



**YARRA CITY COUNCIL
INTERNAL DEVELOPMENT APPROVALS
COMMITTEE
MINUTES**

**held on Wednesday 10 February 2016 at 6.30pm
in the Reading Room at the Fitzroy Town Hall**

I. ATTENDANCE

Councillor Jackie Fristacky (substitute for Cr Phillip Vlahogiannis)
Councillor Roberto Colanzi
Councillor Amanda Stone

Danielle Connell (Co-ordinator Statutory Planning)
Laura Condon (Senior Statutory Planner)
Cindi Johnston (Governance Officer)

II. APOLOGIES AND LEAVE OF ABSENCE

Councillor Phillip Vlahogiannis

III. DECLARATIONS OF CONFLICT OF INTEREST (councillors and staff)

IV. CONFIRMATION OF MINUTES

Internal Development Approvals Committee Resolution:

Moved: Councillor Fristacky **Seconded:** Councillor Colanzi

That the minutes of the meeting of the Internal Development Approvals Committee held on Wednesday 20 January 2016 be confirmed.

CARRIED

Printed on 100% recycled paper

***"Welcome to the City of Yarra.
Yarra City Council acknowledges the
Wurundjeri as the Traditional Owners
of this country, pays tribute to all
Aboriginal and Torres Strait Islander
people in Yarra and gives respect to
the Elders past and present."***



Guidelines for public participation at Internal Development Approval Committee meetings

POLICY

Council provides the opportunity for members of the public to address the Internal Development Approvals Committee.

The following guidelines have been prepared to assist members of the public in presenting submissions at these meetings:

- public submissions are limited to a maximum of five (5) minutes
- where there is a common group of people wishing to make a submission on the same matter, it is recommended that a representative speaker be nominated to present the views of the group
- all public comment must be made prior to commencement of any discussion by the committee
- any person accepting the chairperson's invitation to address the meeting shall confine himself or herself to the subject under consideration
- people making submissions shall address the meeting as a whole and the meeting debate shall be conducted at the conclusion of submissions
- the provisions of these guidelines shall be made known to all intending speakers and members of the public generally prior to the commencement of each committee meeting.

For further information regarding these guidelines or presenting submissions at Committee meetings generally, please contact the Governance Branch on (03) 9205 5110.

**Governance Branch
2008**

Councillor Fristacky nominated Councillor Colanzi as Chair.

There being no other nominations, Councillor Colanzi was appointed Chair.

Councillor Colanzi assumed the Chair.

1. INTERNAL DEVELOPMENT APPROVALS COMMITTEE

Item		Page	Res. Page
1.1	PLN15/0392 1& 2/54 Lang Street, Princes Hill - Development of the land for ground, first and second floor additions to the existing building, including rooftop terraces and associated demolition works.	6	7
1.2	PLN15/0345 - 59 Batman Street, North Fitzroy - Part demolition to construct a double-storey extension to an existing dwelling.	9	10
1.3	PLN15/0178 - 12 Francis Street, Richmond - Develop the land by the construction one three-storey dwelling with terrace and one two-storey dwelling with associated roof terrace	12	16
1.4	PLN15/0290 - 25 Easey Street, Collingwood - Use of the land as a tavern and the sale and consumption of liquor (on-premises licence), including a reduction in the car parking requirement of the Yarra Planning Scheme.	20	22
1.5	PLN14/1007 - 32-36 Newry St & 49 Canterbury St, Richmond - Use and development of the land for 12 dwellings within a three and four storey building plus roof terraces and a reduction of car parking requirements'. [CONFIDENTIAL ITEM - VCAT COMPULSORY CONFERENCE WITHOUT PREJUDICE POSITION]		

1.1 PLN15/0392 1& 2/54 Lang Street, Princes Hill - Development of the land for ground, first and second floor additions to the existing building, including rooftop terraces and associated demolition works.

Trim Record Number: D15/168629

Responsible Officer: Coordinator Statutory Planning

RECOMMENDATION

That having considered all relevant planning policies, the Committee resolves to issue a Notice of Decision to grant Planning Permit PLN15/0392 for development of the land for ground, first and second floor additions to the existing building, including associated demolition works at 1 & 2/54 Lang Street, Princes Hill, subject to the following conditions:

1. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this 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 decision plans but modified to show:
 - (a) All existing windows and the front door in the south and west facades to be retained;
 - (b) The proposed bagging of the brick facades deleted;
 - (c) The rainwater head on the western façade, the letter boxes and the '54' numbering on southern façade to be retained;
 - (d) The second floor additions located no closer than 4.8m from the Lang Street frontage;
 - (e) The metal cladding for the third-storey addition to be reflective of the existing terracotta roof tiles or the red clinker bricks of the side elevations;
 - (f) the roof terrace immediately behind front (south) parapet deleted;
 - (g) the garage area deleted with the internal areas reconfigured to reflect the 'sketch' plan changes as shown within the drawings dated 24/11/2015.
2. The development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
3. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, all new on-boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.
4. Before the development is occupied, or by such later date as approved in writing by the Responsible Authority, all screening and other measures to prevent overlooking as shown on the endorsed plans must be installed to the satisfaction of the Responsible Authority. Once installed the screening and other measures must be maintained to the satisfaction of the Responsible Authority.
5. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated:
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
6. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
 - (a) Monday-Friday (excluding public holidays) before 7 am or after 6 pm,;
 - (b) Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday) before 9 am or after 3 pm; or
 - (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.

7. This permit will expire if:
- the development is not commenced within two years of the date of this permit; or
 - the development is not completed within four 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 six months afterwards for commencement or within twelve months afterwards for completion.

Notes

This site is subject to a Heritage Overlay. A planning permit may be required for any external works.

A building permit maybe required before development is commenced. Please contact Council's Building Services on 9205 5095 to confirm.

Provision must be made for drainage of the site to a legal point of discharge. Please contact Council's Building Services on 9205 5095 for further information.

Submissions

Mr Peter Doyle addressed the Committee on behalf of the Applicant.

The following people also addressed the Committee:

*Ms Louise Lund (on behalf of residents);
Ms Denise Michie;
Mr Henrik Dahl; and
Ms Irene Stanley.*

INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION

Moved: Councillor Fristacky

Seconded: Councillor Stone

That having considered all relevant planning policies, the Committee resolves to issue a Notice of Decision to grant Planning Permit PLN15/0392 for development of the land for ground, first and second floor additions to the existing building, including associated demolition works at 1 & 2/54 Lang Street, Princes Hill, subject to the following conditions:

- Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this 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 decision plans but modified to show:
 - All existing windows and the front door in the south and west facades to be retained;
 - The proposed bagging of the brick facades deleted;
 - The rainwater head on the western façade, the letter boxes and the '54' numbering on southern façade to be retained;
 - The second floor additions located no closer than 4.8m from the Lang Street frontage;

- (e) Replacement of the metal cladding on the second floor addition to be a non-metal finish that is reflective of the existing terracotta roof tiles on the red clinker bricks of the side elevations;
 - (f) the roof terrace immediately behind front (south) parapet deleted;
 - (g) the garage area deleted with the internal areas reconfigured to reflect the 'sketch' plan changes as shown within the drawings dated 24/11/2015.
 - (h) The second floor south-facing doors to be replaced with windows.
2. The development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
 3. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, all new on-boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.
 4. Before the development is occupied, or by such later date as approved in writing by the Responsible Authority, all screening and other measures to prevent overlooking as shown on the endorsed plans must be installed to the satisfaction of the Responsible Authority. Once installed the screening and other measures must be maintained to the satisfaction of the Responsible Authority.
 5. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated:
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
 6. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
 - (a) Monday-Friday (excluding public holidays) before 7 am or after 6 pm,;
 - (b) Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday) before 9 am or after 3 pm; or
 - (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.
 7. This permit will expire if:
 - (a) the development is not commenced within two years of the date of this permit; or
 - (b) the development is not completed within four 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 six months afterwards for commencement or within twelve months afterwards for completion.

Notes

This site is subject to a Heritage Overlay. A planning permit may be required for any external works.

A building permit maybe required before development is commenced. Please contact Council's Building Services on 9205 5095 to confirm.

Provision must be made for drainage of the site to a legal point of discharge. Please contact Council's Building Services on 9205 5095 for further information.

CARRIED UNANIMOUSLY

1.2 PLN15/0345 - 59 Batman Street, North Fitzroy - Part demolition to construct a double-storey extension to an existing dwelling.

Trim Record Number: D16/6327

Responsible Officer: Coordinator Statutory Planning

RECOMMENDATION

That having considered all relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant a Planning Permit PLN15/0345 for the partial demolition of the existing dwelling to allow for a double-storey extension at 59 Batman Street, North Fitzroy 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 drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the plans received by Council on 02 November 2015 but modified to show:
 - (a) The ground floor plan amended to show permeable paving within the central, northern courtyard / private open space;
 - (b) The first floor bi-folds to the play / study area amended to reflect the northern elevation or vice versa;
 - (c) The bedroom windows at the first floor screened in accordance with Clause 54.04-6 (overlooking) of the Yarra Planning Scheme; and
 - (d) An updated schedule of all external materials and finishes, including colours and the deletion of "or concrete block".
2. The development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
3. Before the development is occupied, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated:
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
4. Before the development is occupied, or by such later date as approved in writing by the Responsible Authority, all screening and other measures to prevent overlooking as shown on the endorsed plans must be installed to the satisfaction of the Responsible Authority. Once installed the screening and other measures must be maintained to the satisfaction of the Responsible Authority.
5. Before the development is occupied, or by such later date as approved in writing by the Responsible Authority, all new on-boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.
6. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
 - (a) Monday-Friday (excluding public holidays) before 7 am or after 6 pm;
 - (b) Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday) before 9 am or after 3 pm; or
 - (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.

