



## **INTERNAL DEVELOPMENT APPROVALS COMMITTEE MEETING**

# **MINUTES**

**held on Wednesday 19 February 2003 at 6.00pm  
at the Richmond Town Hall Meeting Room 3**

### **I. ATTENDANCE**

Councillor Judy Morton  
Councillor Li Lai  
Councillor Greg Barber  
Councillor Jenny Farrar observed

### **II. DECLARATIONS OF PECUNIARY INTEREST**

Nil

### **III. CONFIRMATION OF MINUTES**

#### **INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION:**

**Moved:** Councillor Morton                      **Seconded:** Councillor Lai

That the minutes of the meeting of IDAC held on 5 February 2003 be confirmed, subject to the inclusion of Shirley Mahood in the list of persons who made submissions on the proposed development at 20-26 Docker Street, Richmond.

**CARRIED**

***Welcome to the City of Yarra.  
Council acknowledges the  
Wurundjeri community as the first  
owners of this country.  
Today, they are still the custodians  
of the cultural heritage of this land.***

Councillor Morton nominated Councillor Barber as Chairperson.

There being no other nominations, Councillor Barber was appointed Chairperson.

Councillor Barber assumed the Chair.

## INTERNAL DEVELOPMENT APPROVALS COMMITTEE MEETING

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**1. 225 Gold Street, Clifton Hill – Planning Permit Application No. PL02/0203 (Alterations and additions to existing dwelling and construction of single storey studio).**

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**RECOMMENDATION**

That having considered all objections and relevant planning documents, the Committee resolves to issue a Notice of Decision to Grant a Permit for the alterations and additions to existing dwelling and construction of single storey studio at 225 Gold Street, Clifton Hill, subject to the following conditions:

1. Before the use and/or 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 three copies must be provided. The plans must be generally in accordance with the amended plans received by Council 4 December 2002, but modified to show:
  - (a) the first floor to comply with Standard A10 Side and rear setbacks and to the satisfaction of the Responsible Authority;
  - (b) the first floor velux skylights to be deleted; and
  - (c) screening of first floor west facing hallway window and south facing window in accordance with Standard A15 of ResCode and to the satisfaction of the Responsible Authority.
2. All development and use must accord with the endorsed plans. Any alterations must be approved by the Responsible Authority.
3. Any damaged road(s) and footpath(s) adjacent to the development site must be reinstated to the satisfaction of the Responsible Authority.
4. Except with the written consent of the Responsible Authority, demolition or construction works must only be carried out between: 7am - 6pm, Monday-Friday (excluding public holidays) and 9am - 5pm, Saturday and public holidays. No work is to be carried out on Sundays, ANZAC Day, Christmas Day or Good Friday without a specific permit. All site operations must comply with the relevant Environmental Protection Authority's Guidelines on Construction and Demolition Noise.
5. This permit will expire if the use or development is not commenced within two years from the date of this permit. All development must be completed within four years from the date of this permit. The Responsible Authority may approve extensions to these time limits if requests are made within three months of expiry.

NOTE: The site must be drained to the legal point of discharge to the satisfaction of the Responsible Authority.

- NOTE: This site is subject to a Heritage Overlay pursuant to the Yarra Planning Scheme. Unless hereby approved, a planning permit is required for any demolition, re-painting or other external alterations, sandblasting, exterior works (including the installation of external airconditioning units, solar panels, and any other heating/cooling units) to an existing building or buildings, construction of a building or fence, changes to the natural topography of the land or the subdivision or consolidation of land.
- NOTE: A building permit must be obtained before development is commenced.
- NOTE: Storm water drainage of the property must be provided to the nearest Council pit.

Submissions:

*The applicant, Mr William Morgan-Payler addressed the Committee.*

*Mr Paul Evans, representing the applicant, also addressed the Committee.*

*The following people also addressed the Committee:*

*Mr George Nassios; and*

*Ms Cathy Nassios.*

## **INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION**

**Moved:** Councillor Morton

**Seconded:** Councillor Lai

That having considered all objections and relevant planning documents, the Committee resolves to issue a Notice of Decision to Grant a Permit for the alterations and additions to existing dwelling and construction of single storey studio at 225 Gold Street, Clifton Hill, subject to the following conditions:

1. Before the use and/or 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 three copies must be provided. The plans must be generally in accordance with the amended plans received by Council 4 December 2002, but modified to show:
  - (a) the first floor to comply with Standard A10 of Rescode side and rear setbacks and to the satisfaction of the Responsible Authority;
  - (b) the first floor velux skylights to be deleted; and
  - (c) screening of first floor west facing hallway window and south facing window in accordance with Standard A15 of ResCode and to the satisfaction of the Responsible Authority.
2. All development and use must accord with the endorsed plans. Any alterations must be approved by the Responsible Authority.

3. Any damaged road(s) and footpath(s) adjacent to the development site must be reinstated to the satisfaction of the Responsible Authority.
4. Except with the written consent of the Responsible Authority, demolition or construction works must only be carried out between: 7am - 6pm, Monday-Friday (excluding public holidays) and 9am - 5pm, Saturday and public holidays. No work is to be carried out on Sundays, ANZAC Day, Christmas Day or Good Friday without a specific permit. All site operations must comply with the relevant Environmental Protection Authority's Guidelines on Construction and Demolition Noise.
5. This permit will expire if the use or development is not commenced within two years from the date of this permit. All development must be completed within four years from the date of this permit. The Responsible Authority may approve extensions to these time limits if requests are made within three months of expiry.

NOTE: The site must be drained to the legal point of discharge to the satisfaction of the Responsible Authority.

NOTE: This site is subject to a Heritage Overlay pursuant to the Yarra Planning Scheme. Unless hereby approved, a planning permit is required for any demolition, re-painting or other external alterations, sandblasting, exterior works (including the installation of external airconditioning units, solar panels, and any other heating/cooling units) to an existing building or buildings, construction of a building or fence, changes to the natural topography of the land or the subdivision or consolidation of land.

NOTE: A building permit must be obtained before development is commenced.

NOTE: Storm water drainage of the property must be provided to the nearest Council pit.

