



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

**held on Wednesday 15 November 2017 at 6.30pm
in Meeting Rooms 1 & 2 at the Richmond Town Hall**

I. ATTENDANCE

Councillor James Searle (substitute for Cr Bosler)
Councillor Misha Coleman
Councillor Daniel Nguyen

Chris Stathis (Senior Statutory Planner)
Amy Hodgen (Coordinator Statutory Planning)
Cindi Johnston (Governance Officer)

II. APOLOGIES AND LEAVE OF ABSENCE

Councillor Danae Bosler

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

IV. CONFIRMATION OF MINUTES

Internal Development Approvals Committee Resolution:

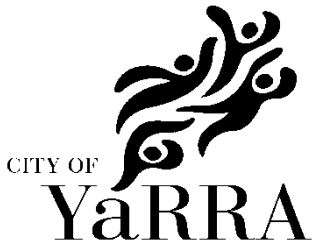
Moved: Councillor Nguyen **Seconded:** Councillor Searle

That the minutes of the meeting of the Internal Development Approvals Committee held on Wednesday 25 October 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

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 Nguyen nominated Councillor Coleman as Chair.

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

Councillor Coleman assumed the Chair.

1. INTERNAL DEVELOPMENT APPROVALS COMMITTEE

Item		Page	Res. Page
1.1	87 - 89 Moor Street, Fitzroy - Planning permit application number PL03/0732.06 - Amendment to increase the hours for the sale and consumption of liquor in the outdoor café.	6	11
1.2	12 - 18 Albert Street, Richmond - Planning Application No. PLN17/0284	12	17
1.3	111 Charles Street, Abbotsford VIC 3067 - Planning Permit Application No. PLN17/0237 for part demolition and construction of a double-storey extension to the existing dwelling.	23	24

1.1 87 - 89 Moor Street, Fitzroy - Planning permit application number PL03/0732.06 - Amendment to increase the hours for the sale and consumption of liquor in the outdoor café.

Trim Record Number: D17/170554

Responsible Officer: Senior Coordinator Statutory Planning

RECOMMENDATION

That having considered all objections and relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant an Amended Planning Permit PL03/0732 to extend the operating hours of the premises for the sale and consumption of liquor in the outdoor café at 87-89 Moor Street, Fitzroy, subject to the following conditions (new or amended conditions highlighted in **bold**):

1. Before the use of the land for a Function centre commences, patron numbers exceed 120 on the land or the amended hours of operation for sale and consumption of liquor commence, 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:
 - (e) The indoor areas presently used as a Food and drink premises;
 - (f) The position of a designated smoking area in the outdoor courtyard for use after its closure, measures for its enclosure and access arrangements at different times;
 - (g) The extent of the red line area for the sale and consumption of liquor;
 - (h) Details of how access to the outdoor courtyard will be managed once the courtyard ceases liquor service; and
 - (i) Any changes recommended in the acoustic report prepared in accordance with Condition 4.
 - (j) Elevations showing the windows and doors that are subject to the recommendations of the acoustic report prepared in accordance with Condition 4.
 - (k) Location of areas for waste storage in accordance with the endorsed Waste Management Plan required by Condition 27.
 - (l) Indicative seating numbers for the downstairs Green Room.
 - (m) Location of external lighting to ensure that the adjacent eastern unnamed laneway is acceptably lit when it is used for access and egress to the site.

2. Before the use of the land for a Function centre commences, patron numbers exceed 120 on the land or the amended hours of operation for sale and consumption of liquor commence, a revised 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 plan must be generally in accordance with the plan submitted with the application dated June 2016, but be amended to include the following:
 - (a) Updated to reflect the uses that currently operate from the land and to remove references to the former Artery operation;
 - (b) Show the operation hours and patron numbers permitted by this permit;
 - (c) Updated to remove reference to the sound level meter being used to control noise emissions to first floor function room and to refer to the recommendations of the endorsed acoustic report prepared in accordance with Condition 4; and
 - (d) Include all changes required by the acoustic report prepared in accordance with Condition 4.

