



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

**held on Wednesday 15 June 2016 at 6.30pm
in Meeting Room 3 at the Richmond Town Hall**

I. ATTENDANCE

Councillor Roberto Colanzi (substitute for Cr Geoff Barbour)
Councillor Jackie Fristacky

Amy Hodgen (Acting Co-ordinator Statutory Planning)
Nikolas Muhlechner (Principal Statutory Planner)
Cindi Johnston (Governance Officer)

II. APOLOGIES AND LEAVE OF ABSENCE

Councillor Geoff Barbour
Councillor Misha Coleman

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

IV. CONFIRMATION OF MINUTES

Internal Development Approvals Committee Resolution:

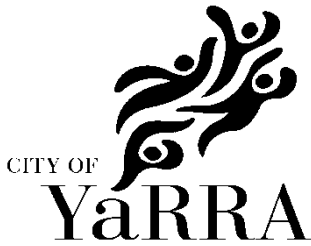
Moved: Councillor Colanzi **Seconded:** Councillor Fristacky

That the minutes of the meeting of the Internal Development Approvals Committee held on Wednesday 25 May 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 Colanzi nominated Councillor Fristacky as Chair.

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

Councillor Fristacky assumed the Chair.

1. INTERNAL DEVELOPMENT APPROVALS COMMITTEE

| Item | | Page | Res. Page |
|------|---|------|--------------|
| 1.1 | 245-251 Swan Street, Richmond - PLN15/0647 - Development of the land for the construction of a six-storey building, containing retail and residential uses (permit required for dwelling use), reduction in the car parking requirement, waiver of the loading requirement and alteration of access within a Road Zone. | 6 | 11 |
| 1.2 | PLN15/1101 - 217 - 241 Queens Parade Clifton Hill - Development of the land for the demolition of the existing building, construction of a new 10- storey building plus one basement level of car parking, use of the land for the purpose of an aged care facility (127 beds with ancillary cafeteria and dispensary) and medical centre (no permit required for uses), construction and display of signage, a reduction in the car parking requirement, a waiver of visitor bicycle requirements and buildings and works and alterations to access to a Road Zone (Category 1). | 18 | 24 |
| 1.3 | 621 Brunswick Street, Fitzroy North VIC 3068 - Planning Permit Application No. PLN15/0745 | 32 | 34 |
| 1.4 | PLN15/1209 - 442-444 Nicholson Street, Fitzroy North - Increase liquor licence on-premises operating hours for the existing hotel | 35 | 36 |

1.1 245-251 Swan Street, Richmond - PLN15/0647 - Development of the land for the construction of a six-storey building, containing retail and residential uses (permit required for dwelling use), reduction in the car parking requirement, waiver of the loading requirement and alteration of access within a Road Zone.

Trim Record Number: D16/77083

Responsible Officer: Acting Manager Statutory Planning

RECOMMENDATION

That having considered all relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant Planning Permit PLN15/0647 for development of the land for the construction of a six-storey building, containing retail and residential uses (permit required for dwelling use), reduction in the car parking requirement, waiver of the loading requirement and alteration of access within a Road Zone at 245 -251 Swan Street, Richmond, 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 18 March 2016 but modified to show:
 - (a) External flexible sun-shading measures provided to east-facing windows at levels 3, 4 & 5;
 - (b) The location of the gas boosted hot water system;
 - (c) Notations indicating that 1.7m high privacy screens will be provided between the following apartment's balconies;
 - (i) 1.05 & 1.06;
 - (ii) 1.01, 1.07 & 1.08;
 - (iii) 2.02 & 2.03;
 - (iv) 2.05 & 2.06;
 - (v) 2.01, 2.07 & 2.08;
 - (vi) 3.03 & 3.04;
 - (vii) 4.01 & 4.04.
 - (d) Screening in accordance with the objective of standard B22 – Overlooking of Clause 55 of the Yarra Planning Scheme be provided for the following;
 - (i) Bed 1 of Apt no. 2.07;
 - (ii) Bed 1 of Apt no. 2.08;
 - (iii) Balcony of Apt no. 4.01;
 - (iv) Bed 2 of Apt no. 3.01.
 - (e) All noise amelioration measures recommended by the Acoustic Report required at Condition 5;
 - (f) Any internal alterations required by the amended Waste Management Plan outlined at Condition 7;
 - (g) A notation on the plans indicating that any light spill from existing, new or modified street lights will not spill into the windows of any new dwellings or any existing nearby residences, with appropriate baffling of these light sources to be provided.
2. The use and 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. The provisions, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
4. The provisions, recommendations and requirements of the endorsed Green Travel Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

5. Before the use and development commences, an Acoustic Report to the satisfaction of the Responsible Authority must be prepared by a suitably qualified acoustic engineer and must be submitted to and approved by the Responsible Authority. When approved, the Acoustic Report will be endorsed and will form part of this permit. The Acoustic Report must assess the following:
 - (a) Tram by-pass noise levels;
 - (b) Traffic noise exposure;
 - (c) Mechanical plant noise emissions from commercial properties (on and off site);
 - (d) Mechanical plant noise emissions from the site to nearby residential properties.

The acoustic report must make recommendations to limit the noise impacts in accordance with the State Environment Protection Policy (Control of noise from industry, commerce and trade) No. N-1 (SEPP N-1), State Environment Protection Policy (Control of music noise from public premises) No. N-2 (SEPP N-2) or any other requirement to the satisfaction of the Responsible Authority.