7. This permit will expire if:

- (a) the development is not commenced within two years of the date of this permit; or
- (b) the development is not completed within four 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 six months afterwards for commencement or within twelve months afterwards for completion.

Notes:

This site is subject to a Heritage Overlay. A planning permit may be required for any external works.

A building permit maybe required before development is commenced. Please contact Council's Building Services on 9205 5095 to confirm.

Submissions

*Ms Evelyne Loque and the Architect addressed the Committee on behalf of the Applicant.
Mr Paul Edwards addressed the Committee in support of the Application.*

The following people also addressed the Committee:

*Mr Toby Hooper; and
Ms Jane Homewood.*

INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION

Moved: Councillor Fristacky

Seconded: Councillor Colanzi

That having considered all relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant a Planning Permit PLN15/0345 for the partial demolition of the existing dwelling to allow for a double-storey extension at 59 Batman Street, North Fitzroy 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 drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the plans received by Council on 02 November 2015 but modified to show:
 - (a) The ground floor plan amended to show permeable paving within the central, northern courtyard / private open space;
 - (b) The first floor bi-folds to the play / study area amended to reflect the northern elevation or vice versa;
 - (c) The bedroom windows at the first floor screened in accordance with Clause 54.04-6 (overlooking) of the Yarra Planning Scheme; and
 - (d) An updated schedule of all external materials and finishes, including colours that generally match the colouring of the retained portion of the original building, and the deletion of "or concrete block".

2. The development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
3. Before the development is occupied, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated:
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
4. Before the development is occupied, or by such later date as approved in writing by the Responsible Authority, all screening and other measures to prevent overlooking as shown on the endorsed plans must be installed to the satisfaction of the Responsible Authority. Once installed the screening and other measures must be maintained to the satisfaction of the Responsible Authority.
5. Before the development is occupied, or by such later date as approved in writing by the Responsible Authority, all new on-boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.
6. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
 - (a) Monday-Friday (excluding public holidays) before 7 am or after 6 pm;
 - (b) Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday) before 9 am or after 3 pm; or
 - (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.
7. This permit will expire if:
 - (a) the development is not commenced within two years of the date of this permit; or
 - (b) the development is not completed within four 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 six months afterwards for commencement or within twelve months afterwards for completion.

Notes:

This site is subject to a Heritage Overlay. A planning permit may be required for any external works.

A building permit maybe required before development is commenced. Please contact Council's Building Services on 9205 5095 to confirm.

CARRIED UNANIMOUSLY

1.3 PLN15/0178 - 12 Francis Street, Richmond - Develop the land by the construction one three-storey dwelling with terrace and one two-storey dwelling with associated roof terrace

Trim Record Number: D16/6318
 Responsible Officer: Principal Planner

RECOMMENDATION

That having considered all relevant planning controls and policies, it is recommended that a Notice of Decision to Grant a Planning Permit (PLN15/0178) be issued for the construction of one two-storey dwelling with roof terrace and one three storey dwelling with terrace, at 12 Francis Street Richmond, generally in accordance with the decision plans received 10 September, 2015 and subject to the following conditions:

1. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this 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 decision plans dated 10 September, 2015 and the Sketch Plans dated 21 December, 2015 and but modified to show:

- (a) Lighting to be provided to the recessed entry to each dwelling, suitably baffled to ensure no light spill to adjoining properties;
- (b) External adjustable sun-shading to the first-floor, north-facing windows of Townhouses 1 and 2;
- (c) 2m high western boundary fences to the courtyards of Townhouse 1;
- (d) The location of all ancillaries to be shown on plans and elevations, with screening if visible from the street;
- (e) A screened bin enclosure to the rear of the open carport of Townhouse 1 to match the material of ground-floor front wall to be shown on plans and elevations;
- (f) The door at the rear of Townhouse 1's carport to be shown on the north elevation;
- (g) Details of the ventilation to the garage of Townhouse 2;
- (h) Removal of the outline of the original application design from the western elevation and its accompanying notation;
- (i) Lowering of the southern on-boundary walls of both Townhouse 1 and 2 to a maximum of 2.5m, as per Sketch Plans dated 21 December, 2015;
- (j) The first-floor laundry and powder room windows of Townhouses 1 and 2 to comprise of:
 - (i) A fixed frosted glass panel; and
 - (ii) An openable frosted glass section with 100mm restricted opener. as per sketch plans dated 21 December, 2015.
- (k) All timber privacy screening to be notated on plans as being fixed and having a maximum of 25% transparency;

