



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

**held on Wednesday 10 August 2016 at 6.30pm
in Meeting Room 3 at the Richmond Town Hall**

I. ATTENDANCE

Councillor Roberto Colanzi
Councillor Amanda Stone
Councillor Phillip Vlahogiannis

Danielle Connell (Coordinator Statutory Planning)
Sarah Thomas (Principal Planner)
Cindi Johnston (Governance Officer)

II. APOLOGIES AND LEAVE OF ABSENCE

III. DECLARATIONS OF CONFLICT OF INTEREST (councillors and staff)
Councillor Phillip Vlahogiannis (Item 1.4)

IV. CONFIRMATION OF MINUTES

Internal Development Approvals Committee Resolution:

Moved: Councillor Colanzi **Seconded:** Councillor Stone

That the minutes of the meeting of the Internal Development Approvals Committee held on Wednesday 13 July 2016 be confirmed.

CARRIED

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***"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 Stone as Chair.

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

Councillor Stone assumed the Chair.

1. INTERNAL DEVELOPMENT APPROVALS COMMITTEE

Item		Page	Res. Page
1.1	87 - 89 Moor Street, Fitzroy - Planning permit application number PL03/0732.05 - Amendment to increase the hours of operation, patron numbers and hours for the sale and consumption of alcohol in association with the current uses at the site and to include a function centre use and associated reduction on the car parking requirements of the Yarra Planning Scheme.	6	9
1.2	122 Noone Street- Planning permit application No. PLN15/0959- Development of the land for two (2) double storey dwellings, the full demolition of the existing building and a reduction in the car parking requirements of the Yarra Planning Scheme.	10	12
1.3	506 Swan Street, Richmond - PLN14/0558.02 - Amend condition 4 of the permit to increase patron numbers to 120 and an associated further reduction in car-parking requirements and amend the permit to read the correct address of the site.	14	15
1.4	PLN16/0013 - 8 Gwynne Street Cremorne - Construction of a five-storey building for the purpose of offices (no permit required for use) and a reduction in the car parking requirement.	16	20

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- 1.1 87 - 89 Moor Street, Fitzroy - Planning permit application number PL03/0732.05 - Amendment to increase the hours of operation, patron numbers and hours for the sale and consumption of alcohol in association with the current uses at the site and to include a function centre use and associated reduction on the car parking requirements of the Yarra Planning Scheme.**
-

Trim Record Number: D16/109460
Responsible Officer: Coordinator Statutory Planning

RECOMMENDATION

That having considered all relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant an amended Planning Permit PL03/0732 pursuant to section 74 of the *Planning and Environment Act* to allow for the use as a place of assembly (art gallery/art exhibition/performance space/function centre), the sale and consumption of alcohol and associated reduction in the car parking requirements at No's 87-89 Moor Street, Fitzroy subject to the following conditions (changes are in bold):

Permit preamble modified from:

To use the premises as a Place of Assembly (art gallery/art exhibition and performance space), Retail premises (art dealership), Education centre (workshop space) with liquor licence including waiver of car parking.

To:

To use the premises as a Place of Assembly (function centre/art gallery/art exhibition and performance space) with liquor licence including waiver of car parking.

Conditions

- 1. Before the amended use 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 the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the application plans, but modified to show:
 - (a) The position of the smoking area away from the residential interface;**
 - (b) Clearly show the red line licenced area;**
 - (c) Details of how the eastern and western side of the courtyard will be appropriately enclosed once the courtyard ceases liquor service.****

- 2. Prior to the commencement of the amended uses permitted by this permit the applicant must submit for endorsement a revised Noise and Amenity Action Plan that details (but is not limited to) the following:
 - (a) Updated to show the operation hours and patron numbers permitted by conditions 6, 7 and 8;**
 - (b) Updated to remove reference to the sound level meter being used to control noise emissions to first floor function room; and**
 - (c) Any changes required by the amended acoustic report.****

All to the satisfaction of the Responsible Authority.