**CARRIED**

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**2. 201 Smith Street, Fitzroy - Planning Permit Application No. PL02/0206 (Use of premises as a bar (tavern) in association with the existing retail use including the sale and consumption of liquor and waiving of associated parking requirements).**

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**RECOMMENDATION**

That Council resolve to issue a Notice of Decision to Grant a Permit to land at 201 Smith Street, Fitzroy for the use of the premises as a bar (tavern) in association with the existing retail use including the sale and consumption of liquor and the waiving of the associated car parking requirements in accordance with the plans submitted and subject to the following conditions:

1. Before the use and/or 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 three copies must be provided. The plans must be generally in accordance with the application plans, but modified to show:
  - (a) the deletion of the rear courtyard from the proposed bar area;
  - (b) details of self closing mechanism to doors; and
  - (c) the Noise and Amenity Action Plan be amended to remove all references to the rear outside seating area.
2. All development and use must accord with the endorsed plans. Any alterations must be approved by the Responsible Authority.
3. The layout of the uses on the endorsed plans must not be altered without the written consent of the Responsible Authority.
4. The licensed premises must operate and be managed in accordance with the conditions and provisions of the approved Patron Management Plan to the satisfaction of the Responsible Authority.
5. No live music or amplified music other than background music is permitted on the site without the grant of a further permit by the Responsible Authority.
6. The use hereby permitted must only be open for that purpose during the following times:
  - (a) Monday to Thursday and Sunday 8.00am to 11.00pm;
  - (b) Friday to Saturday 8.00am to 12 Midnight; and
  - (c) Good Friday and Anzac Day and any other Public Holiday 12.00noon to 11.00pm.
7. No more than 50 patrons are to be permitted on the premises at any one time (inclusive of any future permitted outside seating area on Smith Street).

8. The rear outside area must not be used by patrons (other than to access toilet facilities).
9. No background music whatsoever shall be broadcast to Smith Street without the further written consent of the Responsible Authority.
10. Any noise emitted from the subject premises shall:
  - (a) at all times comply with any limits, standards or rules prescribed thereto or imposed by, in or under State Environment Policy made pursuant to the *Environment Protection Act 1970*, and in particular the State Environment Protection Policy (Control of Noise from Commerce, Industry or Trade) No. N-1; and (control of music from public premises) N-2; and
  - (b) at all times be such as to comply with any noise control notice served on the occupier of the subject premises pursuant to Section 47 of the Environment Protection Act.
11. The operator must request patrons by the erection of a prominent notice, to take account of the needs of local residents for peace and quiet during normal sleeping hours.
12. All persons engaged in the serving of liquor must undertake a responsible service of alcohol course provided by or approved by the Liquor Licensing Commission within three months of being engaged by the operator.
13. No emptying of bottles into garbage bins is permitted after 10pm on any night, or before 7am on any day. No bottles or other waste materials shall be removed from the site between the hours of 9.00pm on any day and 8.00am the following morning. Garbage collection must be made by a private contractor.
14. The area set aside for refuse storage as shown on the endorsed plans must be paved, screened and constructed to the satisfaction of the Responsible Authority.
15. The amenity of the area must not be detrimentally affected by the use or development, through:
  - (a) the transport of materials, goods or commodities to or from land;
  - (b) the appearance of any buildings, works or materials;
  - (c) the emission of noise, artificial light, vibration, smell, fumes, smokes, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil; or
  - (d) the presence of vermin.
16. During all hours (whether or not liquor is served) in which the business is open to the public, entry must be made freely available to any authorised officer(s) of the responsible authority for the carrying out of any investigations associated with the sale or consumption of alcohol on the site.

17. During all hours (whether or not liquor is served) in which the business is open to the public, there must be present on the premises, a person above the age of 18 years, responsible for the good conduct of the premises ("the Manager").
18. The Manager must at all times be authorised by the occupier of the premises to make statements and admissions on their behalf to any authorised officer of the Responsible Authority regarding the conduct of the premises for the use hereby authorised.
19. All delivery and collection of goods associated with the business must be conducted between 8am and 6pm 7 days per week.
20. This permit will expire if the use is not commenced within two years from the date of this permit. The Responsible Authority may approve extensions to these time limits if requests are made within three months of expiry.

NOTE: This site is subject to a Heritage Overlay pursuant to the Yarra Planning Scheme. Unless hereby approved, a planning permit is required for any demolition, re-painting or other external alterations, sandblasting, exterior works (including the installation of external airconditioning units) to an existing building or buildings, construction of a building or fence, changes to the natural topography of the land or the subdivision or consolidation of land.

NOTE: These premises are required to comply with the *Food Act* 1984. No fit-out is to commence until plans have been approved by Council's Public Health Unit. Please contact the Public Health Unit on 9205 5777.

NOTE: These premises will be required to comply with the *Health Act* 1958. No Fit-out is to commence until plans have been approved by Council's Public Health Unit. Please contact the Public Health Unit on 9205 5777.

NOTE: A building permit must be obtained before development is commenced.

NOTE: A monetary contribution could be required in the event of a parking precinct plan for the area being adopted by Council.

Submissions:

*The applicant, Mr Nathan Muller addressed the Committee.*

*The following people also addressed the Committee:*

*Ms Theresa Monaggetti; and  
Mr John Jennings.*

## INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION

**Moved:** Councillor Lai

**Seconded:** Councillor Morton

That Council resolve to issue a Notice of Decision to Grant a Permit to land at 201 Smith Street, Fitzroy for the use of the premises as a bar (tavern) in association with the existing retail use including the sale and consumption of liquor and the waiving of the associated car parking requirements in accordance with the plans submitted and subject to the following conditions:

1. Before the use and/or 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 three copies must be provided. The plans must be generally in accordance with the application plans, but modified to show:
  - (a) the deletion of the rear courtyard from the proposed bar area;
  - (b) details of self closing mechanism to doors; and
  - (c) the Noise and Amenity Action Plan be amended to remove all references to the rear outside seating area.
2. All development and use must accord with the endorsed plans. Any alterations must be approved by the Responsible Authority.
3. The layout of the uses on the endorsed plans must not be altered without the written consent of the Responsible Authority.
4. The licensed premises must operate and be managed in accordance with the conditions and provisions of the approved Patron Management Plan to the satisfaction of the Responsible Authority.
5. No live music or amplified music other than background music is permitted on the site without the grant of a further permit by the Responsible Authority.
6. The use hereby permitted must only be open for that purpose during the following times:
  - (a) Monday to Thursday and Sunday 8.00am to 11.00pm;
  - (b) Friday to Saturday 8.00am to 12 Midnight; and
  - (c) Good Friday and Anzac Day and any other Public Holiday 12.00noon to 11.00pm.
7. No more than 50 patrons are to be permitted on the premises at any one time (inclusive of any future permitted outside seating area on Smith Street).
8. The rear outside area must not be used by patrons (other than to access toilet facilities).
9. No background music whatsoever shall be broadcast to Smith Street without the further written consent of the Responsible Authority.

