to the subject land shall be kept free of parked or standing vehicles (other than for the minimum time required to unload or load, or in designated parking area) or any other obstruction, including building materials, equipment etc. so as to maintain free vehicular passage to abutting benefiting properties at all times.

(12) Permit required for signs

This permit relates only to the use and development of the land and does not comprise an approval for the erection of any advertising signs. The location and details of any advertising signs to be erected on the land and exempt pursuant to the Port Phillip Planning Scheme, shall be the subject of a separate planning permit application.

(13) 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:

Cross-over Permit Required

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

Waste Collection

The applicant must consult with Council's Waste Management Department regarding the location of waste bins and collection options.

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.

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

MOVED Crs Brand/Johnstone – AMENDMENT

That Cr Lewisohn's additional condition 1(k) be deleted.

A vote was taken and the AMENDMENT was CARRIED.

MOVED Crs Brand/Hill

That the Statutory Planning Committee, having caused the application to be advertised and having received sixteen (16) objections is of the opinion that the proposed demolition of the rear of existing buildings and construction of new 1st floor additions to Park Street and new 4 level building (incorporating attic 4th level) to Dow Street for 4 dwellings and associated car parking at 215-217 Park Street and 54 Dow Street, South Melbourne will not cause material detriment to any person other than the applicant.

That a Notice of Decision to Grant a Permit be issued for the demolition of the rear of existing buildings and construction of new 1st floor additions to Park Street and new 4 level building (incorporating attic 4th level) to Dow Street for 4 dwellings and associated car parking at 215-217 Park Street and 54 Dow Street, South Melbourne.

That the decision be issued as follows:

(1) Amended Plans Required

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- (a) The scale of the Dow Street building reduced by a reduction of wall height at least 700mm, such as by reductions in floor to ceiling heights and/or ramping down of the garage floor level or similar;
- (b) The double height stair well at the Park Street frontage deleted in favour of a continuation of the front balcony across the full width of the frontage;
- (c) The Dow Street building wall materials changed from render to red brick;
- (d) Deletion of the frame and fascias to the roof top dormer windows facing Dow Street, so as to make them more recessive;
- (e) Addition of windows to the Dow Street elevation of the stair well.
- (f) The proposed first and second floor level outdoor terraces (not facing the streets) of all dwellings, and the 3rd floor level north facing dormer windows of dwellings 3 and 4 modified to incorporate 1.7m high solid privacy screens or fixed translucent glazing to prevent overlooking.
- (g) details of environmental features within the development which would promote energy efficient use of resources and energy efficiency;
- (h) Plan notations for the dwellings to incorporate appropriate noise shielding techniques such as use of double glazing or thick glass, sealing of gaps, solid-core doors, insulation and acoustic insulation and deflection surfaces in their construction;
- (i) Details of the location and design of mailboxes, and details of lighting of main building entries, pedestrian areas & car parks; such lighting to not detract from surrounding properties' amenity;
- (j) A coloured schedule (two copies) of the materials, colours and finishes to be used in the external surfaces of the proposed building.

and will be subject to the following conditions.

(2) Layout Not Altered

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

(3) Number of Car Parking Spaces Required

Not fewer than ten (10) car parking spaces must be provided on the land for the uses approved by this permit. Two (2) car spaces must be made available at all times for the Commercial (Post Office) use.

(4) Street Crossings

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 existing kerb and guttering (as appropriate),
- (b) any redundant existing crossing 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), and 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.
- (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.

(5) Alteration/Reinstatement of Council or Public Authority Assets

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.

(6) 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.

(7) 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.

(8) 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).

(9) Amenity

The amenity of the area must not be detrimentally affected by the development through the:

- (a) Transport of materials, goods or commodities to or from the land.
- (b) Appearance of any building, works or materials;
- (c) Emissions of noise, artificial light, vibration, smell, fumes, smoke, steam, soot, ash, dust, waste water, waste products, grit or oil;
- (d) Presence of vermin;
- (e) Change to television and/or radio reception; or
- (f) In any other way.