(e) **Reference the hours of operation for Good Friday and Anzac Day at Condition 10(b)(ii).**

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 to the satisfaction of the Responsible Authority and any modifications to the endorsed Noise and Amenity Action Plan must be approved by the Responsible Authority.
4. Before the use of the land for a Function centre commences, patron numbers exceed 120 on the land or the amended hours of operation for sale and consumption of liquor commence, 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 Evidence prepared by Marshall Day dated 11 May 2017, but modified to include (or show, or address):
 - (a) The first floor windows to be closed while the upstairs function room is in use;
 - (b) Updated to show the operation hours and patron numbers permitted by this permit; and
 - (c) Limitations on the use of the Green Room should the recommended internal acoustic works not be installed so that no more than 75 patrons are permitted with the roof open and no more than 55 patrons after 10.00pm on Sunday to Wednesday nights.
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 function centre may only operate between the following hours (except where otherwise specified by this permit):
 - (a) Monday-Sunday 9.00am – 11.00pm
7. The sale and consumption of liquor in the indoor areas may only occur between the following hours (except where otherwise specified by this permit):
 - (a) Monday-Sunday 9.00am – 11.00pm
8. No more than 200 patrons are permitted on the land at any one time to the satisfaction of the responsible authority.
9. After 10.00pm, patrons must exit the venue through the doors to the eastern unnamed laneway to the satisfaction of the responsible authority.

Outdoor Courtyard

10. The sale and consumption of liquor in the outdoor courtyard area must only occur between the following hours:
 - (a) 1 October – 30 April
 - (i) Monday – Tuesday 9.00am to **10.00pm**
 - (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

11. Not more than 60 patrons are permitted in the outdoor courtyard at any one time to the satisfaction of the responsible authority.
12. After the closure of the outdoor courtyard in accordance with Condition 10 above:
 - (a) The outdoor courtyard may only be used as a smoking area for a maximum of 20 persons within the designated smoking area shown on the endorsed plans
 - (b) No liquor is to be consumed in the designated smoking area.
 - (c) The double doors to the Green Room must be kept closed other than to allow access for smokers and staff.

All to the satisfaction of the responsible authority.

Function Room

13. No more than 70 patrons are permitted in the first floor function room at any one time to the satisfaction of the responsible authority.
14. The windows to the first floor function room and upper level of the stairwell must be closed when the function room is in use to the satisfaction of the Responsible Authority.

Green Room

15. Until all the acoustic works to the ground floor Green Room including the upgrading of the existing east facing windows and the installation of absorptive treatment required by the endorsed acoustic report (in accordance with Condition 4) are completed to the satisfaction of the Responsible Authority, no more than 75 patrons are permitted in the Green Room when the roof is open and no more than 55 patrons are permitted in the Green Room after 10.00pm on Sunday to Wednesday nights.
16. No more than 140 patrons are permitted in the Green Room, Sunday to Wednesday after 10.00pm to the satisfaction of the responsible authority.
17. The roof and double doors to the Green Room must closed after 6.00pm when the patron capacity exceeds 90 patrons and must be closed at all times after 10.00pm (other than to allow access for smokers and staff to the designated smoking area) to the satisfaction of the responsible authority.

Amenity

18. Non-amplified equipment and microphones must comply with SEPP N-2 requirements.
19. Prior to the commencement of the use of the first floor function room, the permit holder must install a noise monitor and limiter in the premises that must be set by a qualified and experienced acoustician at a level to ensure compliance with State Environment Protection Policy No. N-2 (Control of Music Noise from Public Premises) in accordance with the endorsed acoustic report required by Condition 4, to the satisfaction of the Responsible Authority.
20. All sound amplification equipment used for the purpose of entertainment within the first floor function room must be connected to the noise monitor and limiter system at all times to the satisfaction of the responsible authority.
21. Music within the ground floor areas (Green Room) must not exceed the music levels as specified within the endorsed acoustic report required by Condition 4 to the satisfaction of the responsible authority.