10. Any noise emitted from the subject premises shall:
  - (a) at all times comply with any limits, standards or rules prescribed thereto or imposed by, in or under State Environment Policy made pursuant to the *Environment Protection Act 1970*, and in particular the State Environment Protection Policy (Control of Noise from Commerce, Industry or Trade) No. N-1; and (control of music from public premises) N-2; and
  - (b) at all times be such as to comply with any noise control notice served on the occupier of the subject premises pursuant to Section 47 of the Environment Protection Act.
11. The operator must request patrons by the erection of a prominent notice, to take account of the needs of local residents for peace and quiet during normal sleeping hours.
12. All persons engaged in the serving of liquor must undertake a responsible service of alcohol course provided by or approved by the Liquor Licensing Commission within three months of being engaged by the operator.
13. No emptying of bottles into garbage bins is permitted after 10pm on any night, or before 7am on any day. No bottles or other waste materials shall be removed from the site between the hours of 9.00pm on any day and 8.00am the following morning. Garbage collection must be made by a private contractor.
14. The area set aside for refuse storage as shown on the endorsed plans must be paved, screened and constructed to the satisfaction of the Responsible Authority.
15. The amenity of the area must not be detrimentally affected by the use or development, through:
  - (a) the transport of materials, goods or commodities to or from land;
  - (b) the appearance of any buildings, works or materials;
  - (c) the emission of noise, artificial light, vibration, smell, fumes, smokes, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil;
  - (d) the presence of vermin; and
  - (e) patron noise associated with use of the toilets.
16. During all hours (whether or not liquor is served) in which the business is open to the public, entry must be made freely available to any authorised officer(s) of the responsible authority for the carrying out of any investigations associated with the sale or consumption of alcohol on the site.
17. During all hours (whether or not liquor is served) in which the business is open to the public, there must be present on the premises, a person above the age of 18 years, responsible for the good conduct of the premises ("the Manager").

18. The Manager must at all times be authorised by the occupier of the premises to make statements and admissions on their behalf to any authorised officer of the Responsible Authority regarding the conduct of the premises for the use hereby authorised.
19. All delivery and collection of goods associated with the business must be conducted between 8am and 6pm 7 days per week.
20. This permit will expire if the use is not commenced within two years from the date of this permit. The Responsible Authority may approve extensions to these time limits if requests are made within three months of expiry.

NOTE: This site is subject to a Heritage Overlay pursuant to the Yarra Planning Scheme. Unless hereby approved, a planning permit is required for any demolition, re-painting or other external alterations, sandblasting, exterior works (including the installation of external airconditioning units) to an existing building or buildings, construction of a building or fence, changes to the natural topography of the land or the subdivision or consolidation of land.

NOTE: These premises are required to comply with the *Food Act* 1984. No fit-out is to commence until plans have been approved by Council's Public Health Unit. Please contact the Public Health Unit on 9205 5777.

NOTE: These premises will be required to comply with the *Health Act* 1958. No Fit-out is to commence until plans have been approved by Council's Public Health Unit. Please contact the Public Health Unit on 9205 5777.

NOTE: A building permit must be obtained before development is commenced.

NOTE: A monetary contribution could be required in the event of a parking precinct plan for the area being adopted by Council.

**CARRIED**

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- 3. 389-391 Brunswick Street, Fitzroy - Planning Permit Application No.PL02/0073 (Use of land for the purpose of a hotel (including packaged liquor sales) for 150 patrons from 7am to 3am the following day, 7 days per week and a reduction in the car parking requirement of the Planning Scheme).**
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### **RECOMMENDATION**

That the Committee resolve to issue a Notice of Decision to Grant a Permit for use of the premises as a hotel and a waiver of the car parking requirements of the planning Scheme for the land at 389-391 Brunswick Street, Fitzroy and subject to the following conditions/grounds:

1. The layout of the premises must be in accordance with the plans endorsed as part of this permit and the layout must not be altered without the written consent of the Responsible Authority.
2. The use may only operate between the following hours:
  - (a) Good Friday and Anzac Day between 12 noon and 12 midnight; and
  - (b) Any other day between 7am and 1am the following day except for the mornings of Good Friday and Anzac Day.
3. Liquor for consumption off the licensed premises must only sold between 10am and 11pm on any day.
4. No live entertainment shall be provided after 11pm Sunday to Thursday or after 12 midnight Friday and Saturday nights.
5. No music noise shall be allowed to escape the licensed premises that may be heard in a habitable room of any neighbouring residence.
6. The licensee shall not cause or permit undue detriment to the amenity of the area to arise out of or in connection with the use of the premises to which this permit relates during or immediately after the trading hours authorised under this permit.
7. The licensee shall ensure that the level of noise emitted from the premises shall not exceed:
  - (a) the permissible noise level from mechanical equipment as specified in the State Environment Protection Policy N-1 Control of Noise Industrial, Commercial and Trade Premises within the Melbourne Metropolitan area; and
  - (b) the permissible noise levels for entertainment noise as specified in the State Environment Protection Policy (Control of Music Noise from Public Premises) No. N2.
8. No music must be played outside the premises. No speakers must be sited outside the premises.

9. The front doors and windows must not be allowed to remain open while live music is being played, except to allow patrons to enter and leave the premises.
10. Seating must be provided within the premises for not less than 50% of patrons.
11. The use permitted must not adversely affect the amenity of the locality by the appearance of any buildings, works or materials, the transporting of goods to and from the premises, emissions from the site or in any other way.
12. The front window must not be painted out or totally screened.
13. Not more than 150 people may be on the premises at any one time.
14. Any empty bottles associated with the use must be taken in bags and no emptying of bottles into garbage bins is permitted after 10.00pm on any night or before 7.00am on any day.
15. Garbage collections are restricted between 7.00am and 10.00pm on any day.
16. Light meals must be provided at all times while the premises is in operation.
17. Sexually explicit entertainment, amusement machines and gambling must not be provided on the premises and in association with the 'hotel' use herein permitted.
18. During all hours (whether or not liquor is served) in which the business is open to the public, entry must be made freely available to a member of the Victoria Police, an "authorised officer" of the Responsible Authority or an officer of Liquor Licensing Victoria for the carrying out of any investigations associated with the sale or consumption of alcohol on the site.
19. During all hours (whether or not liquor is served) in which the business is open to the public, there must be present on the premises, a person above the age of 18 years, responsible for the good conduct of the premises ("the Manager"). The Manager must at all times be authorised by the occupier of the premises to make statements on their behalf to a member of the Victoria Police, an "authorised officer" of the Responsible Authority or an officer of Liquor Licensing Victoria regarding the conduct of the premises for the activity hereby authorised.
20. Prominent notices must be erected at all exit points of the premises, to the satisfaction of the Responsible Authority, requesting patrons take account of the needs of local residents for peace and quiet, and to leave the premises in a quiet manner so as not to disturb the amenity of the surrounding residential area.