6. The provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.
7. Before the use and development commences, an amended Waste Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Waste Management Plan will be endorsed and will form part of this permit. The amended Waste Management Plan must be generally in accordance with the Waste Management Plan prepared by Wastewise and dated 9 May 2016, but modified to include:
 - (a) The author name and contact phone number on the front page;
 - (b) All pages to be numbered and individual clauses/sections to be identified;
 - (c) Confirmation that the residential and commercial waste will be collected once per week;
 - (d) Details of commercial waste, including plan/description of where commercial waste will be stored prior to being transferred to the refuse room, plan of refuse showing dimensions, bin layout of all bins to be stored, hard waste area, etc.
 - (e) Ensure that the following details are consistent on the plans and within the WMP;
 - (i) Residential bin numbers with the projected waste generation;
 - (ii) Commercial bin numbers with projected waste generation;
 - (iii) Refuse room plan to reflect weekly residential bin collection numbers;
 - (iv) Refuse room plan to reflect weekly commercial bin collection numbers.
8. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
9. The collection of waste from the site must be by private collection, unless with the prior written consent of the Responsible Authority.
10. Prior to completion of the development, the two Plane trees (*Platanus x acerifolia*) on Swan Street must be removed and replaced:
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
11. Before the building 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.

12. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating access to the building entrance must be provided. Lighting must be:
 - (a) located;
 - (b) directed;
 - (c) shielded; and
 - (d) of limited intensity,to the satisfaction of the Responsible Authority.
13. 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.
14. 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.
15. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.
16. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any new vehicle crossing must be constructed:
 - (a) in accordance with any requirements or conditions imposed by Council;
 - (b) at the permit holder's cost; and
 - (c) to the satisfaction of the Responsible Authority.
17. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any redundant vehicular crossing must be demolished and re-instated as standard footpath and kerb and channel:
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
18. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the area set aside on the endorsed plans for the car parking spaces, access lanes, driveways and associated works must be:
 - (a) constructed and available for use in accordance with the endorsed plans;
 - (b) formed to such levels and drained so that they can be used in accordance with the endorsed plans;
 - (c) treated with an all-weather seal or some other durable surface; and
 - (d) line-marked or provided with some adequate means of showing the car parking spaces.to the satisfaction of the Responsible Authority.

Engineering Conditions 19-24

19. Prior to completion of the development, the dimensions of parking bays adjacent to walls should comply with Planning Scheme requirements and be dimensioned on the drawings.
20. Prior to completion of the development, and upon the completion of all building works and connections for underground utility services, the footpath immediately outside the property's Swan Street road frontage must be stripped and re-sheeted to Council's satisfaction and at the Permit Holder's expense. The footpath is to have a cross-fall of no steeper than 1 in 40.

21. Prior to completion of the development, the half width road pavement (from tram reserve edge to north kerb side of Swan Street) must be profiled and re-sheeted to council's satisfaction and at the Permit Holder's cost. Any isolated areas of pavement failure shall require full depth road pavement reconstruction.
22. Prior to completion of the development, and upon the completion of all building works and connections for underground utility services, the footpath immediately outside the property's Mary Street road frontage must be stripped and re-sheeted to Council's satisfaction and at the Permit Holder's expense. The footpath is to have a cross-fall of no steeper than 1 in 40.
23. Prior to completion of the development, the applicant must prepare and submit a 1 in 20 scale cross sectional drawing of the development's vehicular entrance, showing the actual reduced levels (not interpolated levels from the application drawings) of the Swan Street road profile (from building line to central tram reservation), including the building line level, top of kerb level, invert level and lip level.

VicRoads Conditions 25-27

24. All disused or redundant vehicle crossings must be removed and the area reinstated to kerb and channel to the satisfaction of the Responsible Authority and at no cost to the Roads Corporation prior to the commencement of the use or the occupation of the building hereby approved.
25. One (1) on street parking bay on either side of the proposed vehicular access on Swan Street must be removed.
26. Prior to the commencement of the development an agreement pursuant to the *Land Act 1958* must be entered into with the Department of Environment, Land, Water and Planning.
27. 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;
- (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;
- (p) A Noise and Vibration Management Plan showing methods to minimise noise and vibration impacts on nearby properties and to demonstrate compliance with Noise Control Guideline 12 for Construction (Publication 1254) as issued by the Environment Protection Authority in October 2008. The Noise and Vibration Management Plan must be prepared to the satisfaction of the Responsible Authority. In preparing the Noise and Vibration Management Plan, consideration must be given to:
 - (i) using lower noise work practice and equipment;
 - (ii) the suitability of the land for the use of an electric crane;
 - (iii) silencing all mechanical plant by the best practical means using current technology;
 - (iv) fitting pneumatic tools with an effective silencer;
 - (v) other relevant considerations.
- (q) During the construction:
 - (i) any stormwater discharged into the stormwater drainage system must be in compliance with Environment Protection Authority guidelines;
 - (ii) stormwater drainage system protection measures must be installed as required to ensure that no solid waste, sediment, sand, soil, clay or stones from the land enters the stormwater drainage system;
 - (iii) vehicle borne material must not accumulate on the roads abutting the land;
 - (iv) the cleaning of machinery and equipment must take place on the land and not on adjacent footpaths or roads; and
 - (v) all litter (including items such as cement bags, food packaging and plastic strapping) must be disposed of responsibly.

28. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:

- (a) before 7.00 am or after 6 .00 pm, Monday-Friday (excluding public holidays);
- (b) before 9.00 am or after 3.00 pm, Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday); or
- (c) at any time on Sundays, ANZAC Day, Christmas Day and Good Friday.

29. This permit will expire if:

- (a) the development is not commenced within two years of the date of this permit;
- (b) the development is not completed within four years of the date of this permit; or
- (c) the use is not commenced within five 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 5585 to confirm.

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

Provision must be made for drainage of the site to a legal point of discharge. Please contact Council's Building Services on 9205 5585 for further information.

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.

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

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.

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

All pedestrian access must be constructed to a level no steeper than 1 in 40 from the building line to the top of kerb.

The developer must prepare a drainage design scheme for the development for Council assessment and approval. Any pipes, pits or other drainage infrastructure required for the drainage scheme shall be supplied, installed and funded by the developer.

