

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

**held on Wednesday 15 March 2017 at 6.30pm  
in Meeting Room 3 at the Richmond Town Hall**

**I. ATTENDANCE**

Councillor Stephen Jolly  
Councillor James Searle  
Councillor Mike McEvoy

Sarah Thomas (Principal Planner)  
Ally Huynh (Senior Coordinator Statutory Planning)  
Cindi Johnston (Governance Officer)

**II. APOLOGIES AND LEAVE OF ABSENCE**

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

**IV. CONFIRMATION OF MINUTES**

**Internal Development Approvals Committee Resolution:**

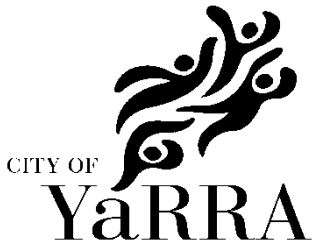
**Moved:** Councillor Jolly **Seconded:** Councillor McEvoy

That the minutes of the meeting of the Internal Development Approvals Committee held on Wednesday 1 March 2017 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**

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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 Jolly nominated Councillor Searle as Chair.

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

Councillor Searle assumed the Chair.

## 1. INTERNAL DEVELOPMENT APPROVALS COMMITTEE

Item		Page	Res. Page
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1.2	Planning Application No.PL02/1103.03 - 433 Church Street, Richmond - Amendments to the current planning permit to include buildings and works for one additional level, plus a rooftop terrace and associated increase in the area for sale/consumption of liquor, Increased hours for sale/consumption of liquor in outdoor areas, increased maximum patron numbers from 225 to 450 and an associated reduction in car parking numbers.	11	14

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**1.1      PLN16/0732 - Rear 26-54 Queens Parade, Fitzroy North - Development of the land for the construction of 4, 3-storey townhouses with a reduction in the car parking requirements and provision of parking on another site**

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Trim Record Number: D17/25215

Responsible Officer: Manager Statutory Planning

**RECOMMENDATION**

That having considered all objections and relevant planning policies, the Committee resolves to inform VCAT that had it been in a position, it would have issued a Notice of Decision to Grant a Permit (PLN16/0732) for 26-52 Queens Parade, Fitzroy North VIC 3068 for the in accordance with the decision plans (received by Council 21 February 2017) 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 (received by Council 21 February 2017) but modified to show:
  - (a) the level 2, northern boundary wall to be setback at least 1.3m where it does not abut a boundary wall to the north;
  - (b) fences/gates adjacent to the dwelling entrances a maximum height of 1.5m and minimum transparency of 50%;
  - (c) the location of letter boxes and street numbering;
  - (d) lighting to dwelling entrances;
  - (e) external, operable, vertical screens to the north and west facing windows;
  - (f) details of the screens between courtyards/terraces and to habitable room windows, confirming:
    - (i) a minimum height of 1.7m;
    - (ii) a maximum transparency of 25%; and
    - (iii) that they are fixed.
  - (g) larger east facing windows to dwellings 2-4;
  - (h) an additional window to the ground floor, eastern elevation of dwelling 1;
  - (i) a minimum 6m<sup>3</sup> store for each dwelling;
  - (j) a schedule of colours and materials, including samples (where relevant);
  - (k) bicycle parking as per clause 52.34 of the Yarra Planning Scheme;
  - (l) bicycle parking must meet the design requirements at clause 52.34-4 of the Yarra Planning Scheme; and
  - (m) items as per the Sustainable Design Assessment, where relevant to show on the 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.
3. Development must not commence until the development at 26-56 Queens Parade, Fitzroy North (PLN16/0434) commences.
4. The development must not be occupied until the car parking spaces, waste storage area and pedestrian link from Queens Parade (for use of this development) are constructed and ready for use at 26-56 Queens Parade, Fitzroy North (PLN16/0434).