21. This permit will expire if the use is not commenced within one year of the date of this permit. The Responsible Authority may approve an extension of time if a request is made within three months of expiry.

NOTE: These premises are required to comply with the *Food Act* 1984. No fit-out is to commence until plans have been approved by Council's Public Health Unit. Please contact the Public Health Unit on 9205 5777.

NOTE: These premises will be required to comply with the *Health Act* 1958. No Fit-out is to commence until plans have been approved by Council's Public Health Unit. Please contact the Public Health Unit on 9205 5777.

Submissions:

*The applicant, Ms Sophie Mindarkis, addressed the Committee.*

*Mr Andrew Clark, representing the applicant, also addressed the Committee.*

*Mr John Schultz also addressed the Committee.*

**INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION**

**Moved:** Councillor Morton

**Seconded:** Councillor Lai

That the Committee resolve to issue a Notice of Decision to Grant a Permit for use of the premises as a hotel and a waiver of the car parking requirements of the planning Scheme for the land at 389-391 Brunswick Street, Fitzroy and subject to the following conditions/grounds:

1. The layout of the premises must be in accordance with the plans endorsed as part of this permit and the layout must not be altered without the written consent of the Responsible Authority.
2. The use may only operate between the following hours:
  - (a) Good Friday and Anzac Day between 12 noon and 12 midnight; and
  - (b) Any other day between 7am and 1am the following day except for the mornings of Good Friday and Anzac Day.
3. Liquor for consumption off the licensed premises must only sold between 10am and 11pm on any day.
4. No live entertainment shall be provided after 11pm Sunday to Thursday or after 12 midnight Friday and Saturday nights.
5. No music noise shall be allowed to escape the licensed premises that may be heard in a habitable room of any neighbouring residence.

6. The licensee shall not cause or permit undue detriment to the amenity of the area to arise out of or in connection with the use of the premises to which this permit relates during or immediately after the trading hours authorised under this permit.
7. The licensee shall ensure that the level of noise emitted from the premises shall not exceed:
  - (a) the permissible noise level from mechanical equipment as specified in the State Environment Protection Policy N-1 Control of Noise Industrial, Commercial and Trade Premises within the Melbourne Metropolitan area; and
  - (b) the permissible noise levels for entertainment noise as specified in the State Environment Protection Policy (Control of Music Noise from Public Premises) No. N2.
8. No music must be played outside the premises. No speakers must be sited outside the premises.
9. The front doors and windows must not be allowed to remain open while live music is being played, except to allow patrons to enter and leave the premises.
10. Seating must be provided within the premises for not less than 50% of patrons.
11. The use permitted must not adversely affect the amenity of the locality by the appearance of any buildings, works or materials, the transporting of goods to and from the premises, emissions from the site or in any other way.
12. The front window must not be painted out or totally screened.
13. Not more than 150 people may be on the premises at any one time.
14. Any empty bottles associated with the use must be taken in bags and no emptying of bottles into garbage bins is permitted after 10.00pm on any night or before 7.00am on any day.
15. Garbage collections are restricted between 7.00am and 10.00pm on any day.
16. Meals must be available at all times while the premises is in operation.
17. Sexually explicit entertainment, amusement machines and gambling must not be provided on the premises and in association with the 'hotel' use herein permitted.
18. During all hours (whether or not liquor is served) in which the business is open to the public, entry must be made freely available to a member of the Victoria Police, an "authorised officer" of the Responsible Authority or an officer of Liquor Licensing Victoria for the carrying out of any investigations associated with the sale or consumption of alcohol on the site.

19. During all hours (whether or not liquor is served) in which the business is open to the public, there must be present on the premises, a person above the age of 18 years, responsible for the good conduct of the premises ("the Manager"). The Manager must at all times be authorised by the occupier of the premises to make statements on their behalf to a member of the Victoria Police, an "authorised officer" of the Responsible Authority or an officer of Liquor Licensing Victoria regarding the conduct of the premises for the activity hereby authorised.
20. Prominent notices must be erected at all exit points of the premises, to the satisfaction of the Responsible Authority, requesting patrons take account of the needs of local residents for peace and quiet, and to leave the premises in a quiet manner so as not to disturb the amenity of the surrounding residential area.
21. This permit will expire if the use is not commenced within one year of the date of this permit. The Responsible Authority may approve an extension of time if a request is made within three months of expiry.

NOTE: These premises are required to comply with the *Food Act* 1984. No fit-out is to commence until plans have been approved by Council's Public Health Unit. Please contact the Public Health Unit on 9205 5777.

NOTE: These premises will be required to comply with the *Health Act* 1958. No Fit-out is to commence until plans have been approved by Council's Public Health Unit. Please contact the Public Health Unit on 9205 5777.

**CARRIED**

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**4. 60-88 Cremorne Street, Cremorne - Planning Permit Application No.01/1394 (Construction of three multi storey buildings over basement car parking for use as offices, showrooms and a 60 seat café, including a reduction in the standard car parking requirement).**

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**RECOMMENDATION**

It is recommended to the Committee, that having considered all objections and relevant planning documents, the Committee resolves to issue a Notice of Decision to Grant a Planning Permit for construction of three multi storey buildings over basement car parking for use as offices, showrooms and a café including a reduction in the standard car parking requirement at 60-88 Cremorne Street, Cremorne, subject to the following conditions:

1. Before the use and/or 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 three copies must be provided. The plans must be generally in accordance with the plans received 22 October 2002 (Revision C) showing the following:
  - (a) the fifth floor of Building A to be deleted;
  - (b) the third floor of Building B deleted;
  - (c) development setback a further 1.0m from the north boundary;
  - (d) building B setback from the western boundary at ground floor level so as not to disturb the existing significant tree on the adjoining property;
  - (e) western elevations of Buildings B & C set back an additional 2m from the western boundary at upper levels;
  - (f) southern elevation of Building C set back an additional 3m from the southern boundary at second floor level;
  - (g) net floor area reduced from 15776sqm to 13624sqm;
  - (h) new crossovers to Cremorne Street to be rationalised from five to four;
  - (i) reduction in car parking provision from 471 spaces to 402 spaces;
  - (j) landscaping extending into Cremorne Street deleted from the proposal;