22. No music may be played in the outdoor courtyard. No speakers may be sited outside the building.
23. The permit holder shall not cause or permit undue detriment to the amenity of the area to arise out of or in connection with the use of the premises to which this permit relates during or immediately after the trading hours authorised under this permit.
24. The permit holder 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.
25. 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.
26. The operator must ensure that patrons do not congregate in the outdoor areas of the site or in adjacent areas.
27. 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.
28. External lighting shown on the endorsed plans must be designed, baffled and located so as to prevent any adverse effect on adjoining land to the satisfaction of the responsible authority.
29. Before the use of the land for a Function centre commences, patron numbers exceed 120 on the land or the amended hours of operation for sale and consumption of liquor commence, a Waste Management Plan must be submitted and approved to the satisfaction of the Responsible Authority. When submitted and approved to the satisfaction of the Responsible Authority, the Waste Management Plan and associated notated plans will form part of this permit. The Waste Management Plan approved under this permit must be implemented and complied with at all times to the satisfaction of the Responsible Authority unless with the further written approval of the Responsible Authority.
30. 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.
31. Garbage collections must only occur between 7.00am and 8.00pm on any day.
32. 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.
33. 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").

34. 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.
35. All landscaping works must be maintained to the satisfaction of the Responsible Authority.
36. All acoustic works required by the permit must be maintained to the satisfaction of the Responsible Authority.
37. This permit will expire if:
 - (a) the use is not commenced within two 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 after the expiry date for commencement, or within twelve months after the expiry date for completion.

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 Mathew Furness addressed the Committee on behalf of the Applicant.

The following people also addressed the Committee:

Ms Anna Wolf;
Mr Andrew Wolf;
Ms Sally Newcombe; and
Ms Sivvy Orr.

PROPOSED INTERNAL DEVELOPMENT APPROVALS COMMITTEE RECOMMENDATION

Moved: Councillor Coleman

That with respect to application to amend planning permit PL03/0732, Council resolves to issue a Notice of Refusal to Grant an amended Planning Permit to extend the operating hours for the sale and consumption of liquor in the outdoor café at 87-89 Moor Street, Fitzroy subject to the following grounds:

1. The proposed extended operating hours for the sale and consumption of liquor in the outdoor café would result in adverse amenity impacts on the surrounding residential area.
2. The proposed extended operating hours for the sale and consumption of liquor in the outdoor café are contrary to the orderly planning of the area.

The Motion lapsed for want of a seconder.

INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION

Moved: Councillor Nguyen

Seconded: Councillor Searle

That the Recommendation be adopted.

CARRIED

1.2 12 - 18 Albert Street, Richmond - Planning Application No. PLN17/0284

Trim Record Number: D17/172097

Responsible Officer: Coordinator 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 PLN17/0284 for the development of the land for the construction of a seven-storey building, a reduction in the car parking requirement associated with offices and a food and drink premises - cafe (no permit required uses) and a waiver of the loading and unloading requirements at 12 – 18 Albert 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 received by Council on 10 April 2017 but modified to show:
 - (a) Any requirement of the VicRoads endorsed Engineering report (Condition 13) (where relevant to be shown on the plans) and consistency with the VicRoads approved plans as required by 14;
 - (b) The perforated screen detail across the eastern elevation in accordance with the 'Façade Concept Study' received by Council on 20 September 2017;
 - (c) The ground floor plan clearly delineating the food and drinks premises (café) and the office area;
 - (d) The entrance ramp width, headroom clearances, "parallel space" dimensions, and the column setbacks, depths and clearances to the walls of the basement car park annotated;
 - (e) The installation of a convex mirror on the column between parking spaces 2 and 3 on the ground floor to improve the visibility for a motorist when exiting car parking space 1;
 - (f) Any requirement of the endorsed Sustainable Management Plan (condition 3) (where relevant to be shown on the plans); and
 - (g) A schedule of materials (and the relevant elevations updated) that includes a combination of colours and materials to the west-facing, on-boundary wall to break up its visual bulk.
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.