- (l) The northern perimeter balustrade of the first-floor balcony of Townhouse 1 to be increased in height to 4.56m from NGL, as per the sketch plans dated 21 December, 2015;
 - (m) Demonstration (including cross-section) that the screening to the roof terraces complies with the requirements of Standard B22 of Clause 55.04-6 (Overlooking) of the Yarra Planning Scheme, including, but not limited to:
 - (i) The pop-up west-facing window of the adjoining eastern dwelling;
 - (ii) The east-facing habitable room windows of the adjoining western dwelling;
 - (n) Demonstration (including cross-section) that the screening to the roof terraces complies with the requirements of Standard B23 of Clause 55.04-7 (Internal Views) of the Yarra Planning Scheme;
 - (o) Letter boxes and street numbers to be provided to each dwelling adjacent to the entries;
 - (p) A storage area of 6m³ to each dwelling to be shown on plans;
 - (q) An updated materials schedule showing all the materials, colours and finishes of all external surface of the proposal and one copy of a full set of colour elevations to be provided and include:
 - (i) The colour of rendered walls at ground-floor;
 - (ii) The material and colour of the blade wall and eaves at first-floor on the northern elevation; and
 - (iii) The upper-most level of Townhouse 2 to be recessive in colour.
 - (r) The removal of the reference to the front fence and gate from the material schedule;
2. The development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
 3. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated:
 - (a) at the permit holder's cost; andto the satisfaction of the Responsible Authority.
 4. Upon completion of all buildings and works and connections for underground utility services, the footpath immediately outside the property's Francis Street road frontage must be reconstructed to Council's satisfaction and at the permit holder's expense.
 5. Before the development is occupied, or by such later date as approved in writing by the Responsible Authority, all screening and other measures to prevent overlooking as shown on the endorsed plans must be installed to the satisfaction of the Responsible Authority. Once installed the screening and other measures must be maintained to the satisfaction of the Responsible Authority.
 6. Before the development commences, a Landscape Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Landscape Plan will be endorsed and will form part of this permit. The Landscape Plan must:

- (a) show the type, location, quantity, height at maturity and botanical names of all proposed plants;
- (b) indicate the location of all areas to be covered by other surface materials; and
- (c) provide details regarding ongoing maintenance and irrigation.

to the satisfaction of the Responsible Authority.

7. Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, the landscaping works shown on the endorsed Landscape Plan must be carried out and completed to the satisfaction of the Responsible Authority. The landscaping shown on the endorsed Landscape Plan must be maintained by:

- (a) implementing and complying with the provisions, recommendations and requirements of the endorsed Landscape Plan;
- (b) not using the areas set aside on the endorsed Landscape Plan for landscaping for any other purpose; and
- (c) replacing any dead, diseased, dying or damaged plants.

to the satisfaction of the Responsible Authority.

8. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, all new on-boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.

9. Before the development commences, a Construction Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will form part of this permit. The plan must provide for:

- (a) a pre-conditions survey (dilapidation report) of the land and all adjacent Council roads frontages and nearby road infrastructure;
- (b) works necessary to protect road and other infrastructure;
- (c) remediation of any damage to road and other infrastructure;
- (d) containment of dust, dirt and mud within the land and method and frequency of clean up procedures to prevent the accumulation of dust, dirt and mud outside the land;
- (e) facilities for vehicle washing, which must be located on the land;
- (f) the location of loading zones, site sheds, materials, cranes and crane/hoisting zones, gantries and any other construction related items or equipment to be located in any street;
- (g) site security;
- (h) management of any environmental hazards including, but not limited to,:
 - (i) contaminated soil;
 - (ii) materials and waste;
 - (iii) dust;
 - (iv) stormwater contamination from run-off and wash-waters;
 - (v) sediment from the land on roads;
 - (vi) washing of concrete trucks and other vehicles and machinery; and
 - (vii) spillage from refuelling cranes and other vehicles and machinery.
- (i) the construction program;
- (j) preferred arrangements for trucks delivering to the land, including delivery and unloading points and expected duration and frequency;
- (k) parking facilities for construction workers
- (l) measures to ensure that all work on the land will be carried out in accordance with the Construction Management Plan;
- (m) an outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services;
- (n) an emergency contact that is available for 24 hours per day for residents and the Responsible Authority in the event of relevant queries or problems experienced; and

- (o) the provision of a traffic management plan to comply with provisions of AS 1742.3-2002 Manual of uniform traffic control devices - Part 3: Traffic control devices for works on roads.
10. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
- (a) Monday-Friday (excluding public holidays) before 7 am or after 6 pm;
 - (b) Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday) before 9 am or after 3 pm; or
 - (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.
11. This permit will expire if:
- (a) the development is not commenced within two years of the date of this permit; or
 - (b) the development is not completed within four 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 six months afterwards for commencement or within twelve months afterwards for completion.