And further modified to show:

- (k) a new 1.5m wide footpath along the south side of Blanche Street adjacent to the site in accordance with the Section 173 Agreement detailed at condition 19;
- (l) the provision of secure permanent storage for a minimum of 50 bicycles with details of storage lockers or compound to be submitted and approved by the Responsible Authority;
- (m) the provision of adequate trip end facilities for cyclists to be provided within the development to include one storage locker for each permanent bicycle space together with adequate showering and changing facilities;

- (n) the provision of a minimum of 20 bicycle rails to be provided at ground floor level within the development to cater for short terms bicycle storage;
  - (o) a landscape plan drawn to scale with dimensions and three copies must be provided to show:
    - (i) the location, quantity and maturity of all proposed plants, the botanical name of plants;
    - (ii) the location of all areas to be covered by lawn or other surface materials;
    - (iii) provide a specification of works to be undertaken prior to planting;
    - (iv) details of the lighting of the site; and
    - (v) details of site permeability and ensure that hard landscaped areas are so designed and use materials designed to maximise permeability;
  - (p) a schedule of Environmentally Sustainable Design measures to be incorporated into the development as per the Design Statement prepared by Rothe Lowman Architects, Revision A dated November 2001; and
  - (q) A schedule of all external materials and finishes to show the materials, colour and finish of all external walls, roof, fascias, window frames, glazing types, doors, fences, paving (including car park surfacing), outbuildings and structures.
2. All development and use must accord with the endorsed plans. Any alterations must be approved by the Responsible Authority.
  3. Landscaping must be carried out in accordance with the endorsed Landscaping Plan and maintained to the satisfaction of the Responsible Authority.
  4. Any damaged road(s) and footpath(s) adjacent to the development site must be reinstated to the satisfaction of the Responsible Authority.
  5. The café and showroom uses hereby permitted must only be open for that purpose between the hours of 7.00am and 9.00pm Monday to Sunday.
  6. No more than 84 patrons are to be permitted on the café premises at any one time (inclusive of external seating provided in the plaza).
  7. Any noise emitted from the subject premises shall:
    - (a) at all times comply with any limits, standards or rules prescribed thereto or imposed by, in or under State Environment Policy made pursuant to the Environment Protection Act 1970, and in particular the State Environment Protection Policy (Control of Noise from Commerce, Industry or Trade) No. N-1; and
    - (b) at all times be such as to comply with any noise control notice served on the occupier of the subject premises pursuant to Section 47 of the Environment Protection Act.

8. Alarms must be directly connected to a security service and must not produce noise beyond the premises.
9. The amenity of the area must not be detrimentally affected by the use or development, through **(a)** The transport of materials, goods or commodities to or from land; **(b)** The appearance of any buildings, works or materials; **(c)** The emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or **(d)** The presence of vermin.
10. All delivery and collection of goods associated with the business must be conducted between 8am and 6pm. Monday to Saturday.
11. No fewer than 402 car spaces must be provided on the land for the use and development.
12. The car parking area must be used for no other purpose and must be line-marked and maintained at all times to the satisfaction of the Responsible Authority.
13. Any existing vehicular crossing made redundant by the building and works depicted on the endorsed plans must be broken out and reinstated and any new vehicular crossings must be constructed to Council's standard vehicular specification. Both the reinstatement of redundant vehicle crossovers and the provision of new crossovers must be integrated into the Cremorne Street upgrade works specifications to the approval and to the satisfaction of the Responsible Authority and must all be carried out at the permit holder's expense.
14. Rubbish, including bottles and packaging material, shall at all times be stored within the designated binstore and screened from external view.
15. All waste collection for commercial uses on site to be undertaken by private contractors.
16. Stormwater drainage of the property must be provided to the nearest Council pit of adequate depth and capacity to the satisfaction of Council.
17. Areas must be provided inside the property line and adjacent to the footpath to accommodate pits and metres. No private pits or metres on Council property will be accepted.
18. Outdoor lighting must be designed, baffled and located to the satisfaction of the Responsible Authority to prevent any adverse effect on nearby land.
19. During the construction phase of the development, the following conditions shall be met:
  - (a) only clean rainwater shall be discharged to the stormwater drainage system;
  - (b) stormwater drainage system protection measures shall be installed as required to ensure that no solid waste, sediment, sand, soil, clay or stones from the premises enters the stormwater drainage system;

- (c) vehicle borne material from the premises shall not accumulate on the roads abutting the site;
  - (d) all machinery and equipment must be cleaned (if required) on site and not on adjacent footpaths or roads;
  - (e) all litter (including items such as cement bags, food packaging and plastic strapping) must be disposed of responsibly; and
  - (f) all site operations shall comply with the Environmental Protection (Residential Noise) Regulations 1997.
20. Prior to the commencement of construction or any works on the site (including demolition and material removal) the applicant must submit for approval to the Responsible Authority a Construction Management Plan in line with the requirements of the City of Yarra's Building Code of Practice. The plan must address, but not be limited to following:
- (a) containment of dust, dirt and mud within the site and method and frequency of clean up procedures in the event of build up of matter outside of the site;
  - (b) details of any contaminated soil or other material on the site and methods proposed to deal with contaminated material, including steps proposed to protect construction workers and adjoining residents;
  - (c) parking facilities for construction workers;
  - (d) delivery and unloading points and expected frequency;
  - (e) a liaison officer for contact by residents and the Responsible Authority in the event of relevant queries or problems experienced; and
  - (f) an outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services.
21. Any soil removal from the site during the construction phase should comply with EPA requirements for off-site disposal for potentially contaminated soil (ie. EPA Publication No. 626, October 1998).
22. Except with the written consent of the Responsible Authority, demolition or construction works must only be carried out between: 7 am - 6 pm, Monday-Friday (excluding public holidays) and 9 am - 5 pm, Saturday and public holidays. No work is to be carried out on Sundays, ANZAC Day, Christmas Day or Good Friday without a specific permit. All site operations must comply with the relevant Environmental Protection Authority's Guidelines on Construction and Demolition Noise.
23. Prior to the commencement of the development the applicant must enter into a Section 173 agreement with the Responsible Authority under the *Planning and Environment Act 1987*. The cost of preparing and lodging this agreement shall be borne by the applicant. The agreement will provide for:
- (a) the strip of land on the northern boundary of the site, adjacent to Blanche Street, as shown on the endorsed plans, to be transferred to Council and consolidated into the road reserve as public land. The amount of land in question would be approximately 1.5m x 76m giving a total area of approximately 114sqm; and

- (b) the full construction of a new footpath along this section of Blanch Street, including new kerb and channel and landscaping works to this new section of footpath in accordance with Council specifications and to the satisfaction of Council. The full cost of these works to be borne by the applicant.