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. 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.
8. Before the development commences, an amended Sustainable Design Assessment 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 Design Assessment must be generally in accordance with the Sustainable Design Assessment prepared by WGE and dated 9 September 2016, but modified to reflect the decision plans.
9. The provisions, recommendations and requirements of the endorsed Sustainable Design Assessment must be implemented and complied with to the satisfaction of the Responsible Authority.
10. Before the development commences, a Public Lighting Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The Public Lighting Plan must address lighting along the laneways adjoining the site (extending from Brunswick Street and the entrances of the dwellings). When approved, the Public Lighting Plan will be endorsed and will form part of this permit. The Public Lighting Plan must provide for:
  - (a) a lighting scheme designed for the laneways and within the curtilage of the property that complies with uniformity requirements as per standard AS1158.3.1;
  - (b) the control of light spillage into the windows of existing and proposed residences to comply with the requirements of AS 4282 – 1997, "Control of the obtrusive effects of outdoor lighting";
  - (c) the locations of any new light poles so as not to obstruct access into private garages/off and on street parking places;
  - (d) lighting to all primary pedestrian access points to a residential property to satisfy at least level P4 as per AS 1158.3.1;
  - (e) a maintenance regime for the lighting scheme within the curtilage of the property.
  - (f) the use of energy efficient luminaries and/or solar lighting technologies to reduce carbon emission if possible.
11. The provisions, recommendations and requirements of the endorsed Public Lighting Plan must be implemented and complied with at no cost to Council and to the satisfaction of the Responsible Authority.
12. Before the development commences, a Construction Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will form part of this permit. The plan must provide for:
  - (a) a pre-conditions survey (dilapidation report) of the land and all adjacent Council roads frontages and nearby road infrastructure;
  - (b) works necessary to protect road and other infrastructure;
  - (c) remediation of any damage to road and other infrastructure;

- (d) containment of dust, dirt and mud within the land and method and frequency of clean up procedures to prevent the accumulation of dust, dirt and mud outside the land;
  - (e) facilities for vehicle washing, which must be located on the land;
  - (f) the location of loading zones, site sheds, materials, cranes and crane/hoisting zones, gantries and any other construction related items or equipment to be located in any street;
  - (g) site security;
  - (h) management of any environmental hazards including, but not limited to,:
    - (i) contaminated soil;
    - (ii) materials and waste;
    - (iii) dust;
    - (iv) stormwater contamination from run-off and wash-waters;
    - (v) sediment from the land on roads;
    - (vi) washing of concrete trucks and other vehicles and machinery; and
    - (vii) spillage from refuelling cranes and other vehicles and machinery;
  - (i) the construction program;
  - (j) preferred arrangements for trucks delivering to the land, including delivery and unloading points and expected duration and frequency;
  - (k) parking facilities for construction workers;
  - (l) measures to ensure that all work on the land will be carried out in accordance with the Construction Management Plan;
  - (m) an outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services;
  - (n) an emergency contact that is available for 24 hours per day for residents and the Responsible Authority in the event of relevant queries or problems experienced; and
  - (o) the provision of a traffic management plan to comply with provisions of AS 1742.3-2002 Manual of uniform traffic control devices - Part 3: Traffic control devices for works on roads.
13. The provisions, recommendations and requirements of the endorsed Construction Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
  14. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
    - (a) Monday to 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.
  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 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.
  17. Prior to the commencement of the development, the developer must prepare and submit detailed design drawings of all road infrastructure works and drainage works associated with this development (outlined in condition 18) for assessment and endorsement to the satisfaction of the Responsible Authority.



18. Before the development is occupied, or by such later date as approved in writing by the Responsible Authority, the following works must be carried out, to the satisfaction of the Responsible Authority:
  - (a) reconstruction of the segment of laneway to the east of the site in pitched bluestone. The cost of these works must be borne by the Permit Holder; and
  - (b) reconstruction of the segment of laneway linking the southern end of the site to Brunswick Street, as per existing conditions. Half (50%) of the cost of these works must be borne by the Permit Holder (with the remaining half to be borne by the Responsible Authority).
19. This permit will expire if:
  - (a) the development is not commenced within two years of the date of this permit; or
  - (b) the development is not completed within four years of the date of this permit.The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires or within six months afterwards for commencement or within twelve months afterwards for completion.