(10) Concealment of Pipes

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

(11) Roads and Laneways to be kept clear

During the construction of the buildings and works allowed by this permit, the road(s) and laneway(s) adjacent to the subject land shall be kept free of parked or standing vehicles (other than for the minimum time required to unload or load, or in designated parking area) or any other obstruction, including building materials, equipment etc. so as to maintain free vehicular passage to abutting benefiting properties at all times.

(12) Permit required for signs

This permit relates only to the use and development of the land and does not comprise an approval for the erection of any advertising signs. The location and details of any advertising signs to be erected on the land and exempt pursuant to the Port Phillip Planning Scheme, shall be the subject of a separate planning permit application.

(13) 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:

Cross-over Permit Required

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

Waste Collection

The applicant must consult with Council's Waste Management Department regarding the location of waste bins and collection options.

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.

That the Standing 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.

Cr Lewisohn voted against the MOTION.

B2 111 NOTT STREET, PORT MELBOURNE

Purpose

Alterations and additions to existing building to accommodate 7 apartments and home offices including associated car parking.

MOVED Crs Hutchens/Brand

That the Statutory Planning Committee being the responsible authority, having caused the application to be advertised and having received and noted 10 objections is of the opinion that the granting of a Planning Permit for the alterations and additions to the existing building for the use of 7 apartments and associated home offices including 13 car parking spaces will not cause material detriment to persons other than the applicant.

That the Statutory Planning Committee advise the Registrar of the Victorian Civil and Administrative Tribunal that as an appeal has not been lodged, Council would have issued a Notice of Decision to Grant A Planning Permit under the provisions of the Port Phillip Planning Scheme to develop the land known as 111 Nott Street for the purposes of 7 apartments and associated home offices subject to appropriate conditions as listed below.

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) Deletion of the third floor level of apartment 7 and internal re-arrangement of that apartment in accordance with the plans submitted to Council on the 15th February 2002;
 - (b) Modifications to the car parking space 1 to allow for a 3.00 metre wide space to meet with the Relevant Australian Standards, and in accordance with the plans submitted to Council on the 15th of February 2002;
 - (c) Provision of a terrace at the third floor level in accordance with the plans submitted to Council on the 15th February 2001. This balcony must not extend closer than 3.00 metres from the rear boundary. This balcony must have appropriate screening devices to restrict overlooking into nearby residential dwellings to the satisfaction of the Responsible Authority.
 - (d) Reduction in the overall height of the front section of the building (apartments 1 & 2) so that the overall height of the building does not exceed 9.00 metres above ground floor level.
 - (e) The projecting window element at the facade, to not project more than 500 mm over the property frontage.
 - (f) The inclusion of a domestic sized pedestrian door at the ground floor rear elevation to allow for direct pedestrian access from the car parking area Church Street.
 - (g) details of environmental features within the development which would promote energy efficient use of resources and energy efficiency.
 - (h) The inclusion of an integrated urban art feature within the development and its surrounds.
2. The development and use as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.

3. Once the development and use has started it must be completed to the satisfaction of the responsible authority.
4. Prior to the commencement of the development hereby permitted a schedule, and colored elevations that show all details of the external material, finished and colors (including color samples) shall be submitted to the satisfaction of the responsible authority. Once approved they will form part of the permit.
5. Except as otherwise agreed with the Council, prior to the commencement of works, the owner/applicant must either:
 - (a) pay a development infrastructure levy to the Council in accordance with the provision of the Port Melbourne Mixed Use Area Development Contributions Plan (Streetscape Works); or
 - (b) enter into an agreement to construct or complete, prior to the completion of the development hereby permitted, to conform with plans and specifications having the prior approval of the responsible authority, road and streetscape improvements in the immediate vicinity of the subject site, generally in accordance with the Port Melbourne Mixed Use Area Development Contributions Plan (Streetscape Works), Port Melbourne Landscape Masterplan and Streetscape Improvement Study 1998 and the Costing for Perimeter an Medium Works and / or specifically in accordance with the agreed scope of works.