- 3. The endorsed Noise and Amenity Action Plan forms part of this permit and must be complied with, and any modifications to the management plan must be approved by the Responsible Authority.**

4. **Before the amended use commences, an amended Acoustic Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Acoustic Report will be endorsed and will form part of this permit. The amended Acoustic Report must be generally in accordance with the Acoustic Report prepared by SLR Consulting dated 10 October 2014, but modified to include (or show, or address):**
 - (a) **Additional information as set out in the memorandum (dated 20 April 2016);**
 - (b) **Stipulate that a noise limiter will be used in the first floor function room to control music noise and remove reference to the option to use a sound meter;**
 - (c) **Detail the first-floor west-facing windows will be closed while first floor function room is operational;**
 - (d) **Updated to show the operation hours and patron numbers permitted by conditions 6, 7 and 8, and**
 - (e) **Appropriate detail to demonstrate the Green Room will achieve compliance with SEPP N-2.**
 5. **The recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.**
 6. **The place of assembly/function centre may only operate between the following hours (except where otherwise specified by this permit):**
 - (a) **Monday-Sunday 7.00am – 11.00pm**
 7. **The sale and consumption of alcohol may only occur between the following hours (except where otherwise specified by this permit):**
 - (a) **Monday-Sunday 9.00am – 11.00pm**
 8. **Unless with the prior written consent of the Responsible Authority, the place of assembly/function centre may operate up to 12 midnight (with the sale and consumption of alcohol) a maximum of 12 times per year.**
 9. **The outdoor cafe is licenced between the following hours:**
 - (a) **1 October – 30 April**
 - (i) **Monday – Tuesday 9.00am to 7.00pm**
 - (ii) **Wednesday – Sunday 9.00am to 10.00pm**
 - (iii) **Good Friday and Anzac Day 12 noon to 10.00pm**
 - (b) **1 May – 30 September**
 - (i) **Monday – Sunday 9.00am to 7.00pm**
 - (ii) **Good Friday and Anzac Day 12 noon to 7.00pm**
- Not more than 60 patrons may be present in the café at any one time (this is inclusive of the 200 patrons that may be present on the premises at any one time).
10. **No more than 200 patrons are permitted on the land at any one time; with no more than 60 patrons within the outdoor café, and no more than 118 patrons (to be within the first floor only) after 11.00pm.**
 11. **Non-amplified equipment and microphones must comply with SEPP N-2 requirements.**
 12. **The licensee shall not cause or permit undue detriment to the amenity of the area to arise out of or in connection with the use of the premises to which this permit relates duringg or immediately after the trading hours authorised under this permit.**

13. The licensee shall ensure that the level of noise emitted from the premises shall not exceed:
 - (a) the permissible noise level from mechanical equipment as specified in the State Environment Protection Policy N-1 Control of Noise Industrial, Commercial and Trade Premises within the Melbourne Metropolitan area; and
 - (b) the permissible noise levels for entertainment noise as specified in the State Environment Protection Policy (Control of Music Noise from Public Premises) No. N2.
14. **No music may be played in the external courtyard. No speakers may be sited outside the building.**
15. The operator must request patrons, by a prominent notice, to take account of the needs of local residents for peace and quiet during normal sleeping hours.
16. The operator must ensure that patrons do not congregate in the outdoor areas of the site or in adjacent areas.
17. The use permitted must not adversely affect the amenity of the locality by the appearance of any buildings, works or materials, the transporting of goods to and from the premises, emissions from the site or in any other way.
18. Any empty bottles associated with the use must be taken in bags and no emptying of bottles into garbage bins is permitted after 10.00pm on any night or before 7.00am on any day.
19. Garbage collections are restricted between 7.00am and 8.00pm on any day.
20. During all hours (whether or not liquor is served) in which the business is open to the public, entry must be made freely available to a member of the Victoria Police, an "authorised officer" of the Responsible Authority or an officer of Liquor Licensing Victoria for the carrying out of any investigations associated with the sale or consumption of alcohol on the site.
21. During all hours (whether or not liquor is served) in which the business is open to the public, there must be present on the premises, a person above the age of 18 years, responsible for the good conduct of the premises ("the Manager").
22. The Manager must at all times be authorised by the occupier of the premises to make statements on their behalf to a member of the Victoria Police, an "authorised officer" of the Responsible Authority or an officer of Liquor Licensing Victoria regarding the conduct of the premises for the activity hereby authorised.
23. *Prior to the commencement of the extended licensed hours of the café, all landscaping works must be carried out in accordance with the endorsed plan schedule and be maintained to the satisfaction of the Responsible Authority.
24. *Prior to the commencement of the extended licensed hours of the café, all acoustic works required by the permit must be carried out to the satisfaction of the Responsible Authority.
25. **This permit will expire if:**
 - (a) **the amended use is not commenced within two years of the date of this amended permit;**

The Responsible Authority may approve an extension of time if a request is made within three months of expiry.