The developer needs to ensure that the building has adequate clearances from overhead power cables, transformers, substations or any other electrical assets where applicable. Energy Safe Victoria has published an information brochure, Building design near powerlines, which can be obtained from their website:

The canopy projecting beyond the property line must satisfy the Building Regulations 2006. The canopy must be setback no less than 750 mm from the kerb.

VicRoads Note:

Separate consent may be required from VicRoads (the Roads Corporation) under the Road Management Act 2004 for buildings and works undertaken outside the title boundary within a Road Zone Category 1 (Swan Street). Please contact VicRoads prior to commencing any works.

Submissions

The Applicant, Mr Kel Twite addressed the Committee.

Mr Peter Barber also addressed the Committee on behalf of residents.

INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION

Moved: Councillor Colanzi

Seconded: Councillor Fristacky

That having considered all relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant Planning Permit PLN15/0647 for development of the land for the construction of a six-storey building, containing retail and residential uses (permit required for dwelling use), reduction in the car parking requirement, waiver of the loading requirement and alteration of access within a Road Zone at 245 -251 Swan Street, Richmond, 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 18 March 2016 but modified to show:
 - (a) External flexible sun-shading measures provided to east-facing windows at levels 3, 4 & 5;
 - (b) The location of the gas boosted hot water system;
 - (c) Notations indicating that 1.7m high privacy screens will be provided between the following apartment's balconies;
 - (i) 1.05 & 1.06;
 - (ii) 1.01, 1.07 & 1.08;
 - (iii) 2.02 & 2.03;
 - (iv) 2.05 & 2.06;
 - (v) 2.01, 2.07 & 2.08;
 - (vi) 3.03 & 3.04;
 - (vii) 4.01 & 4.04.
 - (d) Screening in accordance with the objective of standard B22 – Overlooking of Clause 55 of the Yarra Planning Scheme be provided for the following;
 - (i) Bed 1 of Apt no. 2.07;
 - (ii) Bed 1 of Apt no. 2.08;
 - (iii) Balcony of Apt no. 4.01;
 - (iv) Bed 2 of Apt no. 3.01.
 - (e) All noise amelioration measures recommended by the Acoustic Report required at Condition 5;
 - (f) Any internal alterations required by the amended Waste Management Plan outlined at Condition 7;
 - (g) A notation on the plans indicating that any light spill from existing, new or modified street lights will not spill into the windows of any new dwellings or any existing nearby residences, with appropriate baffling of these light sources to be provided;
 - (h) The deletion of level 5 (top floor); and
 - (i) Electric charging points in the car park for electric vehicles and power assisted bicycles.
2. The use and 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. The provisions, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
4. The provisions, recommendations and requirements of the endorsed Green Travel Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
5. Before the use and development commences, an Acoustic Report to the satisfaction of the Responsible Authority must be prepared by a suitably qualified acoustic engineer and must be submitted to and approved by the Responsible Authority. When approved, the Acoustic Report will be endorsed and will form part of this permit. The Acoustic Report must assess the following;
 - (a) Tram by-pass noise levels;
 - (b) Traffic noise exposure;
 - (c) Mechanical plant noise emissions from commercial properties (on and off site);
 - (d) Mechanical plant noise emissions from the site to nearby residential properties.

The acoustic report must make recommendations to limit the noise impacts in accordance with the State Environment Protection Policy (Control of noise from industry, commerce and trade) No. N-1 (SEPP N-1), State Environment Protection Policy (Control of music noise from public premises) No. N-2 (SEPP N-2) or any other requirement to the satisfaction of the Responsible Authority.

6. The provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.
7. Before the use and development commences, an amended Waste Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Waste Management Plan will be endorsed and will form part of this permit.
The amended Waste Management Plan must be generally in accordance with the Waste Management Plan prepared by Wastewise and dated 9 May 2016, but modified to include:
 - (a) The author name and contact phone number on the front page;
 - (b) All pages to be numbered and individual clauses/sections to be identified;
 - (c) Confirmation that the residential and commercial waste will be collected once per week;
 - (d) Details of commercial waste, including plan/description of where commercial waste will be stored prior to being transferred to the refuse room, plan of refuse showing dimensions, bin layout of all bins to be stored, hard waste area, etc.
 - (e) Ensure that the following details are consistent on the plans and within the WMP;
 - (i) Residential bin numbers with the projected waste generation;
 - (ii) Commercial bin numbers with projected waste generation;
 - (iii) Refuse room plan to reflect weekly residential bin collection numbers;
 - (iv) Refuse room plan to reflect weekly commercial bin collection numbers.
8. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
9. The collection of waste from the site must be by private collection, unless with the prior written consent of the Responsible Authority.
10. Prior to completion of the development, the two Plane trees (*Platanus x acerifolia*) on Swan Street must be removed and replaced:
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
11. Before the building 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.
12. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating access to the building entrance must be provided. Lighting must be:
 - (a) located;
 - (b) directed;
 - (c) shielded; and
 - (d) of limited intensity,
 to the satisfaction of the Responsible Authority.

13. 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.
14. 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.
15. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.
16. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any new vehicle crossing must be constructed:
 - (a) in accordance with any requirements or conditions imposed by Council;
 - (b) at the permit holder's cost; and
 - (c) to the satisfaction of the Responsible Authority.
17. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any redundant vehicular crossing must be demolished and re-instated as standard footpath and kerb and channel:
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
18. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the area set aside on the endorsed plans for the car parking spaces, access lanes, driveways and associated works must be:
 - (a) constructed and available for use in accordance with the endorsed plans;
 - (b) formed to such levels and drained so that they can be used in accordance with the endorsed plans;
 - (c) treated with an all-weather seal or some other durable surface; and
 - (d) line-marked or provided with some adequate means of showing the car parking spaces.to the satisfaction of the Responsible Authority.