Prior to the commencement of the works, the owner of the land must lodge an insurance backed performance bond, bank guaranteed of similar security figure to be agreed upon, to provide for the completion by the responsible authority of any works referred to in this Condition not already completed by the developer/owner prior to the issue of the Certificate of Occupancy.

Furthermore the development is to be to Council a supervision fee determined in accordance with the subdivision Act 1998 for supervision of streetscape works and a landscape maintenance fee.
6. No equipment(including, but not limited to, ducting and piping, air conditioned and heating units and satellite dish), services and architectural features other than those shown on the endorsed plan shall be permitted unless otherwise agreed to in written by the responsible authority.
7. Parking areas / spaces and all access lanes must be kept available for those purposes at all times.
8. Each dwelling must be provided with a minimum of one car parking spaces.
9. Both the pedestrian door garage roller door shall be provided with sound deadening buffers to ensure silent closing (and opening) of the doors, to the satisfaction of the Responsible Authority.
10. The use and development must not cause nuisance or be detrimental to the amenity of the neighbourhood by the emission of noise. Noise levels must comply with the relevant State Environmental Protection Policy
11. 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.

12. Before the construction or carrying out of buildings or works commences:
 - (a) A certificate of environmental audit must be issued for the land in accordance with Section 57AA of the Environmental Protection Act 1970; or
 - (b) An environmental auditor appointed under the Environmental Protection Act 1970 must make a statement in accordance with Section 57AA (5) 9B) of that Act that the environmental conditions of the land are suitable for sensitive use.
13. The Applicant/ Owner shall do the following things to the satisfaction of the responsible authority:
 - (a) All new crossovers (and other associated works) shall be constructed at the cost of the of the applicant/owner, and shall be constructed to the satisfaction of the responsible authority
 - (b) The applicant/owner shall submit detailed plan of the relocated position of the new crossover, to the approval and satisfaction of the Responsible Authority
14. Prior to any works the written approval of the Council of other relevant authority for such alterations/ reinstatements (including the construction of new crossovers:
 - (a) Complies with conditions (if any) required by the Council or other relevant authorities in respect of reinstatement.
15. This permit will expire if one of the following circumstances applies;
 - (a) The 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 period referred to if a request is made in writing before the permit expires or within three months afterwards.

Permit Footnotes

- (a) *The application / 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.*

A vote was taken and the MOTION was CARRIED.

MOVED Crs Hill/Hutchens MOTION ARISING

Could the Director City Development provide advice to Council in relation to options to improve the visibility around lane corners.

A vote was taken and the MOTION ARISING was CARRIED.

**B3 123 BEACONSFIELD PARADE, ALBERT PARK – VICTORIAL HOTEL,
ALBERT PARK**

Cr Lewisohn entered the meeting at 6.15pm.

Purpose

Demolition of part of the existing building (non-original additions to side and rear internal courtyard) and the redevelopment of existing building including internal alterations, courtyards and changes to ground floor level windows to Kerferd Road, changes to ground floor level windows and removal of non-original glazing to upper level balconies to Beaconsfield Parade, alterations and additions including verandahs and balconies to side and rear, and construction of a four level addition for fifteen (15) residential apartments and associated car parking.

MOVED Crs Hutchens/Johnstone

That the Statutory Planning Committee, having caused the application to be advertised and having received ten (10) objections, is of the opinion that the proposed:

- Demolition of part of the existing building (non-original additions to side and rear internal courtyard);
- *Redevelopment of existing building including internal alterations, courtyards and changes to ground floor level windows to Kerferd Road, changes to ground floor level windows and removal of non-original glazing to upper level balconies to Beaconsfield Parade, alterations and additions including verandahs and balconies to side and rear, and construction of a four level addition for fifteen (15) residential apartments and associated car parking;*
- Reduction in licensed area and change of use from restaurant/bar/function room to café and outdoor dining area; and
- Car parking dispensation.
at 123 Beaconsfield Parade, 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 for the:

- Demolition of part of the existing building (non-original additions to side and rear internal courtyard);
- *Redevelopment of existing building including internal alterations, courtyards and changes to ground floor level windows to Kerferd Road, changes to ground floor level windows and removal of non-original glazing to upper level balconies to Beaconsfield Parade, alterations and additions including verandahs and balconies to side and rear, and construction of a four level addition for fifteen (15) residential apartments and associated car parking;*
- Reduction in licensed area and change of use from restaurant/bar/function room to café and outdoor dining area with an On-Premises (Restaurant) Liquor License; and
- Car parking dispensation.

That the decision be issued as follows:

(1) Amended Plans Required

Before 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) The Kerferd Road vehicle crossover to be widened to at least 5.0m, with no loss of existing on-street car parking spaces.
- (b) Deletion of the carport canopy over car space 13;
- (c) The parapet height of the east-west element lowered to the minimum required to conceal plant;
- (d) The new/revised windows to the Beaconsfield Parade and Kerferd Road elevations to incorporate reveals to complement the original and existing window format;
- (e) Detail design of the new Beaconsfield Parade and Kerferd Road fences and gates including adoption of a vertical format (i.e. vertical timber palings or corrugated iron);
- (f) Details of the location and design of mailboxes, and details of lighting of main building entries, pedestrian areas & car parks; such lighting to not detract from surrounding properties' amenity;
- (g) Plan notations for the inclusion of environmental features for the building and the dwellings as follows:
 - 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;
- (h) Plan notations for the dwellings to incorporate appropriate noise shielding techniques such as use of double glazing or thick glass, sealing of gaps, solid-core doors, insulation and acoustic insulation and deflection surfaces in their construction;
- (i) A coloured schedule (two copies) of the materials, colours and finishes to be used in the external surfaces of the proposed building.

and will be subject to the following conditions.

(2) Layout Not Altered

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

(3) Hours of Operation

The café use may only operate between the hours of 6.00am and 12 midnight on any day.

(4) Number of Seats (Cafes/Restaurants etc.)

No more than eighty five (85) patrons may be admitted to and served within and outside the café premises (including any appurtenant outdoor seating area within the Title boundary), without the further written consent of the Responsible Authority.

(5) Cafes/Restaurants/Licensed Premises

The Café use must ensure that:

- (a) All refuse bins must be stored within the site and shall be screened from view from outside the site.
- (b) Empty bottles must not be placed outside the premises for rubbish collection after 10.00pm on any day.
- (c) No rubbish collection is to be carried out from the site before 7.00am on any day.

(6) Liquor License

- (a) Prior to the commencement of the development allowed by this permit, the existing General Liquor License for the existing hotel bar, restaurant and function room must be surrendered;
- (b) The proposed Café use may include a new On-Premises (Restaurant) Liquor License.

(7) Noise Control - Café Use

The Café use shall not cause nuisance or be detrimental to the amenity of the neighbourhood by the emission of noise including as follows:

- (a) noise from patrons of the premises must be controlled through the provision of adequate security and internal signage to encourage patrons to depart in a responsible manner.
- (b) All air conditioning and refrigeration plant must be screened and baffled and/or insulated to minimise noise and vibration to any residence to ensure compliance with noise limits determined in accordance with State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade) No. N-1.
- (c) The level of music noise emitted from the premises must not exceed the permissible levels specified in the State Environmental Protection Policy (Control of Music Noise from Public Premises) No. N-2.

(8) 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).

(9) Number of Car Parking Spaces Required

Not fewer than twenty (20) car parking spaces must be provided on the land for the uses approved by this permit. At least one (1) car space must be made available at all times for the Café use.

(10) Car parking surface

Prior to the occupation of the premises for the new use, 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 may be used in accordance with the plan;
- (c) constructed with an all-weather surface to the satisfaction of the Responsible Authority;
- (d) drained and maintained to the satisfaction of the Responsible Authority.