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

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

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

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

Submissions

Mr Matthew Fernandez addressed the Committee on behalf of the Applicant.

The following people also addressed the Committee:

Ms Sally Newcombe;

Mr Ian Hall;

Mr Andrew Wolf;

Mr Con Carydis; and

Ms Kerry Robinson.

INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION

Moved: Councillor Colanzi

Seconded: Councillor Vlahogiannis

That with respect to the Amended Planning Permit Application PL03/0732.05 Council resolves to issue a Notice of Refusal to Amend a Permit for the use as a place of assembly (art gallery/art exhibition/performance space/function centre), the sale and consumption of alcohol and associated reduction in the car parking requirements buildings at 87-89 Moor Street, on the following grounds:

1. The proposed intensification of the place of assembly use would result in adverse amenity impacts on the surrounding residential area, contrary to the decision guidelines of clause 22.05 (Interface Uses Policy), clause 22.09 (Licensed Premises), and clause 52.27 (Licensed Premises) of the Yarra Planning Scheme, with regard to excessive patron numbers, hours of operation and patron noise.
2. The proposal is contrary to the orderly planning of the area (clause 65 decision guidelines of the Yarra Planning Scheme) and fails to satisfy State Planning Policy objectives and assessment criteria contained at clause 52.27 (Licensed Premises), as the proposal will result in increased Cumulative Impacts, will reduce community amenity and will not generate net community benefit.

CARRIED UNANIMOUSLY

1.2 122 Noone Street- Planning permit application No. PLN15/0959- Development of the land for two (2) double storey dwellings, the full demolition of the existing building and a reduction in the car parking requirements of the Yarra Planning Scheme.

Trim Record Number: D16/109282

Responsible Officer: Coordinator Statutory Planning

RECOMMENDATION

That having considered all relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant a Planning Permit PLN15/0959 for the development of the land for two (2) double storey dwellings including the full demolition of the existing dwelling and associated reduction in the car parking requirements, at No.122 Noone Street, 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 the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the advertised plans received by Council on 2 May 2016 and further modified as follows:
 - (a) Section detail of the width, depth and spacing between the louvers to the shop frontage roof with the material to be appropriate to the heritage streetscape and the louvers appropriately designed to appear as a solid roof structure when viewed from footpath level to the west and east;
 - (b) Detail of the southern and eastern shopfront window frames including a material that is suitable to the heritage streetscape and frame dimensions that are characteristic of Victorian era shopfront windows;
 - (c) The width of the louver shutters to the southern shopfront window to match the width of the horizontal window frames;
 - (d) Section detail to demonstrate that opening mechanism of the louver shutters to the southern and western shopfront windows will allow for maximum daylight penetration when in an open position and provide some gaps to allow for light spill and visual interest when closed;
 - (e) Plans to detail lighting, house numbers and letterboxes in the vicinity of the front doors to demonstrate that the front doors are easily identifiable;
 - (f) All habitable rooms to be provided with operable windows;
 - (g) Demonstrate all relevant windows and doors will not obstruct pedestrian access to the footpath when in an open position; and
 - (h) Relevant detail to demonstrate the first floor north-facing privacy screens will be a maximum of 25% transparent to comply with the objectives of standard B22 (*Overlooking objective*) of clause 55 of the Yarra Planning Scheme.
2. The development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
3. Before the buildings are 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 by the re-sheeting of the entire Noone Street and Rutland Street footpaths for the width of the property frontage if required by the Responsible Authority):
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.

4. Before the development is occupied, or by such later date as approved in writing by the Responsible Authority, all screening and other measures to prevent overlooking as shown on the endorsed plans must be installed to the satisfaction of the Responsible Authority. Once installed the screening and other measures must be maintained to the satisfaction of the Responsible Authority.
5. Before the development is occupied, or by such later date as approved in writing by the Responsible Authority, all new on-boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.
6. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
 - (a) Monday-Friday (excluding public holidays) before 7 am or after 6 pm;
 - (b) Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday) before 9 am or after 3 pm; or
 - (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.
7. This permit will expire if:
 - (a) the development is not commenced within two years of the date of this permit; or
 - (b) the development is not completed within four years of the date of this permit.

The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires or within six months afterwards for commencement or within twelve months afterwards for completion.

Notes:

A building permit may be required before development is commenced. Please contact Council's Building Services on 9205 5585 to confirm.

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

All future property owners, residents and occupiers residing within the development approved under this permit will not be permitted to obtain resident 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.