24. This permit will expire if the use or development is not commenced within two years from the date of this permit. All development must be completed within four years from the date of this permit. The Responsible Authority may approve extensions to these time limits if requests are made within three months of expiry.

NOTE: The site must be drained to the legal point of discharge to the satisfaction of the Responsible Authority.

NOTE: A building permit must be obtained before development is commenced.

NOTE: These premises are required to comply with the *Food Act* 1984. No fit-out is to commence until plans have been approved by Council's Public Health Unit. Please contact the Public Health Unit on 9205 5777.

NOTE: These premises will be required to comply with the *Health Act* 1958. No Fit-out is to commence until plans have been approved by Council's Public Health Unit. Please contact the Public Health Unit on 9205 5777.

Submissions:

*The applicant, Mr Gus Cooper addressed the Committee.*

**INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION**

**Moved:** Councillor Morton

**Seconded:** Councillor Lai

It is recommended to the Committee, that having considered all objections and relevant planning documents, the Committee resolves to issue a Notice of Decision to Grant a Planning Permit for construction of three multi storey buildings over basement car parking for use as offices, showrooms and a café including a reduction in the standard car parking requirement at 60-88 Cremorne Street, Cremorne, subject to the following conditions:

1. Before the use and/or 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 three copies must be provided. The plans must be generally in accordance with the plans received 22 October 2002 (Revision C) showing the following:
  - (a) the fifth floor of Building A to be deleted;

- (b) the third floor of Building B deleted;
- (c) development setback a further 1.0m from the north boundary;
- (d) building B setback from the western boundary at ground floor level so as not to disturb the existing significant tree on the adjoining property;
- (e) western elevations of Buildings B & C set back an additional 2m from the western boundary at upper levels;
- (f) southern elevation of Building C set back an additional 3m from the southern boundary at second floor level;
- (g) net floor area reduced from 15776sqm to 13624sqm;
- (h) new crossovers to Cremorne Street to be rationalised from five to four;
- (i) reduction in car parking provision from 471 spaces to 402 spaces;
- (j) landscaping extending into Cremorne Street deleted from the proposal;

And further modified to show:

- (k) a new 1.5m wide footpath along the south side of Blanche Street adjacent to the site in accordance with the Section 173 Agreement detailed at condition 23;
- (l) the provision of secure permanent storage for a minimum of 50 bicycles with details of storage lockers or compound to be submitted and approved by the Responsible Authority;
- (m) the provision of adequate trip end facilities for cyclists to be provided within the development to include one storage locker for each permanent bicycle space together with adequate showering and changing facilities;
- (n) the provision of a minimum of 20 bicycle rails to be provided at ground floor level within the development to cater for short terms bicycle storage;
- (o) a landscape plan drawn to scale with dimensions and three copies must be provided to show:
  - (i) the location, quantity and maturity of all proposed plants, the botanical name of plants;
  - (ii) the location of all areas to be covered by lawn or other surface materials;
  - (iii) provide a specification of works to be undertaken prior to planting;
  - (iv) details of the lighting of the site; and
  - (v) details of site permeability and ensure that hard landscaped areas are so designed and use materials designed to maximise permeability;
- (p) a schedule of Environmentally Sustainable Design measures to be incorporated into the development as per the Design Statement prepared by Rothe Lowman Architects, Revision A dated November 2001; and
- (q) A schedule of all external materials and finishes to show the materials, colour and finish of all external walls, roof, fascias, window frames, glazing types, doors, fences, paving (including car park surfacing), outbuildings and structures.

2. All development and use must accord with the endorsed plans. Any alterations must be approved by the Responsible Authority.
3. Landscaping must be carried out in accordance with the endorsed Landscaping Plan and maintained to the satisfaction of the Responsible Authority.
4. Any damaged road(s) and footpath(s) adjacent to the development site must be reinstated to the satisfaction of the Responsible Authority.
5. The café and showroom uses hereby permitted must only be open for that purpose between the hours of 7.00am and 9.00pm Monday to Sunday.
6. No more than 84 patrons are to be permitted on the café premises at any one time (inclusive of external seating provided in the plaza).
7. Any noise emitted from the subject premises shall:
  - (a) at all times comply with any limits, standards or rules prescribed thereto or imposed by, in or under State Environment Policy made pursuant to the Environment Protection Act 1970, and in particular the State Environment Protection Policy (Control of Noise from Commerce, Industry or Trade) No. N-1; and
  - (b) at all times be such as to comply with any noise control notice served on the occupier of the subject premises pursuant to Section 47 of the Environment Protection Act.
8. Alarms must be directly connected to a security service and must not produce noise beyond the premises.
9. The amenity of the area must not be detrimentally affected by the use or development, through **(a)** The transport of materials, goods or commodities to or from land; **(b)** The appearance of any buildings, works or materials; **(c)** The emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or **(d)** The presence of vermin.
10. All delivery and collection of goods associated with the business must be conducted between 8am and 6pm. Monday to Saturday.
11. No fewer than 402 car spaces must be provided on the land for the use and development.
12. The car parking area must be used for no other purpose and must be line-marked and maintained at all times to the satisfaction of the Responsible Authority.