(11) Street Crossings

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 existing kerb and guttering (as appropriate),
- (b) any redundant existing crossing 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), and 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.
- (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.

(12) Alteration/Reinstatement of Council or Public Authority Assets

The Applicant/Owner shall do the following things to the satisfaction of the Responsible Authority:

- (d) Pay the costs of all alterations/reinstatement of Council and Public Authority assets necessary and required by such Authorities for development.
- (e) Obtain the prior written approval of the Council or other relevant Authority for such alterations/reinstatement.
- (f) Comply with conditions (if any) required by the Council or other relevant Authorities in respect of reinstatement.

(13) 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.

(14) 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.

(15) Concealment of Pipes

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

(16) Roads and Laneways to be kept clear

During the construction of the buildings and works allowed by this permit, the road(s) and laneway(s) adjacent to the subject land shall be kept free of parked or standing vehicles (other than for the minimum time required to unload or load, or in designated parking area) or any other obstruction, including building materials, equipment etc. so as to maintain free vehicular passage to abutting benefiting properties at all times.

(17) Permit required for signs

This permit relates only to the use and development of the land and does not comprise an approval for the erection of any advertising signs. The location and details of any advertising signs to be erected on the land and exempt pursuant to the Port Phillip Planning Scheme, shall be the subject of a separate planning permit application.

(18) Amenity

The amenity of the area must not be detrimentally affected by the development through the:

- (a) Transport of materials, goods or commodities to or from the land.
- (b) Appearance of any building, works or materials;
- (c) Emissions of noise, artificial light, vibration, smell, fumes, smoke, steam, soot, ash, dust, waste water, waste products, grit or oil;
- (d) Presence of vermin;
- (e) Change to television and/or radio reception; or
- (f) In any other way.

(19) Time for Starting and Completion

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

- (c) The development is not started within two years of the date of this permit.
- (d) 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:

Heritage Victoria Approval Required

Prior to the commencement of any buildings or works allowed by this Planning Permit, the proposed buildings and works must also be approved in writing by Heritage Victoria.

Cross-over Permit Required

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

Outdoor Seating Area Requirement

Any outdoor seating outside the Title boundary and associated with the café premises is required to comply with any permit issued by Council's Local Laws section.

Waste Collection

The applicant must consult with Council's Waste Management Department regarding the location of waste bins and collection options.

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.

That the Standing 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 (unanimously)

B4 16 CRUIKSHANK STREET, PORT MELBOURNE

Purpose

Demolition of the existing dwelling and construction of two double storey dwellings.

MOVED Crs Hill/Brand

That the Statutory Planning Committee being the responsible authority, having caused the application to be advertised and having received and noted three objections is of the opinion that the granting of a Planning Permit for the demolition of the existing building and the construction of two double storey attached dwellings will not cause material detriment to persons other than the applicant.

That the Statutory Planning Committee issue a Notice of Decision to Grant a Permit under the provisions of the Port Phillip Planning Scheme for the purposes of the demolition of the existing dwelling and construction of two double storey dwellings at 16 Cruikshank Street generally in accordance with the endorsed plans.

That a Notice of Decision be issued subject to the following 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 submitted on the 20th November 2001 but modified to show:
 - (a) The ground floor to ceiling height reduced from 3000mm to 2800mm;
 - (b) The provision of environmental sustainable design features.
 - (c) The new front façade elevation to include the following objectives:
 - A clear distinction between the two separate dwellings to ensure that they are read as single fronted dwellings to support the existing streetscape character;
 - Amended materials to the upper level, to reduce the impact of the first floor, including light weight materials, and limited architectural features;
 - The redesign of window and door openings, in a more rectangle form (as opposed to vertical) to better reflect the fenestration of surrounding heritage buildings.
 - The inclusion of low pitched gabled roof forms, with both dwellings individually identified, in a similar form to the plans submitted to Council with the original application lodged and as discussed with Council's Heritage Advisor.
 - (e) The provision of outdoor clothes drying facilities on site;
 - (f) A 2m setback of the northern wall of Dwelling A from the northern boundary, adjacent to the adjoining light court;
 - (g) Translucent (obscured) fixed glazing to a height of 1.7m above first floor height to the study of Dwelling A;
 - (h) The provision of a 2700 mm high boundary fence to be located in-between the subject land and 18 Cruikshank Street.