NOTES

A building permit may be required before development is commenced. Please contact Council's Building Services on 9205 5095 to confirm.

Provision must be made for drainage of the site to a legal point of discharge. Please contact Council's Building Services on 9205 5095 for further information.

A vehicle crossing permit is required for the construction of the vehicle crossing(s). Please contact Council's Construction Management Branch on 9205 5585 for further information.

All future residents and occupiers residing within the development approved under this permit will not be permitted to obtain resident or visitor parking permits.

Any services poles, structures or pits that interfere with the proposal must be adjusted, removed, or relocated at the owner's expense after seeking approval from the relevant authority.

An area must be provided inside the property line and adjacent to the footpath to accommodate pits and metres. No private pits, valves or metres on Council property will be accepted.

A local law permit may be required for tree removal. Please contact Council's Compliance Branch on 9205 5063.

In accordance with the Yarra Planning Scheme, a 4.5 per cent public open space contribution will apply in the event of the subdivision of the land.

Submissions

The Applicant, Mr George Fortey addressed the Committee.

The following people also addressed the Committee:

*Mr Jeff Lowinger; and
Ms Athena Karvounis.*

INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION

Moved: Councillor Stone

Seconded: Councillor Fristacky

That having considered all relevant planning controls and policies, it is recommended that a Notice of Decision to Grant a Planning Permit (PLN15/0178) be issued for the construction of one two-storey dwelling with roof terrace and one three storey dwelling with terrace, at 12 Francis Street Richmond, generally in accordance with the decision plans received 10 September, 2015 and subject to the following conditions:

1. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this 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 decision plans dated 10 September, 2015 and the Sketch Plans dated 21 December, 2015 and but modified to show:

- (a) Lighting to be provided to the recessed entry to each dwelling, suitably baffled to ensure no light spill to adjoining properties;
- (b) External adjustable sun-shading to the first-floor, north-facing windows of Townhouses 1 and 2;
- (c) 2m high western boundary fences to the courtyards of Townhouse 1;
- (d) The location of all ancillaries to be shown on plans and elevations, with screening if visible from the street;
- (e) A screened bin enclosure to the rear of the open carport of Townhouse 1 to match the material of ground-floor front wall to be shown on plans and elevations;
- (f) The door at the rear of Townhouse 1's carport to be shown on the north elevation;
- (g) Removal of the outline of the original application design from the western elevation and its accompanying notation;
- (h) Lowering of the southern on-boundary walls of both Townhouse 1 and 2 to a maximum of 2.5m, as per Sketch Plans dated 21 December, 2015;
- (i) The first-floor laundry and powder room windows of Townhouses 1 and 2 to comprise of:
 - (i) A fixed frosted glass panel; and
 - (ii) An openable frosted glass section with 100mm restricted opener. as per sketch plans dated 21 December, 2015.
- (j) Details of the timber privacy screening (including cross-sections) demonstrating compliance with Clause 55.04-6 (Overlooking) of the Yarra Planning Scheme;
- (k) The northern perimeter balustrade of the first-floor balcony of Townhouse 1 to be increased in height to 4.56m from NGL, as per the sketch plans dated 21 December, 2015;
- (l) Demonstration (including cross-section) that the screening to the roof terraces complies with the requirements of Standard B22 of Clause 55.04-6 (Overlooking) of the Yarra Planning Scheme, including, but not limited to:

- (i) The pop-up west-facing window of the adjoining eastern dwelling;
 - (ii) The east-facing habitable room windows of the adjoining western dwelling;
 - (m) Demonstration (including cross-section) that the screening to the roof terraces complies with the requirements of Standard B23 of Clause 55.04-7 (Internal Views) of the Yarra Planning Scheme;
 - (n) Letter boxes and street numbers to be provided to each dwelling adjacent to the entries;
 - (o) A storage area of 6m³ to each dwelling to be shown on plans;
 - (p) An updated materials schedule showing all the materials, colours and finishes of all external surface of the proposal and one copy of a full set of colour elevations to be provided and include:
 - (i) The colour of rendered walls at ground-floor;
 - (ii) The material and colour of the blade wall and eaves at first-floor on the northern elevation; and
 - (iii) The upper-most level of Townhouse 2 to be recessive in colour.
 - (q) The removal of the reference to the front fence and gate from the material schedule;
2. The development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
3. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated:
- (a) at the permit holder's cost; and
- to the satisfaction of the Responsible Authority.
4. Upon completion of all buildings and works and connections for underground utility services, the footpath immediately outside the property's Francis Street road frontage must be reconstructed to Council's satisfaction and at the permit holder's expense.
5. Before the development is occupied, or by such later date as approved in writing by the Responsible Authority, all screening and other measures to prevent overlooking as shown on the endorsed plans must be installed to the satisfaction of the Responsible Authority. Once installed the screening and other measures must be maintained to the satisfaction of the Responsible Authority.
6. Before the development commences, a Landscape Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Landscape Plan will be endorsed and will form part of this permit. The Landscape Plan must:
- (a) show the type, location, quantity, height at maturity and botanical names of all proposed plants;
 - (b) indicate the location of all areas to be covered by other surface materials; and
 - (c) provide details regarding ongoing maintenance and irrigation.
- to the satisfaction of the Responsible Authority.

7. Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, the landscaping works shown on the endorsed Landscape Plan must be carried out and completed to the satisfaction of the Responsible Authority. The landscaping shown on the endorsed Landscape Plan must be maintained by:
 - (a) implementing and complying with the provisions, recommendations and requirements of the endorsed Landscape Plan;
 - (b) not using the areas set aside on the endorsed Landscape Plan for landscaping for any other purpose; and
 - (c) replacing any dead, diseased, dying or damaged plants.to the satisfaction of the Responsible Authority.
8. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, all new on-boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.
9. Before the development commences, a Construction Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will form part of this permit. The plan must provide for:
 - (a) a pre-conditions survey (dilapidation report) of the land and all adjacent Council roads frontages and nearby road infrastructure;
 - (b) works necessary to protect road and other infrastructure;
 - (c) remediation of any damage to road and other infrastructure;
 - (d) containment of dust, dirt and mud within the land and method and frequency of clean up procedures to prevent the accumulation of dust, dirt and mud outside the land;
 - (e) facilities for vehicle washing, which must be located on the land;
 - (f) the location of loading zones, site sheds, materials, cranes and crane/hoisting zones, gantries and any other construction related items or equipment to be located in any street;
 - (g) site security;
 - (h) management of any environmental hazards including, but not limited to,:
 - (i) contaminated soil;
 - (ii) materials and waste;
 - (iii) dust;
 - (iv) stormwater contamination from run-off and wash-waters;
 - (v) sediment from the land on roads;
 - (vi) washing of concrete trucks and other vehicles and machinery; and
 - (vii) spillage from refuelling cranes and other vehicles and machinery.
 - (i) the construction program;
 - (j) preferred arrangements for trucks delivering to the land, including delivery and unloading points and expected duration and frequency;
 - (k) parking facilities for construction workers;
 - (l) measures to ensure that all work on the land will be carried out in accordance with the Construction Management Plan;
 - (m) an outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services;
 - (n) an emergency contact that is available for 24 hours per day for residents and the Responsible Authority in the event of relevant queries or problems experienced; and
 - (o) the provision of a traffic management plan to comply with provisions of AS 1742.3-2002 Manual of uniform traffic control devices - Part 3: Traffic control devices for works on roads.
10. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:

- (a) Monday-Friday (excluding public holidays) before 7 am or after 6 pm;
- (b) Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday) before 9 am or after 3 pm; or
- (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.

11. This permit will expire if:

- (a) the development is not commenced within two years of the date of this permit; or
- (b) the development is not completed within four 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 six months afterwards for commencement or within twelve months afterwards for completion.

NOTES

A building permit may be required before development is commenced. Please contact Council's Building Services on 9205 5095 to confirm.

Provision must be made for drainage of the site to a legal point of discharge. Please contact Council's Building Services on 9205 5095 for further information.

A vehicle crossing permit is required for the construction of the vehicle crossing(s). Please contact Council's Construction Management Branch on 9205 5585 for further information.

All future residents and occupiers residing within the development approved under this permit will not be permitted to obtain resident or visitor parking permits.

Any services poles, structures or pits that interfere with the proposal must be adjusted, removed, or relocated at the owner's expense after seeking approval from the relevant authority.

An area must be provided inside the property line and adjacent to the footpath to accommodate pits and metres. No private pits, valves or metres on Council property will be accepted.

A local law permit may be required for tree removal. Please contact Council's Compliance Branch on 9205 5063.

In accordance with the Yarra Planning Scheme, a 4.5 per cent public open space contribution will apply in the event of the subdivision of the land.