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

A local law permit (e.g. Asset Protection Permit, Road Occupation Permit) may be required before development is commenced. Please contact Council's Construction Management Branch on Ph. 9205 5585 to confirm.

Submission

The Applicant, Mr Matthew Wilson addressed the Committee.

INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION

Moved: Councillor Stone

Seconded: Councillor Vlahogiannis

That having considered all relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant a Planning Permit PLN15/0959 for the development of the land for two (2) double storey dwellings including the full demolition of the existing dwelling and associated reduction in the car parking requirements, at No.122 Noone Street, 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 the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the advertised plans received by Council on 2 May 2016 and further modified as follows:
 - (a) Section detail of the width, depth and spacing between the louvers to the shop frontage roof with the material to be appropriate to the heritage streetscape and the louvers appropriately designed to appear as a solid roof structure when viewed from footpath level to the west and east;
 - (b) Detail of the southern and western shopfront window frames including a material that is suitable to the heritage streetscape and frame dimensions that are characteristic of Victorian era shopfront windows;
 - (c) The width of the louver shutters to the southern shopfront window to match the width of the horizontal window frames;
 - (d) Section detail to demonstrate that opening mechanism of the louver shutters to the southern and western shopfront windows will allow for maximum daylight penetration when in an open position and provide some gaps to allow for light spill and visual interest when closed;
 - (e) Plans to detail lighting, house numbers and letterboxes in the vicinity of the front doors to demonstrate that the front doors are easily identifiable;
 - (f) All habitable rooms to be provided with operable windows;
 - (g) Demonstrate all relevant windows and doors will not obstruct pedestrian access to the footpath when in an open position; and
 - (h) Relevant detail to demonstrate the first floor north-facing privacy screens will be a maximum of 25% transparent to comply with the objectives of standard B22 (*Overlooking objective*) of clause 55 of the Yarra Planning Scheme.
2. The development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
3. Before the buildings are 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 by the re-sheeting of the entire Noone Street and Rutland Street footpaths for the width of the property frontage if required by the Responsible Authority):
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
4. Before the development is occupied, or by such later date as approved in writing by the Responsible Authority, all screening and other measures to prevent overlooking as shown on the endorsed plans must be installed to the satisfaction of the Responsible Authority. Once installed the screening and other measures must be maintained to the satisfaction of the Responsible Authority.

5. Before the development is occupied, or by such later date as approved in writing by the Responsible Authority, all new on-boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.
6. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
 - (a) Monday-Friday (excluding public holidays) before 7 am or after 6 pm;
 - (b) Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday) before 9 am or after 3 pm; or
 - (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.
7. This permit will expire if:
 - (a) the development is not commenced within two years of the date of this permit; or
 - (b) the development is not completed within four years of the date of this permit.

The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires or within six months afterwards for commencement or within twelve months afterwards for completion.

Notes:

A building permit may be required before development is commenced. Please contact Council's Building Services on 9205 5585 to confirm.

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

All future property owners, residents and occupiers residing within the development approved under this permit will not be permitted to obtain resident 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.

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

A local law permit (e.g. Asset Protection Permit, Road Occupation Permit) may be required before development is commenced. Please contact Council's Construction Management Branch on Ph. 9205 5585 to confirm.

CARRIED UNANIMOUSLY

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- 1.3 506 Swan Street, Richmond - PLN14/0558.02 - Amend condition 4 of the permit to increase patron numbers to 120 and an associated further reduction in car-parking requirements and amend the permit to read the correct address of the site.**
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Trim Record Number: D16/106345
 Responsible Officer: Acting Manager Statutory Planning

RECOMMENDATION

That having considered all relevant planning policies, the Committee resolves to issue a Notice of Decision to Amend a Planning Permit (PLN14/0558) for 506 Swan Street, Richmond, with the **permit preamble** changed to replace the address that currently reads:

504-506 Swan Street, Richmond

corrected to read:

506 Swan Street, Richmond

And amend **Condition 4** of the permit from:

Except with the prior written consent of the Responsible Authority, no more than 65 patrons are permitted on the land at any time liquor is being sold or consumed.

to:

Except with the prior written consent of the Responsible Authority, no more than 120 patrons are permitted on the land at any time liquor is being sold or consumed.

And the single page of endorsed plans superseded with the newly endorsed plans.