- (i) The provision of screening on the rear balconies of the dwellings to negate views into the private open space of the other dwelling and adjacent dwellings to the satisfaction of the Responsible Authority;
- (j) The location of bin storage facilities;
- (k) The provision of 3 car spaces at the garage at the rear.
- (l) Details of the proposed front fence to provide vertical infill rails to the satisfaction of the Responsible Authority
- (m) That the glass lines at the rear of the proposed building extend no further than that of the property at 18 Cruikshank Street.
- (n) The roof to be constructed of galvanized iron;
- (o) The garage doors should be tilt type, and sheeted vertically;

All of the above are to be to the satisfaction of the Responsible Authority.

- 2. The development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.
- 3. Prior to the commencement of the development hereby permitted a schedule, and colored elevations that show all details of the external material, finished and colors (including color samples) shall be submitted to the satisfaction of the responsible authority. Once approved they will form part of the permit.
- 4. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.
- 5. The walls on the boundary of adjoining properties shall be cleaned and finished in a manner to the satisfaction of the responsible authority.
- 6. Except as otherwise agreed with the Council, prior to the commencement of works, the owner/ applicant must either:
 - a) pay a development infrastructure levy to the Council in accordance with the provision of the Port Melbourne Mixed Use Area Development Contributions Plan (Streetscape Works); or
 - b) enter into an agreement to construct or complete, prior to the completion of the development hereby permitted, to conform with plans and specifications having the prior approval of the responsible authority, road and streetscape improvements in the immediate vicinity of the subject site, generally in accordance with the Port Melbourne Mixed Use Area Development Contributions Plan (Streetscape Works), Port Melbourne Landscape Masterplan and Streetscape Improvement Study 1998 and the Costing for Perimeter an Medium Works and / or specifically in accordance with the agreed scope of works.

Prior to the commencement of the works, the owner of the land must lodge an insurance backed performance bond, bank guaranteed of similar security figure to be agreed upon, to provide for the completion by the responsible authority of any works referred to in this Condition not already completed by the developer/owner prior to the issue of the Certificate of Occupancy.

Furthermore the development is to be to Council a supervision fee determined in accordance with the subdivision Act 1998 for supervision of streetscape works and a landscape maintenance fee.

7. No equipment(including, but not limited to, ducting and piping, air conditioned and heating units and satellite dish), services and architectural features other than those shown on the endorsed plan shall be permitted unless otherwise agreed to in written by the responsible authority.
8. Parking areas / spaces and all access lanes must be kept available for those purposes at all times.
9. 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, including the electricity pole located within Little Cruikshank Street.
 - (b) Obtain the prior written approval of the Council or other relevant Authority for such alterations/reinstatements.Comply with conditions (if any) required by the Council or other relevant Authorities in respect of reinstatement.
10. This permit will expire if one of the following circumstances applies:
 - (a) The development 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 or within three months afterwards.

NOTES:

- (a) The developer shall show due care in the development of the proposal so as to ensure that no damage is incurred to the buildings on adjoining properties.*
- (b) 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 are consistent with this planning permit.*

A vote was taken and the MOTION was CARRIED (unanimously).

B5 DELEGATE REPORT

Purpose

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

MOVED Crs Johnstone/Hutchens

That 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.

5. QUESTION TIME

Item 1

A resident asked the following question in relation to the Grand Prix:

“What has Council done in the last three years to maximise interest in businesses during the Grand Prix?”

****Director City Development to investigate and respond to the resident concerned.***

As there was no further business the meeting closed at 7.00pm.

Confirmed: 8 March 2002

Chairperson: _____