CARRIED UNANIMOUSLY

1.4 PLN15/0290 - 25 Easey Street, Collingwood - Use of the land as a tavern and the sale and consumption of liquor (on-premises licence), including a reduction in the car parking requirement of the Yarra Planning Scheme.

Trim Record Number: D16/9129
Responsible Officer: Principal Planner

RECOMMENDATION

That having considered all relevant planning policies and objections, the Committee resolves to issue a Notice of Decision to Grant Planning Permit PLN15/0290 for use of the land as a tavern and the sale and consumption of liquor (on-premises licence), including a reduction in the car parking requirement of the Yarra Planning Scheme at 25 Easey Street, Collingwood VIC 3066, subject to the following conditions:

1. Before the use commences (including the sale and consumption of liquor), 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 this 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 decision plans but modified to show:
 - (a) The provision of 4 bicycle parking spaces on-site.
 - (b) The location of refuse storage on the site (consistent with the waste management plan required at condition 4).
 - (c) Clear identification of the boundaries of the subject tavern's floor area, including kitchen and toilets, ensuring this is differentiated from the licenced area and other uses within the building.
2. Before the sale and consumption of liquor commences, an amended Noise and Amenity Action Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Noise and Amenity Action Plan will be endorsed and will form part of this permit. The amended Noise and Amenity and Action Plan must be generally in accordance with the Noise and Amenity Action Plan dated as received on 22 September 2015, but modified to include (or show, or address):
 - (a) That a manager will always be on-site during the sale and consumption of liquor to oversee the sound operation of the premises.
 - (b) Use of the outdoor area will cease consistent with the relevant permit condition.
 - (c) Music will cease consistent with the relevant permit condition.
 - (d) Confirmation that external security lights will be oriented to prevent direct light spill outside the site.
 - (e) An updated waste management section to reflect that there will be an internal collection by private contractor, consistent with the Waste Management Plan.
3. The provisions, recommendations and requirements of the endorsed Noise and Amenity Action Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
4. Before the use commences, a Waste Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. Once approved, the Waste Management Plan will be endorsed and will form part of this permit. The plan must address:
 - (a) That there will be internal collection by a private contractor (bins cannot be placed on the street for collection).
 - (b) The collection procedure, with OHS considerations, including Safe Work Method Statement (SWMS).
5. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

6. The collection of waste from the site must be by private collection, unless with the prior written consent of the Responsible Authority.
7. The use (including the sale and consumption of liquor) as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
8. No more than 100 patrons are permitted on the land at any one time.
9. Except with the prior written consent of the Responsible Authority, the use (including the sale and consumption of liquor) may only operate within the area (including licensed area) shown on the endorsed plans and between the following hours:
 - (a) Monday to Saturday: 12.00pm to 1.00am (the following day); and
 - (b) Sunday: 11.00am to 11.00pm.

The use of the outdoor area must cease:

- (a) Sunday to Thursday: at 11.00pm; and
 - (b) Friday and Saturday: at 12.00am (midnight).
10. Except with the prior written consent of the Responsible Authority, music must not be played:
 - (a) After 11.00pm on any day of operation.

Within the outdoor area specifically:

- (a) Sunday to Thursday after 10.00pm; and
 - (b) Friday and Saturday after 11.00pm.
11. Before the commencement of the sale and consumption of liquor, the applicant must, to the satisfaction of the Responsible Authority, display a sign at the exit of the licensed premises advising patrons to respect the amenity of adjacent residential areas and to leave in a quiet and orderly manner.
 12. The amenity of the area must not be detrimentally affected by the use, including 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.

to the satisfaction of the Responsible Authority.

13. The use must comply at all times with the State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N-1).
14. The use must comply at all times with the State Environment Protection Policy – Control of Music Noise from Public Premises (SEPP N-2).
15. Except with the prior written consent of the Responsible Authority, the provision of music and entertainment on the land must be at a background noise level.
16. Except with the prior written consent of the Responsible Authority, speakers external to the building must not be erected or used.
17. Emptying of bottles and cans into bins may only occur between 7am and 10pm on any day.
18. Except with the prior written consent of the Responsible Authority, delivery and collection of goods to and from the land may only occur between 7am and 10pm on any day.

19. This permit will expire if the use (including the sale and consumption of liquor) is not commenced within two years from the date of this permit. The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires or within six months afterwards.

Notes:

These premises will be required to comply with the Food Act 1984. The use must not commence until approval has been granted by Council's Health Protection Unit.

A building permit maybe required before development is commenced. Please contact Council's Building Services on 9205 5095 to confirm.

All future business owners and employees within the development approved under this permit will not be permitted to obtain employee or visitor parking permits.