Engineering Conditions 19-24

19. Prior to completion of the development, the dimensions of parking bays adjacent to walls should comply with Planning Scheme requirements and be dimensioned on the drawings.
20. Prior to completion of the development, and upon the completion of all building works and connections for underground utility services, the footpath immediately outside the property's Swan Street road frontage must be stripped and re-sheeted to Council's satisfaction and at the Permit Holder's expense. The footpath is to have a cross-fall of no steeper than 1 in 40.
21. Prior to completion of the development, the half width road pavement (from tram reserve edge to north kerb side of Swan Street) must be profiled and re-sheeted to council's satisfaction and at the Permit Holder's cost. Any isolated areas of pavement failure shall require full depth road pavement reconstruction.
22. Prior to completion of the development, and upon the completion of all building works and connections for underground utility services, the footpath immediately outside the property's Mary Street road frontage must be stripped and re-sheeted to Council's satisfaction and at the Permit Holder's expense. The footpath is to have a cross-fall of no steeper than 1 in 40.

23. Prior to completion of the development, the applicant must prepare and submit a 1 in 20 scale cross sectional drawing of the development's vehicular entrance, showing the actual reduced levels (not interpolated levels from the application drawings) of the Swan Street road profile (from building line to central tram reservation), including the building line level, top of kerb level, invert level and lip level.

VicRoads Conditions 25-27

24. All disused or redundant vehicle crossings must be removed and the area reinstated to kerb and channel to the satisfaction of the Responsible Authority and at no cost to the Roads Corporation prior to the commencement of the use or the occupation of the building hereby approved.
25. One (1) on street parking bay on either side of the proposed vehicular access on Swan Street must be removed.
26. Prior to the commencement of the development an agreement pursuant to the *Land Act* 1958 must be entered into with the Department of Environment, Land, Water and Planning.
27. 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;
 - (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;

- (p) A Noise and Vibration Management Plan showing methods to minimise noise and vibration impacts on nearby properties and to demonstrate compliance with Noise Control Guideline 12 for Construction (Publication 1254) as issued by the Environment Protection Authority in October 2008. The Noise and Vibration Management Plan must be prepared to the satisfaction of the Responsible Authority. In preparing the Noise and Vibration Management Plan, consideration must be given to:
 - (i) using lower noise work practice and equipment;
 - (ii) the suitability of the land for the use of an electric crane;
 - (iii) silencing all mechanical plant by the best practical means using current technology;
 - (iv) fitting pneumatic tools with an effective silencer;
 - (v) other relevant considerations.
- (q) During the construction:
 - (i) any stormwater discharged into the stormwater drainage system must be in compliance with Environment Protection Authority guidelines;
 - (ii) stormwater drainage system protection measures must be installed as required to ensure that no solid waste, sediment, sand, soil, clay or stones from the land enters the stormwater drainage system;
 - (iii) vehicle borne material must not accumulate on the roads abutting the land;
 - (iv) the cleaning of machinery and equipment must take place on the land and not on adjacent footpaths or roads; and
 - (v) all litter (including items such as cement bags, food packaging and plastic strapping) must be disposed of responsibly.

28. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:

- (a) before 7.00 am or after 6 .00 pm, Monday-Friday (excluding public holidays);
- (b) before 9.00 am or after 3.00 pm, Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday); or
- (c) at any time on Sundays, ANZAC Day, Christmas Day and Good Friday.

29. This permit will expire if:

- (a) the development is not commenced within two years of the date of this permit;
- (b) the development is not completed within four years of the date of this permit; or
- (c) the use is not commenced within five 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 5585 to confirm.

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

Provision must be made for drainage of the site to a legal point of discharge. Please contact Council's Building Services on 9205 5585 for further information.

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.

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

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.

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

All pedestrian access must be constructed to a level no steeper than 1 in 40 from the building line to the top of kerb.

The developer must prepare a drainage design scheme for the development for Council assessment and approval. Any pipes, pits or other drainage infrastructure required for the drainage scheme shall be supplied, installed and funded by the developer.

The developer needs to ensure that the building has adequate clearances from overhead power cables, transformers, substations or any other electrical assets where applicable. Energy Safe Victoria has published an information brochure, Building design near powerlines, which can be obtained from their website:

The canopy projecting beyond the property line must satisfy the Building Regulations 2006. The canopy must be setback no less than 750 mm from the kerb.

VicRoads Note:

Separate consent may be required from VicRoads (the Roads Corporation) under the Road Management Act 2004 for buildings and works undertaken outside the title boundary within a Road Zone Category 1 (Swan Street). Please contact VicRoads prior to commencing any works.

CARRIED UNANIMOUSLY

-
- 1.2 PLN15/1101 - 217 - 241 Queens Parade Clifton Hill - Development of the land for the demolition of the existing building, construction of a new 10- storey building plus one basement level of car parking, use of the land for the purpose of an aged care facility (127 beds with ancillary cafeteria and dispensary) and medical centre (no permit required for uses), construction and display of signage, a reduction in the car parking requirement, a waiver of visitor bicycle requirements and buildings and works and alterations to access to a Road Zone (Category 1).**
-

Trim Record Number: D16/82594

Responsible Officer: Acting Manager Statutory Planning

RECOMMENDATION

That having considered all objections and relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant a Planning Permit PLN15/1101 for the development of the land for the demolition of the existing building, construction of a residential aged care facility, construction and display of signage, reduction in the car parking requirement, waiver of visitor bicycle requirements, buildings and works and alterations to access to a Road Zone (Category 1) at 217-241 Queens Parade Clifton 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 by Baldasso Cortese received by Council on 28 January 2016 but modified to show:
 - (a) Any requirement of the endorsed SMP report (condition 6) (where relevant to show on plans).
 - (b) Any requirement of the endorsed WMP report (condition 7) (where relevant to show on plans).
 - (c) Any requirement of the endorsed acoustic report (condition 12) (where relevant to show on plans).
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.