#### NOTES:

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

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.

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

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.

All future property owners, residents, business owners and employees 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.

#### Submissions

*The Applicant, Ms Paige Harris addressed the Committee.*

*The following people also addressed the Committee:*

*Mr John Hayhoe;  
Mr Glen McCallum;  
Ms Maree Hayhoe;  
Ms Sharron Bourke; and  
Ms Anne Coveney.*

## **INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION**

**Moved:** Councillor McEvoy

**Seconded:** Councillor Jolly

That IDAC resolve that if it were in a position to determine the application, Council would issue a Refusal to Grant a Permit (PLN16/0732) for the development of the land for the construction of 4, 3-storey dwellings (no permit required for dwelling use), reduction in the car parking requirements and to provide all of the car parking spaces on another site at Rear 26-52 Queens Parade, Fitzroy North on the following grounds:

1. The building height does not respect the character of the area.
2. The site coverage, permeability and setbacks do not respect the existing or preferred neighbourhood character and does not respond to the features of the site.
3. The proposal does not provide sufficient car parking.
4. The proposal does not provide for pedestrian safety.

**CARRIED UNANIMOUSLY**

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- 1.2 Planning Application No.PL02/1103.03 - 433 Church Street, Richmond - Amendments to the current planning permit to include buildings and works for one additional level, plus a rooftop terrace and associated increase in the area for sale/consumption of liquor, Increased hours for sale/consumption of liquor in outdoor areas, increased maximum patron numbers from 225 to 450 and an associated reduction in car parking numbers.**
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Trim Record Number: D17/22950  
Responsible Officer: Principal Planner

## **RECOMMENDATION**

That having considered all relevant planning controls and policies, it is recommended that a Notice of Decision to Grant and amended Planning Permit (PL02/1103) be issued for construction of building and works, waiver of the car parking requirements (associated with an increased patron capacity of 450) and sale and consumption of liquor associated with the use of the land as a tavern at 433 Church Street, Richmond, generally in accordance with the decision plans received 29 April 2016 and subject to the following conditions:

The amended/new conditions are shown in bold as follows:

### **Condition 1 deleted**

1. **(New) 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.**
2. **(Amended) Before the number of patrons is increased to 450, an amended Noise and Amenity Action Plan (NAAP) to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved the NAAP will be endorsed and will then form part of the permit. The plan must be generally in accordance with the Plan of Management submitted to the Responsible Authority 22<sup>nd</sup> December 2016 but modified to include the following details:**
  - (a) **The maximum number of patrons must not exceed 225 after 1:00am;**
  - (b) **The maximum number of patrons must not exceed 106 in the east-facing, first floor terrace;**
  - (c) **The maximum number of patrons must not exceed 79 in the west-facing, second floor terrace;**
  - (d) **The maximum number of patrons must not exceed 75 in the rooftop area.**

**The NAAP must be not be altered or modified except with the consent of the Responsible Authority. The NAAP must be implemented to the satisfaction of the Responsible Authority.**

### **Condition 3 deleted**

### **Condition 4 deleted.**

3. **(New) The provisions recommendation and requirements of the endorsed Noise and Amenity Action Plan must be implemented and complied with to the satisfaction of the Responsible Authority.**
4. **(New) The provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.**