Submissions

*The Applicant, Mr James Good addressed the Committee.
Dion also addressed the Committee.*

INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION

Moved: Councillor Fristacky

Seconded: Councillor Stone

That having considered all relevant planning policies and objections, the Committee resolves to issue a Notice of Decision to Grant Planning Permit PLN15/0290 for use of the land as a tavern and the sale and consumption of liquor (on-premises licence), including a reduction in the car parking requirement of the Yarra Planning Scheme at 25 Easey Street, Collingwood VIC 3066, subject to the following conditions:

1. Before the use commences (including the sale and consumption of liquor), 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 this 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 decision plans but modified to show:
 - (a) The provision of 4 bicycle parking spaces on-site.
 - (b) The location of refuse storage on the site (consistent with the waste management plan required at condition 4).
 - (c) Clear identification of the boundaries of the subject tavern's floor area, including kitchen and toilets, ensuring this is differentiated from the licenced area and other uses within the building.
2. Before the sale and consumption of liquor commences, an amended Noise and Amenity Action Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Noise and Amenity Action Plan will be endorsed and will form part of this permit. The amended Noise and Amenity and Action Plan must be generally in accordance with the Noise and Amenity Action Plan dated as received on 22 September 2015, but modified to include (or show, or address):
 - (a) That a manager will always be on-site during the sale and consumption of liquor to oversee the sound operation of the premises.
 - (b) Use of the outdoor area will cease consistent with the relevant permit condition.
 - (c) Music will cease consistent with the relevant permit condition.

- (d) Confirmation that external security lights will be oriented to prevent direct light spill outside the site.
 - (e) An updated waste management section to reflect that there will be an internal collection by private contractor, consistent with the Waste Management Plan.
 - (f) Drink and food menus to include a notice advising patrons to respect the amenity of nearby residential areas and to leave in a quiet and orderly manner.
3. The provisions, recommendations and requirements of the endorsed Noise and Amenity Action Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
 4. Before the use commences, a Waste Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. Once approved, the Waste Management Plan will be endorsed and will form part of this permit. The plan must address:
 - (a) That there will be internal collection by a private contractor (bins cannot be placed on the street for collection).
 - (b) The collection procedure, with OHS considerations, including Safe Work Method Statement (SWMS).
 5. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
 6. The collection of waste from the site must be by private collection, unless with the prior written consent of the Responsible Authority.
 7. The use (including the sale and consumption of liquor) as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
 8. No more than 100 patrons are permitted on the land at any one time.
 9. Except with the prior written consent of the Responsible Authority, the use (including the sale and consumption of liquor) may only operate within the area (including licensed area) shown on the endorsed plans and between the following hours:
 - (a) Monday to Saturday: 12.00pm to 1.00am (the following day); and
 - (b) Sunday: 11.00am to 11.00pm.The use of the outdoor area must cease:
 - (a) Sunday to Thursday: at 11.00pm; and
 - (b) Friday and Saturday: at 12.00am (midnight).
 10. Except with the prior written consent of the Responsible Authority, music must not be played:
 - (a) After 11.00pm on any day of operation.Within the outdoor area specifically:
 - (a) Sunday to Thursday after 10.00pm; and
 - (b) Friday and Saturday after 11.00pm.
 11. Before the commencement of the sale and consumption of liquor, the applicant must, to the satisfaction of the Responsible Authority, display a sign at the exit of the licensed premises advising patrons to respect the amenity of adjacent residential areas and to leave in a quiet and orderly manner.
 12. The amenity of the area must not be detrimentally affected by the use, including 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.

to the satisfaction of the Responsible Authority.

13. The use must comply at all times with the State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N-1).
14. The use must comply at all times with the State Environment Protection Policy – Control of Music Noise from Public Premises (SEPP N-2).
15. Except with the prior written consent of the Responsible Authority, the provision of music and entertainment on the land must be at a background noise level.
16. Except with the prior written consent of the Responsible Authority, speakers external to the building must not be erected or used.
17. Emptying of bottles and cans into bins may only occur between 7am and 10pm on any day.
18. Except with the prior written consent of the Responsible Authority, delivery and collection of goods to and from the land may only occur between 7am and 10pm on any day.
19. This permit will expire if the use (including the sale and consumption of liquor) is not commenced within two years from the date of this permit. The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires or within six months afterwards.

Notes:

These premises will be required to comply with the Food Act 1984. The use must not commence until approval has been granted by Council's Health Protection Unit.

A building permit maybe required before development is commenced. Please contact Council's Building Services on 9205 5095 to confirm.

All future business owners and employees within the development approved under this permit will not be permitted to obtain owner, employee or visitor parking permits.

CARRIED UNANIMOUSLY

The meeting closed at 9.30pm.

Confirmed at the meeting held on Wednesday 24 February 2016

Chair