In the event of a permit being issued, the following table will be included on the amended permit:

THIS PERMIT IS TO BE AMENDED AS FOLLOWS

Date of amendment	Brief description of amendment
	Pursuant to Sections 73 and 74 of the <i>Planning and Environment Act 1987</i> , amendment to correct the address of the permit and to increase the number of patrons allowed on the site during times when liquor is being sold or consumed to 120 (was 65).

Submission

The Applicant, Mr Bruce Lowe addressed the Committee.

INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION

Moved: Councillor Vlahogiannis **Seconded:** Councillor Colanzi

That having considered all relevant planning policies, the Committee resolves to issue a Notice of Decision to Amend a Planning Permit (PLN14/0558) for 506 Swan Street, Richmond, with the **permit preamble** changed to replace the address that currently reads:

504-506 Swan Street, Richmond

corrected to read:

506 Swan Street, Richmond

And amend **Condition 4** of the permit from:

Except with the prior written consent of the Responsible Authority, no more than 65 patrons are permitted on the land at any time liquor is being sold or consumed.

to:

Except with the prior written consent of the Responsible Authority, no more than 120 patrons are permitted on the land at any time liquor is being sold or consumed.

And the single page of endorsed plans superseded with the newly endorsed plans.

In the event of a permit being issued, the following table will be included on the amended permit:

THIS PERMIT IS TO BE AMENDED AS FOLLOWS

Date of amendment	Brief description of amendment
	Pursuant to Sections 73 and 74 of the <i>Planning and Environment Act 1987</i> , amendment to correct the address of the permit and to increase the number of patrons allowed on the site during times when liquor is being sold or consumed to 120 (was 65).

CARRIED UNANIMOUSLY

1.4 PLN16/0013 - 8 Gwynne Street Cremorne - Construction of a five-storey building for the purpose of offices (no permit required for use) and a reduction in the car parking requirement.

Trim Record Number: D16/108136

Responsible Officer: Coordinator Statutory Planning

RECOMMENDATION

That having considered all relevant planning policies, the Committee resolves to issue Planning Permit PLN16/0013 for construction of a five-storey building for the purpose of offices (no-permit required for use) and a reduction in the car parking requirements at 8 Gwynne Street, Cremorne, generally in accordance with plans dated 20 June 2016 and subject to the following conditions;

1. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions, and three copies must be provided. The plans must be generally in accordance with the decision plans but modified to show:
 - (a) The plans to show 10 bicycle spaces.
 - (b) Lockers to be shown on the plans for each level.
 - (c) A section demonstrating that overlooking to the west is restricted in accordance with the objective of Standard A15 of Clause 54 (or alterations to the development to achieve this).
 - (d) The addition of a solar photovoltaic system as required by condition 3(c).
 - (e) Any additional alterations necessary as a result of the amendments to the Sustainable Management Plan required by Condition 3.
 - (f) A 1:20 cross section of the new crossover showing appropriate access for a B99 design vehicle.

2. All development must accord with the endorsed plans. Any alterations must be approved by the Responsible Authority.

3. Before the development commences, an amended Sustainable Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Sustainable Design Assessment will be endorsed and will form part of this permit. The amended Sustainable Management Plan must be generally in accordance with the Sustainable Design Assessment prepared by Gruen Eco Design and dated 10 February 2016, but modified to include or show:
 - (a) insulation level (R value) to exceed the minimum requirement by at least 10%.
 - (b) All heating, cooling and ventilation (HVAC) systems be either within one star of the highest available, or within 85% of the highest efficiency available for the appropriate capacity and application.
 - (c) A solar photovoltaic system with a minimum 10 kW capacity installed on the roof.

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

5. Before the development commences, a Waste Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. Once approved, the Waste Management Plan will be endorsed and will form part of this permit.

6. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
7. The provisions, recommendations and requirements of the endorsed Green Travel Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
8. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, all new on-boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.
9. Before the building is occupied, any wall located on a boundary facing public property must be treated with a graffiti proof finish to the satisfaction of the Responsible Authority.
10. 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.
11. 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 car park and building entrance must be provided within the property boundary. Lighting must be:
 - (a) located;
 - (b) directed;
 - (c) shielded; and
 - (d) of limited intensity,to the satisfaction of the Responsible Authority.
12. The development must comply at all times with the State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N-1).
13. 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.
14. 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.

15. 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 by the re-sheeting of the Gwynne Street footpath for the width of the property frontage if required by the Responsible Authority):
 - (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, the full width of Gwynne Street (from east kerb line to west kerb line) from the southern limit of the subject site to Stephenson Street must be profiled and re-sheeted to Council standard:
 - (c) at the permit holder's cost; and
 - (d) to the satisfaction of the Responsible Authority.