VicRoads Conditions (Nos. 3 to 5)

3. All disused or redundant vehicle crossings must be removed and the area reinstated to kerb, channel and footpath to the satisfaction of and at no cost to VicRoads prior to the occupation of the building hereby approved.
4. All signage must not be flashing and any lighting must not create glare towards motorists on Queens Parade and on the Heidelberg Road on ramp.
5. The luminance of the advertising signs must be such that it does not give a veiling luminance to the driver, of greater than 0.25cd/m², throughout the driver's approach to the advertising sign.

Sustainable Management Plan

6. The provisions, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Waste Management Plan

7. Before the plans are endorsed, an amended Waste Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Waste Management Plan will be endorsed and will form part of this permit. The plan must be generally in accordance with the WMP (prepared by Leigh Design dated 22 January 2016), but modified to include:
 - (a) Confirmation that waste and recycling trucks servicing the building do not encroach onto Dummett Crescent
8. The collection of waste from the site must be by private collection and internally within the site, unless with the prior written consent of the Responsible Authority.
9. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Landscape Plan

10. Before the development commences, updated landscape plans generally in accordance with the Landscape Plan prepared by Land Projects (28 January 2016) to the satisfaction of the Responsible Authority must be prepared by a suitably qualified person. When approved, the landscape plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and three copies must be provided. The plan must show:
 - (a) Replacement of the Irish Strawberry tree on the eighth floor with a non-fruiting tree.
11. Before the building is 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.

Acoustic report

12. The provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.

Road Infrastructure

13. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any new vehicle crossing must be constructed:
 - (a) in accordance with any requirements or conditions imposed by Council;
 - (b) at the permit holder's cost; and
 - (c) to the satisfaction of the Responsible Authority.
14. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any redundant vehicular crossing (including the pram crossing along Queens Parade) must be demolished and re-instated as standard footpath and kerb and channel:

- (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
15. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the service road immediately outside of title boundaries must be reconstructed:
- (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
16. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, 8 bike spaces must be installed on the Queens Parade footpath:
- (a) at a 45 degree angle;
 - (b) at the permit holder's cost; and
 - (c) in a location and manner,
- to the satisfaction of the Responsible Authority.
17. 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.
18. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, a sawn dressed kerb (150 mm wide) with a one stone pitcher channel must be constructed along the site's Dummett Crescent frontage:
- (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
19. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the footpath along the property's Queens Parade service road frontage be reconstructed:
- (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
20. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the road pavement outside the property frontage to Dummett Crescent be re-sheeted and the road pavement outside the property frontage to the Queens Parade Service Road be stripped and re-sheeted:
- (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.

Car Parking

21. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the area set aside on the endorsed plans for the car parking spaces, access lanes, driveways and associated works must be:
- (a) constructed and available for use in accordance with the endorsed plans;
 - (b) formed to such levels and drained so that they can be used in accordance with the endorsed plans;

- (c) treated with an all-weather seal or some other durable surface; and
- (d) line-marked or provided with some adequate means of showing the car parking spaces;

to the satisfaction of the Responsible Authority.

22. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the car stackers must be installed in accordance with the manufacturer's specifications by a suitably qualified person. The car stackers must be maintained thereafter to the satisfaction of the Responsible Authority.
23. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, a notice showing the location of car parking must be placed in a clearly visible position near the entry to the land. The notice must be maintained thereafter to the satisfaction of the Responsible Authority.

Lighting

24. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating access to the pedestrian and vehicular entrances must be provided on the subject site. Lighting must be:
- (a) located;
 - (b) directed;
 - (c) shielded; and
 - (d) of limited intensity,
- to the satisfaction of the Responsible Authority.

Green Travel Plan

25. Before the occupation of the development, a Green Travel Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Green Travel plan will be endorsed and will form part of this permit. The Green Travel Plan must include, but not be limited to, the following:
- (a) describe the location in the context of alternative modes of transport;
 - (b) the provision of real time passenger information displays for nearby stops within each residential lobby;
 - (c) employee / resident welcome packs (e.g. provision of Met Cards/Myki);
 - (d) a designated 'manager' or 'champion' responsible for co-ordination and implementation;
 - (e) details of bicycle parking and bicycle routes;
 - (f) details of GTP funding and management responsibilities; and
 - (g) include provisions to be updated not less than every 5 years.
26. The provisions, recommendations and requirements of the endorsed Green Travel Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

General

27. 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.

28. 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.
29. 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.
30. 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.

Construction Management

31. 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) detailed drawings of all road infrastructure works associated with this development;
 - (b) a pre-conditions survey (dilapidation report) of the land and all adjacent Council roads frontages and nearby road infrastructure;
 - (c) works necessary to protect road and other infrastructure;
 - (d) remediation of any damage to road and other infrastructure;
 - (e) 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,
 - (f) facilities for vehicle washing, which must be located on the land;
 - (g) 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;
 - (h) site security;
 - (i) 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;
 - (j) the construction program;
 - (k) preferred arrangements for trucks delivering to the land, including delivery and unloading points and expected duration and frequency;
 - (l) parking facilities for construction workers;
 - (m) measures to ensure that all work on the land will be carried out in accordance with the Construction Management Plan;
 - (n) an outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services;
 - (o) 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;

- (p) 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.
- (q) a Noise and Vibration Management Plan showing methods to minimise noise and vibration impacts on nearby properties and to demonstrate compliance with Noise Control Guideline 12 for Construction (Publication 1254) as issued by the Environment Protection Authority in October 2008. The Noise and Vibration Management Plan must be prepared to the satisfaction of the Responsible Authority. In preparing the Noise and Vibration Management Plan, consideration must be given to:
 - (i) using lower noise work practice and equipment;
 - (ii) the suitability of the land for the use of an electric crane;
 - (iii) silencing all mechanical plant by the best practical means using current technology;
 - (iv) fitting pneumatic tools with an effective silencer;
 - (v) other relevant considerations; and
- (r) any site-specific requirements.