Sustainable Management Plan

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 Management Plan will be endorsed and will form part of this permit. The amended Sustainable Management Plan must be generally in accordance with the Sustainable Management Plan prepared by Waterman AHW Pty. Ltd. prepared on 29 March 2017, but modified to include or show:
 - (a) at least 20% 'on-ground' bike racks in line with AS2890; and
 - (b) the type of hot water system.
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.

Waste Management Plan

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

Road Infrastructure

6. 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.
7. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, all building works and connections for underground utility services outside the building's frontage must be reconstructed:
 - (a) at the permit holder's cost; and
 - (b) 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, 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.
9. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority the relocation of any service poles, structures or pits necessary to facilitate the development must be undertaken:
 - (c) at the permit holder's cost; and
 - (d) to the satisfaction of the Responsible Authority.

Car parking

10. 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.

Green Travel Plan

11. The provisions, recommendations and requirements of the endorsed Green Travel Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

VicRoad's Conditions

12. Prior to the endorsement of any development plans, excluding demolition works, an Engineering report from a suitably qualified Engineer outlining the design, management and construction techniques to be implemented prior, during and following excavation to prevent any impact on the City Link / Burnley Tunnel is to be submitted to VicRoads for approval. Once approved, the Engineering Report will form part of the planning permit. Without limiting the scope of the report, it must consider all relevant structural and geotechnical issues, including, but not limited to, demonstrating:
 - (a) That the development will not compromise the structural integrity of the City Link / Burnley Tunnel;
 - (b) What is the load applied to the ground by the development;
 - (c) That the development will not cause changes to groundwater conditions that will result in adverse effect on the tunnel;
 - (d) Any holding points requiring VicRoads inspection and approval prior to releasing the hold points.
13. Before the development commences, excluding demolition works, detailed design drawings must be submitted to and approved by VicRoads. When approved by VicRoads, the drawings may be endorsed by the Responsible Authority and will then form part of the permit. The drawings must be drawn to scale with dimensions and three copies must be provided. The drawings must show:
 - (a) All excavation, loading and footing details must accord with the approved Engineering Report described at the condition above;
 - (b) Excavation depths to be shown at Australian Height Datum (AHD);
 - (c) All sub surface basement levels to be shown at AHD on floor plans and elevation plans.
14. All design, excavation and construction must accord with the approved Engineering Report described at Condition 13 (above).
15. The layout of the site and the size, levels design and location of buildings and works which may impact CityLink/Burnley Tunnel must not be modified without the prior written consent of VicRoads.

Lighting

16. 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 and internal laneway 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.

General

17. Finished floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.
18. As part of the ongoing progress and development of the site, Bates Smart or an architectural firm to the satisfaction of the Responsible Authority must be engaged to:
 - (a) oversee design and construction of the development; and

- (b) ensure the design quality and appearance of the development is realised as shown in the endorsed plans or otherwise to the satisfaction of the Responsible Authority.
- 19. 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.
- 20. The development must comply at all times with the State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N-1).
- 21. 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.
- 22. 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.
- 23. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
- 24. All pipes, fixtures, fittings and vents servicing any building on the land must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.
- 25. 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

- 26. Before the use and 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; and
- (q) any site-specific requirements.

During the construction:

- (r) any stormwater discharged into the stormwater drainage system must be in compliance with Environment Protection Authority guidelines;
- (s) 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;
- (t) vehicle borne material must not accumulate on the roads abutting the land;
- (u) 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.

Time expiry

27. 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.

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

Submissions

Mr Tim McBride-Burgess addressed the Committee on behalf of the Applicant.

INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION

Moved: Councillor Nguyen

Seconded: Councillor Searle

That having considered all objections and relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant a Planning Permit PLN17/0284 for the development of the land for the construction of a six-storey building, a reduction in the car parking requirement associated with offices and a food and drink premises - cafe (no permit required uses) and a waiver of the loading and unloading requirements at 12 – 18 Albert 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 received by Council on 10 April 2017 but modified to show:
 - (a) Any requirement of the VicRoads endorsed Engineering report (Condition 13) (where relevant to be shown on the plans) and consistency with the VicRoads approved plans as required by 14;
 - (b) The perforated screen detail across the eastern elevation in accordance with the Façade Concept Study' received by Council on 20 September 2017;
 - (c) The ground floor plan clearly delineating the food and drinks premises (café) and the office area;
 - (d) The entrance ramp width, headroom clearances, "parallel space" dimensions, and the column setbacks, depths and clearances to the walls of the basement car park annotated;
 - (e) The installation of a convex mirror on the column between parking spaces 2 and 3 on the ground floor to improve the visibility for a motorist when exiting car parking space 1;
 - (f) Any requirement of the endorsed Sustainable Management Plan (condition 3) (where relevant to be shown on the plans);
 - (g) A schedule of materials (and the relevant elevations updated) that includes a combination of colours and materials to the west-facing, on-boundary wall to break up its visual bulk; and
 - (h) The deletion of level 2 and the subsequent reduction of the overall building height to six storeys; and
 - (i) Installation of electric vehicle charging points.

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.

Sustainable Management Plan

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 Management Plan will be endorsed and will form part of this permit. The amended Sustainable Management Plan must be generally in accordance with the Sustainable Management Plan prepared by Waterman AHW Pty. Ltd. prepared on 29 March 2017, but modified to include or show:
 - (a) at least 20% 'on-ground' bike racks in line with AS2890; and
 - (b) the type of hot water system.
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.

Waste Management Plan

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

Road Infrastructure

6. 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.
7. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, all building works and connections for underground utility services outside the building's frontage must be reconstructed:
 - (a) at the permit holder's cost; and
 - (b) 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, 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.
9. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority the relocation of any service poles, structures or pits necessary to facilitate the development must be undertaken:
 - (c) at the permit holder's cost; and
 - (d) to the satisfaction of the Responsible Authority.

Car parking

10. 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.

Green Travel Plan

11. The provisions, recommendations and requirements of the endorsed Green Travel Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

VicRoad's Conditions

12. Prior to the endorsement of any development plans, excluding demolition works, an Engineering report from a suitably qualified Engineer outlining the design, management and construction techniques to be implemented prior, during and following excavation to prevent any impact on the City Link / Burnley Tunnel is to be submitted to VicRoads for approval. Once approved, the Engineering Report will form part of the planning permit. Without limiting the scope of the report, it must consider all relevant structural and geotechnical issues, including, but not limited to, demonstrating:
 - (a) That the development will not compromise the structural integrity of the City Link / Burnley Tunnel;
 - (b) What is the load applied to the ground by the development;
 - (c) That the development will not cause changes to groundwater conditions that will result in adverse effect on the tunnel;
 - (d) Any holding points requiring VicRoads inspection and approval prior to releasing the hold points.
13. Before the development commences, excluding demolition works, detailed design drawings must be submitted to and approved by VicRoads. When approved by VicRoads, the drawings may be endorsed by the Responsible Authority and will then form part of the permit. The drawings must be drawn to scale with dimensions and three copies must be provided. The drawings must show:
 - (a) All excavation, loading and footing details must accord with the approved Engineering Report described at the condition above;
 - (b) Excavation depths to be shown at Australian Height Datum (AHD);
 - (c) All sub surface basement levels to be shown at AHD on floor plans and elevation plans.
14. All design, excavation and construction must accord with the approved Engineering Report described at Condition 13 (above).
15. The layout of the site and the size, levels design and location of buildings and works which may impact CityLink/Burnley Tunnel must not be modified without the prior written consent of VicRoads.

Lighting

16. 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 and internal laneway 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.