13. Any existing vehicular crossing made redundant by the building and works depicted on the endorsed plans must be broken out and re-instated and any new vehicular crossings must be constructed to Council's standard vehicular specification. Both the reinstatement of redundant vehicle crossovers and the provision of new crossovers must be integrated into the Cremorne Street upgrade works specifications to the approval and to the satisfaction of the Responsible Authority and must all be carried out at the permit holder's expense.
14. Rubbish, including bottles and packaging material, shall at all times be stored within the designated binstore and screened from external view.
15. All waste collection for commercial uses on site to be undertaken by private contractors.
16. Stormwater drainage of the property must be provided to the nearest Council pit of adequate depth and capacity to the satisfaction of Council.
17. Areas must be provided inside the property line and adjacent to the footpath to accommodate pits and metres. No private pits or metres on Council property will be accepted.
18. Outdoor lighting must be designed, baffled and located to the satisfaction of the Responsible Authority to prevent any adverse effect on nearby land.
19. During the construction phase of the development, the following conditions shall be met:
  - (a) only clean rainwater shall be discharged to the stormwater drainage system;
  - (b) stormwater drainage system protection measures shall be installed as required to ensure that no solid waste, sediment, sand, soil, clay or stones from the premises enters the stormwater drainage system;
  - (c) vehicle borne material from the premises shall not accumulate on the roads abutting the site;
  - (d) all machinery and equipment must be cleaned (if required) on site and not on adjacent footpaths or roads;
  - (e) all litter (including items such as cement bags, food packaging and plastic strapping) must be disposed of responsibly; and
  - (f) all site operations shall comply with the Environmental Protection (Residential Noise) Regulations 1997.
20. Prior to the commencement of construction or any works on the site (including demolition and material removal) the applicant must submit for approval to the Responsible Authority a Construction Management Plan in line with the requirements of the City of Yarra's Building Code of Practice. The plan must address, but not be limited to following:
  - (a) containment of dust, dirt and mud within the site and method and frequency of clean up procedures in the event of build up of matter outside of the site;

- (b) details of any contaminated soil or other material on the site and methods proposed to deal with contaminated material, including steps proposed to protect construction workers and adjoining residents;
  - (c) parking facilities for construction workers;
  - (d) delivery and unloading points and expected frequency;
  - (e) a liaison officer for contact by residents and the Responsible Authority in the event of relevant queries or problems experienced; and
  - (f) an outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services.
21. Any soil removal from the site during the construction phase should comply with EPA requirements for off-site disposal for potentially contaminated soil (ie. EPA Publication No. 626, October 1998).
22. Except with the written consent of the Responsible Authority, demolition or construction works must only be carried out between: 7 am - 6 pm, Monday-Friday (excluding public holidays) and 9 am - 5 pm, Saturday and public holidays. No work is to be carried out on Sundays, ANZAC Day, Christmas Day or Good Friday without a specific permit. All site operations must comply with the relevant Environmental Protection Authority's Guidelines on Construction and Demolition Noise.
23. Prior to the commencement of the development the applicant must enter into a Section 173 agreement with the Responsible Authority under the *Planning and Environment Act 1987*. The cost of preparing and lodging this agreement shall be borne by the applicant. The agreement will provide for:
- (a) the strip of land on the northern boundary of the site, adjacent to Blanche Street, as shown on the endorsed plans, to be transferred to Council and consolidated into the road reserve as public land. The amount of land in question would be approximately 1.5m x 76m giving a total area of approximately 114sqm; and
  - (b) the full construction of a new footpath along this section of Blanch Street, including new kerb and channel and landscaping works to this new section of footpath in accordance with Council specifications and to the satisfaction of Council. The full cost of these works to be borne by the applicant.
24. This permit will expire if the use or development is not commenced within two years from the date of this permit. All development must be completed within four years from the date of this permit. The Responsible Authority may approve extensions to these time limits if requests are made within three months of expiry.

NOTE: The site must be drained to the legal point of discharge to the satisfaction of the Responsible Authority.

NOTE: A building permit must be obtained before development is commenced.

NOTE: These premises are required to comply with the *Food Act* 1984. No fit-out is to commence until plans have been approved by Council's Public Health Unit. Please contact the Public Health Unit on 9205 5777.

NOTE: These premises will be required to comply with the *Health Act* 1958. No Fit-out is to commence until plans have been approved by Council's Public Health Unit. Please contact the Public Health Unit on 9205 5777.

**CARRIED**

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**5. 15-25 Cremorne Street, Cremorne - Planning Permit Application No. PL02/0031 (Construction of a five storey office building and car parking).**

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**RECOMMENDATION**

That having considered all objections and relevant planning documents, the Committee resolve to issue a Notice of Decision to Grant a Permit to land at 15-25 Cremorne Street, Cremorne for the construction of buildings and works and a reduction in the car parking requirements of the Planning Scheme in accordance with the plans submitted and date stamped 15 November 2002.

1. Before the use and/or 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 three copies must be provided. The plans must be generally in accordance with the application plans, but modified to show:
  - (a) deletion of proposed fourth floor level and terrace;
  - (b) deletion of proposed vehicle car parking stackers;
  - (c) deletion of upper level of tenancy 4, 5 and 6 located on the second floor level;
  - (d) deletion of floor area of tenancy 10, 11 and 12 east of the stair on the third floor level;
  - (e) increase in setback of the proposed third floor level from the western boundary by an additional two metres (no increase in floor level or increase in footprint to the east);
  - (f) redirection of car parking ducts from eastern boundary to maximum distance from properties, adjacent and to the east;
  - (g) air conditioning units to be contained within the building envelope between east and west tenancies and appropriately screened from view;
  - (h) a schedule of all external materials and finishes to show materials, colours (including colour and material samples) and finishes to all external wall, roof, fascias, window frames, glazing types, doors, fences paving, outbuildings and structures;
  - (i) areas must be provided inside the property line and adjacent to the footpath to accommodate pits and metres;
  - (j) reduction in the floor to floor levels of levels 1, 2 and 3 by 300mm each;
  - (k) floor to ceiling levels in basement car park to be reduced to minimum clearance height for single (non stacker) car parking spaces;
  - (l) the ramp grade to basement and ground level car park to not exceed 5% across the property line for the first 6 metres in accordance with Australian Standard AS2890.1-1993 unless otherwise agreed with Council's Traffic Engineers; and
  - (m) width of car parking bays abutting walls to be 2.7 metres.
  
2. All development and use must accord with the endorsed plans. Any alterations must be approved by the Responsible Authority.