During the construction:

- (s) any stormwater discharged into the stormwater drainage system must be in compliance with Environment Protection Authority guidelines;
- (t) stormwater drainage system protection measures must be installed as required to ensure that no solid waste, sediment, sand, soil, clay or stones from the land enters the stormwater drainage system;
- (u) vehicle borne material must not accumulate on the roads abutting the land;
- (v) the cleaning of machinery and equipment must take place on the land and not on adjacent footpaths or roads; and
- (w) all litter (including items such as cement bags, food packaging and plastic strapping) must be disposed of responsibly.

32. 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.

31. The signage component of this permit expires 15 years from the date of the permit.

Notes:

The site is located within an Environmental Audit Overlay. Pursuant to Clause 45.03 of the Yarra Planning Scheme, the requirements of the Environmental Audit Overlay must be met prior to the commencement of development permitted under the permit.

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

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.

Provision must be made for drainage of the site to a legal point of discharge. Please contact Council's Building Services on 9205 5585 for further information.

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

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

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.

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

VicRoads Notes

The proposed development requires reinstatement of disused crossovers to kerb and channel. Separate approval under the Road Management Act for this activity may be required from VicRoads (the Roads Corporation). Please contact VicRoads prior to commencing any works.

Separate Consent shall be required from VicRoads under the Road Management Act 2004 for all buildings and works undertaken outside the title boundary within a Road Zone Category 1.

Submissions

Mr William Bromhead, Mr Lou Pascuzzi and Ms Esme Mulligan addressed the Committee on behalf of the Applicant.

The following people also addressed the Committee:

*Ms Susan Zeitz;
Ms Rosemarie Speidel; and
Mr Steven Nekvapil.*

INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION

Moved: Councillor Fristacky

Seconded: Councillor Colanzi

That having considered all objections and relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant a Planning Permit PLN15/1101 for the development of the land for the demolition of the existing building, construction of a residential aged care facility, construction and display of signage, reduction in the car parking requirement, waiver of visitor bicycle requirements, buildings and works and alterations to access to a Road Zone (Category 1) at 217-241 Queens Parade Clifton 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 by Baldasso Cortese received by Council on 28 January 2016 but modified to show:
 - (a) Any requirement of the endorsed SMP report (condition 6) (where relevant to show on plans).
 - (b) Any requirement of the endorsed WMP report (condition 7) (where relevant to show on plans).

- (c) Any requirement of the endorsed acoustic report (condition 12) (where relevant to show on plans).
- (d) Visitor bicycle spaces to be provided at ground floor within the building (in addition to the eight spaces proposed on the Queens Parade footpath).
- (e) At least 3 on-site car parking spaces to be available for visitor parking.
- (f) Electric charging points in the car park for electric vehicles and power assisted bicycles.

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.

VicRoads Conditions (Nos. 3 to 5)

3. All disused or redundant vehicle crossings must be removed and the area reinstated to kerb, channel and footpath to the satisfaction of and at no cost to VicRoads prior to the occupation of the building hereby approved.
4. All signage must not be flashing and any lighting must not create glare towards motorists on Queens Parade and on the Heidelberg Road on ramp.
5. The luminance of the advertising signs must be such that it does not give a veiling luminance to the driver, of greater than 0.25cd/m², throughout the driver's approach to the advertising sign.

Sustainable Management Plan

6. The provisions, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Waste Management Plan

7. Before the plans are endorsed, an amended Waste Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Waste Management Plan will be endorsed and will form part of this permit. The plan must be generally in accordance with the WMP (prepared by Leigh Design dated 22 January 2016), but modified to include:
 - (a) Confirmation that waste and recycling trucks servicing the building do not encroach onto Dummett Crescent
8. The collection of waste from the site must be by private collection and internally within the site, unless with the prior written consent of the Responsible Authority.
9. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Landscape Plan

10. Before the development commences, updated landscape plans generally in accordance with the Landscape Plan prepared by Land Projects (28 January 2016) to the satisfaction of the Responsible Authority must be prepared by a suitably qualified person. When approved, the landscape plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and three copies must be provided. The plan must show:

(a) Replacement of the Irish Strawberry tree on the eighth floor with a non-fruiting tree.

11. Before the building is 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.

Acoustic report

12. The provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.

Road Infrastructure

13. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any new vehicle crossing must be constructed:

- (a) in accordance with any requirements or conditions imposed by Council;
- (b) at the permit holder's cost; and
- (c) to the satisfaction of the Responsible Authority.

14. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any redundant vehicular crossing (including the pram crossing along Queens Parade) must be demolished and re-instated as standard footpath and kerb and channel:

- (a) at the permit holder's cost; and
- (b) to the satisfaction of the Responsible Authority.

15. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the service road immediately outside of title boundaries must be reconstructed:

- (a) at the permit holder's cost; and
- (b) to the satisfaction of the Responsible Authority.

16. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, 8 bike spaces must be installed on the Queens Parade footpath:

- (a) at a 45 degree angle;
- (b) at the permit holder's cost; and
- (c) in a location and manner,

to the satisfaction of the Responsible Authority.

17. 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.
18. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, a sawn dressed kerb (150 mm wide) with a one stone pitcher channel must be constructed along the site's Dummett Crescent frontage:
- (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
19. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the footpath along the property's Queens Parade service road frontage be reconstructed:
- (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
20. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the road pavement outside the property frontage to Dummett Crescent be re-sheeted and the road pavement outside the property frontage to the Queens Parade Service Road be stripped and re-sheeted:
- (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
21. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, a pedestrian crossing is to be constructed from the Queens Parade Service Road to the tram and bus stops in the centre of Queens Parade:
- (a) in consultation with VicRoads and Public Transport Victoria;
 - (b) at the permit holder's cost; and
 - (c) to the satisfaction of the Responsible Authority.