17. Prior to the completion of the development, subject to the relevant authority's consent, the relocation of any service poles, structures or pits necessary to facilitate the development must be undertaken:
 - (a) in accordance with any requirements or conditions imposed by the relevant authority;
 - (b) at the permit holder's cost; and
 - (c) 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, 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.

19. 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.
20. 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.
21. This permit will expire if:
- (a) the development is not commenced within two years of the date of this permit; or
 - (b) the development is not completed within four years of the date of this permit.

The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires or within six months afterwards for commencement or within twelve months afterwards for completion.

Notes:

A building permit may be required before development is commenced. Please contact Council's Building Services on 9205 5585 to confirm.

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

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.

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

All future employees will not be permitted to obtain employee or visitor parking permits

A local law permit (e.g. Asset Protection Permit, Road Occupation Permit) may be required before development is commenced. Please contact Council's Construction Management Branch on Ph. 9205 5585 to confirm.

Cr Vlahogiannis left the meeting prior to this item being heard due to conflict of interest.

Submission

The Applicant, Mr Hugh Smythe addressed the Committee.

INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION

Moved: Councillor Colanzi

Seconded: Councillor Stone

That having considered all relevant planning policies, the Committee resolves to issue Planning Permit PLN16/0013 for construction of a five-storey building for the purpose of offices (no-permit required for use) and a reduction in the car parking requirements at 8 Gwynne Street, Cremorne, generally in accordance with plans dated 20 June 2016 and subject to the following conditions;

1. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions, and three copies must be provided. The plans must be generally in accordance with the decision plans but modified to show:
 - (a) The plans to show a minimum of 10 bicycle spaces.
 - (b) Lockers to be shown on the plans for each level.
 - (c) A section demonstrating that overlooking to the west is restricted in accordance with the objective of Standard A15 of Clause 54 (or alterations to the development to achieve this).
 - (d) The addition of a solar photovoltaic system as required by condition 3(c).
 - (e) Any additional alterations necessary as a result of the amendments to the Sustainable Management Plan required by Condition 3.
 - (f) A 1:20 cross section of the new crossover showing appropriate access for a B99 design vehicle.
2. All development must accord with the endorsed plans. Any alterations must be approved by the Responsible Authority.
3. Before the development commences, an amended Sustainable Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Sustainable Design Assessment will be endorsed and will form part of this permit. The amended Sustainable Management Plan must be generally in accordance with the Sustainable Design Assessment prepared by Gruen Eco Design and dated 10 February 2016, but modified to include or show:
 - (a) insulation level (R value) to exceed the minimum requirement by at least 10%.
 - (b) All heating, cooling and ventilation (HVAC) systems be either within one star of the highest available, or within 85% of the highest efficiency available for the appropriate capacity and application.
 - (c) A solar photovoltaic system with a minimum 10 kW capacity installed on the roof.
4. The provisions, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
5. Before the development commences, a Waste Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. Once approved, the Waste Management Plan will be endorsed and will form part of this permit.
6. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

7. The provisions, recommendations and requirements of the endorsed Green Travel Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
8. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, all new on-boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.
9. Before the building is occupied, any wall located on a boundary facing public property must be treated with a graffiti proof finish to the satisfaction of the Responsible Authority.
10. 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.
11. 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 car park and building entrance must be provided within the property boundary. Lighting must be:
 - (a) located;
 - (b) directed;
 - (c) shielded; and
 - (d) of limited intensity,to the satisfaction of the Responsible Authority.
12. The development must comply at all times with the State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N-1).
13. 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.
14. 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.
15. 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 by the re-sheeting of the Gwynne Street footpath for the width of the property frontage if required by the Responsible Authority):
 - (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, the full width of Gwynne Street (from east kerb line to west kerb line) from the southern limit of the subject site to Stephenson Street must be profiled and re-sheeted to Council standard:
 - (c) at the permit holder's cost; and
 - (d) to the satisfaction of the Responsible Authority.

17. Prior to the completion of the development, subject to the relevant authority's consent, the relocation of any service poles, structures or pits necessary to facilitate the development must be undertaken:
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 - (k) parking facilities for construction workers;
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CARRIED UNANIMOUSLY

The meeting closed at 7.43pm.

Confirmed at the meeting held on Wednesday 24 August 2016

Chair