3. Stormwater drainage to be provided to the nearest Council pit of adequate depth and capacity to the satisfaction of the responsible Authority.
4. The permit holder must pay/reimburse Council the full cost of installing or relocating parking signs in Cremorne Street resulting from necessary changes to kerbside car parking.
5. Redundant drainage outfalls in the road reserve must be removed and reinstated to Council's satisfaction.
6. Any damaged road(s) and footpath(s) adjacent to the development site must be reinstated to the satisfaction of the Responsible Authority.
7. The car parking area must be used for no other purpose and be maintained at all times to the satisfaction of the Responsible Authority.
8. The new crossings/driveways shall be constructed in accordance with Council's Vehicle Crossing Standards. Redundant vehicle crossings must be reinstated to the satisfaction of the Responsible Authority.
9. No fewer than 28 car spaces must be provided on the land for the use and development.
10. Alarms must be directly connected to a security service and must not produce noise beyond the premises.
11. The amenity of the area must not be detrimentally affected by the use or development, through:
  - (a) the transport of materials, goods or commodities to or from land;
  - (b) the appearance of any buildings, works or materials;
  - (c) the emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or
  - (d) the presence of vermin.
12. Construction management must be carried out in accordance with The City of Yarra's Builder's Code of Practice and Waste Management Guidelines for Construction and Demolition Sites.
13. Except with the written consent of the Responsible Authority, demolition or construction works must only be carried out between: 7 am - 6 pm, Monday-Friday (excluding public holidays) and 9 am - 5 pm, Saturday and public holidays. No work is to be carried out on Sundays, ANZAC Day, Christmas Day or Good Friday without a specific permit. All site operations must comply with the relevant Environmental Protection Authority's Guidelines on Construction and Demolition Noise.
14. This permit will expire if the use or development is not commenced within two years from the date of this permit. All development must be completed within four years from the date of this permit. The Responsible Authority may approve extensions to these time limits if requests are made within three months of expiry.

- NOTE: The site must be drained to the legal point of discharge to the satisfaction of the Responsible Authority.
- NOTE: A building permit must be obtained before development is commenced.
- NOTE: Storm water drainage of the property must be provided to the nearest Council pit.
- NOTE: Council approval must be obtained for any works on, or occupation of, the road reserve.

Submissions:

*The applicant, Ms Colleen Peterson addressed the Committee.*

*The following people also addressed the Committee:*

*Mr Scott Hodges;  
Mr John Bishop;  
Mr Leon Haskins;  
Ms Rowena Phillips; and  
Ms Melissa Kuzet.*

*A representative of Rupert Street Pty Ltd, 24-28 Cremorne Street, Cremorne, also addressed the Committee.*

*Mr Leon Haskins and the representative of Rupert Street Pty Ltd, both indicated they had formally withdrawn their respective objections to the proposal.*

## **INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION**

**Moved:** Councillor Morton

**Seconded:** Councillor Lai

That having considered all objections and relevant planning documents, the Committee resolve to issue a Notice of Decision to Grant a Permit to land at 15-25 Cremorne Street, Cremorne for the construction of buildings and works and a reduction in the car parking requirements of the Planning Scheme in accordance with the plans submitted and date stamped 15 November 2002.

1. Before the use and/or 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 three copies must be provided. The plans must be generally in accordance with the application plans, but modified to show:
  - (a) deletion of proposed fourth floor level and terrace;
  - (b) deletion of proposed vehicle car parking stackers;
  - (c) deletion of upper level of tenancy 4, 5 and 6 located on the second floor level;

- (d) deletion of floor area of tenancy 10, 11 and 12 east of the stair on the third floor level, inclusive of the terrace area;
  - (e) increase in setback of the proposed third floor level from the western boundary by an additional two metres (no increase in floor level or increase in footprint to the east);
  - (f) redirection of car parking ducts from eastern boundary to maximum distance from properties, adjacent and to the east;
  - (g) air conditioning units to be contained within the building envelope between east and west tenancies and appropriately screened from view;
  - (h) a schedule of all external materials and finishes to show materials, colours (including colour and material samples) and finishes to all external wall, roof, fascias, window frames, glazing types, doors, fences paving, outbuildings and structures;
  - (i) areas must be provided inside the property line and adjacent to the footpath to accommodate pits and metres;
  - (j) reduction in the floor to floor levels of levels 1, 2 and 3 by 300mm each;
  - (k) floor to ceiling levels in basement car park to be reduced to minimum clearance height for single (non stacker) car parking spaces;
  - (l) the ramp grade to basement and ground level car park to not exceed 5% across the property line for the first 6 metres in accordance with Australian Standard AS2890.1-1993 unless otherwise agreed with Council's Traffic Engineers;
  - (m) width of car parking bays abutting walls to be 2.7 metres; and
  - (n) the overall height of the building to be reduced by a minimum 4.2m relative to submitted plans.
2. All development and use must accord with the endorsed plans. Any alterations must be approved by the Responsible Authority.
  3. Stormwater drainage to be provided to the nearest Council pit of adequate depth and capacity to the satisfaction of the responsible Authority.
  4. The permit holder must pay/reimburse Council the full cost of installing or relocating parking signs in Cremorne Street resulting from necessary changes to kerbside car parking.
  5. Redundant drainage outfalls in the road reserve must be removed and reinstated to Council's satisfaction.
  6. Any damaged road(s) and footpath(s) adjacent to the development site must be reinstated to the satisfaction of the Responsible Authority.
  7. The car parking area must be used for no other purpose and be maintained at all times to the satisfaction of the Responsible Authority.
  8. The new crossings/driveways shall be constructed in accordance with Council's Vehicle Crossing Standards. Redundant vehicle crossings must be reinstated to the satisfaction of the Responsible Authority.
  9. No fewer than 28 car spaces must be provided on the land for the use and development.

10. Alarms must be directly connected to a security service and must not produce noise beyond the premises.
11. The amenity of the area must not be detrimentally affected by the use or development, through:
  - (a) the transport of materials, goods or commodities to or from land;
  - (b) the appearance of any buildings, works or materials;
  - (c) the emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or
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12. Construction management must be carried out in accordance with The City of Yarra's Builder's Code of Practice and Waste Management Guidelines for Construction and Demolition Sites.
13. Except with the written consent of the Responsible Authority, demolition or construction works must only be carried out between: 7 am - 6 pm, Monday-Friday (excluding public holidays) and 9 am - 5 pm, Saturday and public holidays. No work is to be carried out on Sundays, ANZAC Day, Christmas Day or Good Friday without a specific permit. All site operations must comply with the relevant Environmental Protection Authority's Guidelines on Construction and Demolition Noise.
14. This permit will expire if the use or development is not commenced within two years from the date of this permit. All development must be completed within four years from the date of this permit. The Responsible Authority may approve extensions to these time limits if requests are made within three months of expiry.

NOTE: The site must be drained to the legal point of discharge to the satisfaction of the Responsible Authority.

NOTE: A building permit must be obtained before development is commenced.

NOTE: Storm water drainage of the property must be provided to the nearest Council pit.

NOTE: Council approval must be obtained for any works on, or occupation of, the road reserve.

**CARRIED**

The meeting closed at 7.50pm.

**Confirmed this 5<sup>th</sup> day of March 2003**

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**Chairperson**