Car Parking

22. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the area set aside on the endorsed plans for the car parking spaces, access lanes, driveways and associated works must be:
- (a) constructed and available for use in accordance with the endorsed plans;
 - (b) formed to such levels and drained so that they can be used in accordance with the endorsed plans;
 - (c) treated with an all-weather seal or some other durable surface; and
 - (d) line-marked or provided with some adequate means of showing the car parking spaces;
- to the satisfaction of the Responsible Authority.
23. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the car stackers must be installed in accordance with the manufacturer's specifications by a suitably qualified person. The car stackers must be maintained thereafter to the satisfaction of the Responsible Authority.
24. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, a notice showing the location of car parking must be placed in a clearly visible position near the entry to the land. The notice must be maintained thereafter to the satisfaction of the Responsible Authority.

Lighting

25. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating access to the pedestrian and vehicular entrances must be provided on the subject site. Lighting must be:
- (a) located;
 - (b) directed;
 - (c) shielded; and
 - (d) of limited intensity,
- to the satisfaction of the Responsible Authority.

Green Travel Plan

26. Before the occupation of the development, a Green Travel Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Green Travel plan will be endorsed and will form part of this permit. The Green Travel Plan must include, but not be limited to, the following:
- (a) describe the location in the context of alternative modes of transport;
 - (b) the provision of real time passenger information displays for nearby stops within each residential lobby;
 - (c) employee / resident welcome packs (e.g. provision of Met Cards/Myki);
 - (d) a designated 'manager' or 'champion' responsible for co-ordination and implementation;
 - (e) details of bicycle parking and bicycle routes;
 - (f) details of GTP funding and management responsibilities; and
 - (g) include provisions to be updated not less than every 5 years.
27. The provisions, recommendations and requirements of the endorsed Green Travel Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

General

28. 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.
29. 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.
30. 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.
31. 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.

Construction Management

32. 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) detailed drawings of all road infrastructure works associated with this development;
- (b) a pre-conditions survey (dilapidation report) of the land and all adjacent Council roads frontages and nearby road infrastructure;
- (c) works necessary to protect road and other infrastructure;
- (d) remediation of any damage to road and other infrastructure;
- (e) 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,
- (f) facilities for vehicle washing, which must be located on the land;
- (g) 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;
- (h) site security;
- (i) 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;
- (j) the construction program;
- (k) preferred arrangements for trucks delivering to the land, including delivery and unloading points and expected duration and frequency;
- (l) parking facilities for construction workers;
- (m) measures to ensure that all work on the land will be carried out in accordance with the Construction Management Plan;
- (n) an outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services;
- (o) 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;
- (p) 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.
- (q) a Noise and Vibration Management Plan showing methods to minimise noise and vibration impacts on nearby properties and to demonstrate compliance with Noise Control Guideline 12 for Construction (Publication 1254) as issued by the Environment Protection Authority in October 2008. The Noise and Vibration Management Plan must be prepared to the satisfaction of the Responsible Authority. In preparing the Noise and Vibration Management Plan, consideration must be given to:
 - (i) using lower noise work practice and equipment;
 - (ii) the suitability of the land for the use of an electric crane;
 - (iii) silencing all mechanical plant by the best practical means using current technology;
 - (iv) fitting pneumatic tools with an effective silencer;
 - (v) other relevant considerations; and
- (r) any site-specific requirements.

During the construction:

- (s) any stormwater discharged into the stormwater drainage system must be in compliance with Environment Protection Authority guidelines;
- (t) stormwater drainage system protection measures must be installed as required to ensure that no solid waste, sediment, sand, soil, clay or stones from the land enters the stormwater drainage system;
- (u) vehicle borne material must not accumulate on the roads abutting the land;
- (v) the cleaning of machinery and equipment must take place on the land and not on adjacent footpaths or roads; and
- (w) all litter (including items such as cement bags, food packaging and plastic strapping) must be disposed of responsibly.

33. 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.

34. The signage component of this permit expires 15 years from the date of the permit.

Notes:

The site is located within an Environmental Audit Overlay. Pursuant to Clause 45.03 of the Yarra Planning Scheme, the requirements of the Environmental Audit Overlay must be met prior to the commencement of development permitted under the permit.

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

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.

Provision must be made for drainage of the site to a legal point of discharge. Please contact Council's Building Services on 9205 5585 for further information.

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

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

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.

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

VicRoads Notes

The proposed development requires reinstatement of disused crossovers to kerb and channel. Separate approval under the Road Management Act for this activity may be required from VicRoads (the Roads Corporation). Please contact VicRoads prior to commencing any works.

Separate Consent shall be required from VicRoads under the Road Management Act 2004 for all buildings and works undertaken outside the title boundary within a Road Zone Category 1.

CARRIED UNANIMOUSLY

1.3 621 Brunswick Street, Fitzroy North VIC 3068 - Planning Permit Application No. PLN15/0745

Trim Record Number: D16/79797

Responsible Officer: Principal Statutory Planner

RECOMMENDATION

That having considered all objections and relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant a Planning Permit PLN15/0745 for the part demolition and alterations to the existing dwelling, the construction of a second dwelling on a lot and a reduction in the car parking requirement at 621 Brunswick Street, Fitzroy North, subject to the following conditions:

Amended Plans

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 by Patrick Miceli Architecture and Interiors received by Council on 13 November 2016 but modified to show:
 - (a) All habitable room windows are operable.
 - (b) A south facing operable window in bedroom 1 of the proposed dwelling.
 - (c) A south facing operable window in the bathroom of the proposed dwelling.
 - (d) A minimum of 3 cubic metres of storage space for each dwelling.
 - (e) The removal and reinstatement of the existing crossover to the site on Church Street.
 - (f) A shading device to the west facing first floor sliding doors of the existing dwelling.
 - (g) Application of a graffiti resistant coating to the Church Street façade of the proposed dwelling.