General

17. Finished floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.
18. As part of the ongoing progress and development of the site, Bates Smart or an architectural firm to the satisfaction of the Responsible Authority must be engaged to:
 - (a) oversee design and construction of the development; and
 - (b) ensure the design quality and appearance of the development is realised as shown in the endorsed plans or otherwise to the satisfaction of the Responsible Authority.
19. 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.
20. The development must comply at all times with the State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N-1).
21. 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.
22. 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.
23. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
24. All pipes, fixtures, fittings and vents servicing any building on the land must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.
25. 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

26. Before the use and 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; and
- (q) any site-specific requirements.

During the construction:

- (r) any stormwater discharged into the stormwater drainage system must be in compliance with Environment Protection Authority guidelines;
- (s) 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;
- (t) vehicle borne material must not accumulate on the roads abutting the land;
- (u) 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.

Time expiry

27. 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.

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

CARRIED UNANIMOUSLY

1.3 111 Charles Street, Abbotsford VIC 3067 - Planning Permit Application No. PLN17/0237 for part demolition and construction of a double-storey extension to the existing dwelling.

Trim Record Number: D17/134158

Responsible Officer: Senior Coordinator Statutory Planning

RECOMMENDATION

That a Notice of Decision to Grant a Planning Permit PLN17/0237 be issued for part demolition and construction of a double-storey extension to the existing dwelling at 111 Charles Street, Abbotsford generally in accordance with the plans noted previously as the “decision plans” 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) Proposed demolition roof plan;
 - (b) Deletion of the first floor roof deck;
 - (c) The first floor west and south-facing windows to bedroom 1 screened to comply with the objective of clause 54.04-6 (Overlooking objective) of the Yarra Planning Scheme;
 - (d) The proposed raingarden clearly shown on the proposed ground floor plan (including a cross-section), consistent with the proposed STORM rating report;
 - (e) Reference of the brick wall associated with the adjacent property omitted from the existing and proposed north elevations;
 - (f) Proposed permeable surfaces clearly delineated on the ground floor plan;
 - (g) Proposed extension (including new fences) shown within title boundaries;
 - (h) Solar panels to be shown on elevations; and
 - (i) External shading to the ground floor, west-facing bi-fold doors/windows.
2. The development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
3. Before the 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.
4. 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.
5. 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.

6. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
 - (a) Monday-Friday (excluding public holidays) before 7 am or after 6 pm;
 - (b) Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday) before 9 am or after 3 pm; or
 - (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.
7. This permit will expire if:
 - (a) the development is not commenced within two years of the date of this permit; or
 - (b) the development is not completed within four years of the date of this permit.

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

Notes:

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

A building permit 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 5585 for further information.

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.

Submissions

The Applicant, Mr Hugh Robert Dansdon addressed the Committee.
The Architect, Ms Arabella Georges addressed the Committee on behalf of the Applicant.

Mr Ben Macey also addressed the Committee.

INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION

Moved: Councillor Nguyen

Seconded: Councillor Coleman

That a Notice of Decision to Grant a Planning Permit PLN17/0237 be issued for part demolition and construction of a double-storey extension to the existing dwelling at 111 Charles Street, Abbotsford generally in accordance with the plans noted previously as the "decision plans" 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) Proposed demolition roof plan;
 - (b) The first floor, south wall of the extension to be setback 2.5m from the southern title boundary;
 - (c) The first floor west and south-facing windows to bedroom 1 screened to comply with the objective of clause 54.04-6 (Overlooking objective) of the Yarra Planning Scheme;
 - (d) The proposed raingarden clearly shown on the proposed ground floor plan (including a cross-section), consistent with the proposed STORM rating report;
 - (e) Reference of the brick wall associated with the adjacent property omitted from the existing and proposed north elevations;
 - (f) Proposed permeable surfaces clearly delineated on the ground floor plan;
 - (g) Proposed extension (including new fences) shown within title boundaries;
 - (h) Solar panels to be shown on elevations; and
 - (i) External shading to the ground floor, west-facing bi-fold doors/windows.
2. The development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
3. Before the 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.
4. 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.
5. 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.
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;
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Notes:

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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 5585 for further information.

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

The meeting closed at 8.21pm.

Confirmed at the meeting held on Wednesday 29 November 2017

Chair