5. **(Amended) The maximum capacity of the premises must not exceed the following numbers:**
  - (a) Between 10:00am to 1:00am (the following day) - four-hundred and fifty (450) patrons seven days a week;
  - (b) Between 1:00am and 2:00am – Two-hundred and twenty-five (225) patrons, seven days a week.
6. **(New) The maximum capacity of outdoor areas must not exceed the following numbers:**
  - (a) East-facing, first floor terrace – one-hundred and six (106);
  - (b) West-facing, second floor terrace – seventy-nine (79);
  - (c) Rooftop area – seventy-five (75).
7. **(New) Except with the prior written consent of the Responsible Authority, the sale and consumption of liquor within terrace areas may only occur between the following hours:**
  - (a) Monday and Tuesday 10:00am – 11:00pm
  - (b) Wednesday to Sunday 10:00am – 12.00midnight
8. **(Amended) The outdoor terrace areas must be limited to playing background music only. No live bands are permitted in this area.**
9. Any music/noise emitted from the premises shall not exceed the permissible noise levels specified in the State Environment Protection Policy (Control of Music in public premises) No.N2.
10. **(New) The use must comply at all times with the State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N-1).**
11. **(Amended) Prior to the maximum number of patrons being increased to 450, a Noise Limiter must be installed on the land. The Noise Limiter must:**
  - (a) be set at a level specified by a qualified acoustic engineer, generally in accordance with the acoustic report referenced under condition 4 of this permit;
  - (b) ensure the emission of noise from amplified music does not exceed the levels specified in the State Environment Protection Policy – Control of Music Noise from Public Premises (SEPP N-2);
  - (c) be maintained and operated at all times.

**To the satisfaction of the Responsible Authority.**
12. The amenity of the area must not be detrimentally affected by the use or development, through (a) The transport of materials, goods or commodities to or from land; (b) The appearance of any buildings, works or materials; (c) The emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or (d) The presence of vermin.
13. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
14. **(New) Within two months of the completion of works approved under this permit, 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. **(New) 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.**
16. During all hours (whether or not liquor is served) in which the business is open to the public, entry must be made freely available to any authorised officer(s) of the responsible authority for the carrying out of any investigations associated with the sale or consumption of alcohol on the site.
17. During all hours (whether or not liquor is served) in which the business is open to the public, there must be present on the premises, a person over the age of 18 years, responsible for the good conduct of the premises ('The Manager'). The Manager must at all times be authorised by the occupier of the premises to make statements on their behalf to any authorised officer of the Responsible Authority regarding the conduct of the premises for the activity hereby authorised.
18. An area must be provided for the placement of Garbage Bins and Recycling Services. The area shall be paved, screened and constructed to the satisfaction of the Responsible Authority.
19. Any empty bottles associated with the use must be transferred between containers only in plastic bags and no emptying of bottles into garbage bins is permitted after 11.00pm on any night or before 7.00am on any day.
20. **(New) 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 sale/consumption of liquor and increase in patron numbers approved under this permit are not commenced within five years of the date of this amended 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.**

NOTE: The premises will be required to comply with the Health Act 1984. No development is to commence until plans have been approved by Council's Community Amenity and Health Unit.

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: A building permit may be required before development is commenced. Please contact Council's Building Department on Ph. 9205 5351 to confirm.

### Submissions

*The Applicant, Mr Kel Twite addressed the Committee.*

*Ms Joanne Hartsias also addressed the Committee:*

## **PROPOSED INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION**

**Moved:** Councillor Jolly

That the Recommendation be adopted.

*Motion lapsed for want of a seconder.*

## **INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION**

**Moved:** Councillor McEvoy

**Seconded:** Councillor Searle

That having considered all relevant planning controls and policies, it is recommended that a Notice of Decision to Grant and amended Planning Permit (PL02/1103) be issued for construction of building and works, waiver of the car parking requirements (associated with an increased patron capacity of 450) and sale and consumption of liquor associated with the use of the land as a tavern at 433 Church Street, Richmond, generally in accordance with the decision plans received 29 April 2016 and subject to the following conditions:

The amended/new conditions are shown in bold as follows:

### **Condition 1 deleted**

1. **(New) 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.**
2. **(Amended) Before the number of patrons is increased to 450, an amended Noise and Amenity Action Plan (NAAP) to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved the NAAP will be endorsed and will then form part of the permit. The plan must be generally in accordance with the Plan of Management submitted to the Responsible Authority 22<sup>nd</sup> December 2016 but modified to include the following details:**
  - (a) **The maximum number of patrons must not exceed 225 after 1:00am;**
  - (b) **The maximum number of patrons must not exceed 106 in the east-facing, first floor terrace;**
  - (c) **The maximum number of patrons must not exceed 79 in the west-facing, second floor terrace;**
  - (d) **The maximum number of patrons must not exceed 75 in the rooftop area;**
  - (e) The service of food must be made available at all times liquor is served.