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.

General

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 (including the full re-sheeting of the property frontage if deemed necessary by council):
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.

4. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any redundant vehicular crossing must be demolished and re-instated as standard footpath and kerb and channel:
 - (a) at the permit holder's cost; and
 - (b) 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 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 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.

7. 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.

Permit Expiry

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

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.

Provision must be made for drainage of the site to a legal point of discharge. Please contact Council's Building Services on 9205 5585 for further information.

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

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

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

The permit holder must obtain approval from the relevant authorities to remove and/or build over the easement(s).

Submissions

No Applicant was present for this matter.

The following people addressed the Committee:

*Ms James Holman;
Mr Nick Brodribb; and
Ms Raelene Sambrook.*

INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION

Moved: Councillor Colanzi

Seconded: Councillor Fristacky

That having considered all objections and relevant planning policies, the Committee resolves to issue a Notice of Refusal to Grant a Planning Permit PLN15/0745 for the part demolition and alterations to the existing dwelling, the construction of a second dwelling on a lot and a reduction in the car parking requirement at 621 Brunswick Street, Fitzroy North, on the following grounds:

1. The proposal does not appropriately respond to Clauses 22.02 and 43.01 (Heritage Overlay) of the Yarra Planning Scheme.
2. The non-compliance with Standard B8 (Site Coverage) of Clause 55 of the Yarra Planning Scheme will result in unreasonable visual bulk.

CARRIED UNANIMOUSLY

1.4 PLN15/1209 - 442-444 Nicholson Street, Fitzroy North - Increase liquor licence on-premises operating hours for the existing hotel

Trim Record Number: D16/83630

Responsible Officer: Principal Statutory Planner

RECOMMENDATION

That having considered all relevant planning policies and objections, the Committee resolves to issue a Notice of Decision to Grant Planning Permit PLN15/1209 for an extension to the existing liquor license (on-premises) operating hours at 442-444 Nicholson Street, Fitzroy North VIC 3068, subject to the following conditions

1. Before the extended hours for the sale and consumption of liquor (on-premises) 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) A red line plan showing the liquor licence area at ground level.
 - (b) An annotation on plans stating that only the northernmost door fronting Nicholson Street associated with the public bar may be used after 11pm.
 - (c) The north point correctly orientated.
2. 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.
3. 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 extended hours:

| | |
|------------------------|------------------------------|
| (a) Thursday: | Between 11pm and 12 midnight |
| (b) Friday & Saturday: | Between 11pm and 1am |
4. 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 submitted to Council on the 23 January 2016, but modified to include (or show, or address):
 - (a) A maximum of 259 patrons;
 - (b) The amended hours for Thursday, Friday and Saturday; and
 - (c) The the sole use of the northernmost Nicholson Street door after 11pm.
5. 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.
6. 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
7. The use must comply at all times with the State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N-1).
 8. The use must comply at all times with the State Environment Protection Policy – Control of Music Noise from Public Premises (SEPP N-2).
 9. 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.
 10. Except with the prior written consent of the Responsible Authority, speakers external to the building must not be erected or used.
 11. No live music or live entertainment pre-recorded or amplified music may be played during the extended hours of this permit.
 12. This permit will expire if the use 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:

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

Submissions

The Applicant, Mr Bruce Lowe addressed the Committee. The Owner, Ms Alison Carey also addressed the Committee.

Mr Russell Alan also addressed the Committee.

INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION

Moved: Councillor Colanzi

Seconded: Councillor Fristacky

That having considered all relevant planning policies and objections, the Committee resolves to issue a Notice of Decision to Grant Planning Permit PLN15/1209 for an extension to the existing liquor license (on-premises) operating hours at 442-444 Nicholson Street, Fitzroy North VIC 3068, subject to the following conditions

1. Before the extended hours for the sale and consumption of liquor (on-premises) 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) A red line plan showing the liquor licence area at ground level.
 - (b) An annotation on plans stating that only the northernmost door fronting Nicholson Street associated with the public bar may be used after 11pm.
 - (c) The north point correctly orientated.

2. 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.
3. 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) Sunday: | <u>Between 10am and 11pm</u> |
| (b) Good Friday: | <u>Between 12 midday and 11pm</u> |
| (c) ANZAC Day (not being a Sunday) | <u>Between 12 midday and 11pm</u> |
| (d) Thursday: | <u>Between 7am and 12 midnight</u> |
| (e) Friday & Saturday: | <u>Between 7am and 12.30am</u> |
| (f) On the eve of public holidays | <u>Between 10am and 12.30am</u> |
| (g) On any other day | <u>Between 7am and 11pm</u> |
4. 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 submitted to Council on the 23 January 2016, but modified to include (or show, or address):
 - (a) A maximum of 259 patrons at all times, internal to premises;
 - (b) The amended hours for Thursday, Friday and Saturday; and
 - (c) The sole use of the northernmost Nicholson Street door after 11pm.
5. Before the commencement of the sale and consumption of liquor, the applicant must, to the satisfaction of the Responsible Authority, display a notice on all drink and food lists and 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.
6. 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
7. The use must comply at all times with the State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N-1).
8. The use must comply at all times with the State Environment Protection Policy – Control of Music Noise from Public Premises (SEPP N-2).
9. 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.
10. Except with the prior written consent of the Responsible Authority, speakers external to the building must not be erected or used.
11. No live music or live entertainment pre-recorded or amplified music may be played during the extended hours of this permit.
12. This permit will expire if the use 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:

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

CARRIED UNANIMOUSLY

The meeting closed at 9.42pm.

Confirmed at the meeting held on Wednesday 29 June 2016

Chair