**The NAAP must be not be altered or modified except with the consent of the Responsible Authority. The NAAP must be implemented to the satisfaction of the Responsible Authority.**

**Condition 3 deleted**

**Condition 4 deleted.**

- 3. (New) The provisions recommendation and requirements of the endorsed Noise and Amenity Action Plan must be implemented and complied with to the satisfaction of the Responsible Authority.**
- 4. (New) The provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.**
- 5. (Amended)The maximum capacity of the premises must not exceed the following numbers:**
  - (a) Between 10:00am to 1:00am (the following day) - four-hundred and fifty (450) patrons seven days a week;**
  - (b) Between 1:00am and 2:00am – Two-hundred and twenty-five (225) patrons, seven days a week.**
- 6. (New) The maximum capacity of outdoor areas must not exceed the following numbers:**
  - (a) East-facing, first floor terrace – one-hundred and six (106);**
  - (b) West-facing, second floor terrace – seventy-nine (79);**
  - (c) Rooftop area – seventy-five (75).**
- 7. (New) Except with the prior written consent of the Responsible Authority, the sale and consumption of liquor within terrace areas may only occur between the following hours:**
  - (a) Monday and Tuesday 10:00am – 11:00pm**
  - (b) Wednesday to Sunday 10:00am – 12.00midnight**
- 8. (Amended) The outdoor terrace areas must be limited to playing background music only. No live bands are permitted in this area.**
- 9. Any music/noise emitted from the premises shall not exceed the permissible noise levels specified in the State Environment Protection Policy (Control of Music in public premises) No.N2.**
- 10. (New) The use must comply at all times with the State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N-1).**
- 11. (Amended) Prior to the maximum number of patrons being increased to 450, a Noise Limiter must be installed on the land. The Noise Limiter must:**
  - (a) be set at a level specified by a qualified acoustic engineer, generally in accordance with the acoustic report referenced under condition 4 of this permit;**
  - (b) ensure the emission of noise from amplified music does not exceed the levels specified in the State Environment Protection Policy – Control of Music Noise from Public Premises (SEPP N-2);**
  - (c) be maintained and operated at all times.**

**To the satisfaction of the Responsible Authority.**

12. The amenity of the area must not be detrimentally affected by the use or development, through (a) The transport of materials, goods or commodities to or from land; (b) The appearance of any buildings, works or materials; (c) The emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or (d) The presence of vermin.
13. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
14. **(New) Within two months of the completion of works approved under this permit, 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. **(New) 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.**
16. During all hours (whether or not liquor is served) in which the business is open to the public, entry must be made freely available to any authorised officer(s) of the responsible authority for the carrying out of any investigations associated with the sale or consumption of alcohol on the site.
17. During all hours (whether or not liquor is served) in which the business is open to the public, there must be present on the premises, a person over the age of 18 years, responsible for the good conduct of the premises ('The Manager'). The Manager must at all times be authorised by the occupier of the premises to make statements on their behalf to any authorised officer of the Responsible Authority regarding the conduct of the premises for the activity hereby authorised.
18. An area must be provided for the placement of Garbage Bins and Recycling Services. The area shall be paved, screened and constructed to the satisfaction of the Responsible Authority.
19. Any empty bottles associated with the use must be transferred between containers only in plastic bags and no emptying of bottles into garbage bins is permitted after 11.00pm on any night or before 7.00am on any day.
20. **(New) 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 sale/consumption of liquor and increase in patron numbers approved under this permit are not commenced within five years of the date of this amended 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.**

NOTE: The premises will be required to comply with the Health Act 1984. No development is to commence until plans have been approved by Council's Community Amenity and Health Unit.



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: A building permit may be required before development is commenced. Please contact Council's Building Department on Ph. 9205 5351 to confirm.

**CARRIED UNANIMOUSLY**

The meeting closed at 7.52pm.

**Confirmed at the meeting held on Wednesday 29 March 2017**

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**Chair**