



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

**held on Wednesday 29 November 2017 at 6.30pm
in Meeting Rooms 1 & 2 at the Richmond Town Hall**

I. ATTENDANCE

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

Patrick Sutton (Senior Statutory Planner)
Ally Huynh (Senior Coordinator Statutory Planning)
Cindi Johnston (Governance Officer)

II. APOLOGIES AND LEAVE OF ABSENCE

Councillor Daniel Nguyen

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

IV. CONFIRMATION OF MINUTES

Internal Development Approvals Committee Resolution:

Moved: Councillor Coleman **Seconded:** Councillor Searle

That the minutes of the meeting of the Internal Development Approvals Committee held on Wednesday 15 November 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 Bosler 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	Rear 304 - 308 Queens Parade & Rear 312 Queens Parade Fitzroy North - Planning Permit Application No. PLN16/1201 - Use and development of the land for construction of two dwellings and a reduction of car parking	6	10
1.2	PLN17/0313 32-34 Bedford Street, Collingwood - Development of the land for dwellings within a seven-storey building, use of the ground floor as a Food and Drinks Premises and an associated reduction in car parking and loading bay requirements.	15	19
1.3	PLN17/0598 - 31 Leslie Street Richmond - Development of the land for partial demolition and the construction of an extension to the existing dwelling.	25	26
1.4	PLN15/1137 – 8 Murray Street, Abbotsford – Use of the land as a restaurant and for the sale and consumption of liquor (Restaurant and Café Licence), buildings and works, display of signage and reduction in the car parking requirement associated with a restaurant	28	31

1.1 Rear 304 - 308 Queens Parade & Rear 312 Queens Parade Fitzroy North - Planning Permit Application No. PLN16/1201 - Use and development of the land for construction of two dwellings and a reduction of car parking

Trim Record Number: D17/180319

Responsible Officer: Principal Statutory Planner

RECOMMENDATION

That having considered all relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant a Planning Permit PLN16/1201 for use and development of the land for construction of two dwellings at "Rear 304-308 Queens Parade, Fitzroy North"; including demolition of the existing building on this site, and a section of wall associated with "Rear 312 Queens Parade, Fitzroy North"; and an associated reduction of the statutory car parking requirement at Rear 304-308 and Rear 312 Queens Parade, Fitzroy North, subject to the following conditions:

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and two copies must be provided. The plans must be generally in accordance with the decision plans (received by Council on 31 July 2017) but modified to show:
 - (a) Metal cladding to external walls (above ground floor) to be modified to be a lighter colour - "Windspray" or similar.
 - (b) A notation that the finished floor levels along the edges of the concrete slab of the car parking areas will be set 40mm above the edges of the bluestone pavements of the Right of Ways.
 - (c) Unobstructed dimensions of the car spaces to be notated to show compliance with Design standard 2: Car parking spaces of Clause 52.06-8 of the Yarra Planning Scheme.
 - (d) Width of the garage doors dimensioned, accounting for any structural supports.
 - (e) The proposed location of general waste and recycling bins, for Council collection, along Michael Street.
 - (f) The main pedestrian entries to the dwellings provided with:
 - (i) clearly identifiable street number;
 - (ii) letter box;
 - (iii) glazing;
 - (iv) security screen for Townhouse 2 to be no more than 50% transparent.
 - (g) Any changes to the plans required to reflect the amended Sustainable Design Assessment, pursuant to condition 3, including revised STORM report (as necessary).
 - (h) Glazing provided to the east side of the projecting south-facing window to the second floor retreat to Townhouse 2.
 - (i) The south-facing projecting window bay to the second floor retreat modified such that any part projects over the right-of-way is not a trafficable area.
 - (j) The volume of storage to each dwelling shown on the floor plans, with a minimum 6m³ provided to each dwelling.
 - (k) All sections to have an upper parapet height consistent with proposed elevations (i.e. RL47.55).

2. The use and development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.

3. 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 Certified Energy and received by Council on 13 June 2017, but modified to include or show:
 - (a) The BESS report to be a final version (rather than a draft version).
 - (b) Additional measures to achieve a minimum 50% overall rating in the BESS report;
 - (c) A revised STORM report achieving a minimum score of 100% for each Townhouse, updated to include all impermeable surfaces for both dwellings, and referring to the correct number of bedrooms to Townhouse 2.
4. The provisions, recommendations and requirements of the endorsed Sustainable Design Assessment must be implemented and complied with to the satisfaction of the Responsible Authority.
5. Before the development commences, a Landscape Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Landscape Plan will be endorsed and will form part of this permit. The Landscape Plan must provide details of planters adjacent main pedestrian entries to Townhouse 1 and 2, including height, width and depth of planters, proposed plant species, and irrigation and drainage specifications, to the satisfaction of the Responsible Authority.
6. Before the development is occupied, or by such later date as approved in writing by the Responsible Authority, a 1.2m to 1.8 metre wide smooth bluestone pavement must be constructed on one side of the Right of Way:
 - (a) Extending from outside the northern pedestrian entry to Townhouse 1 and extending to the north-east title boundary of Rear 304-308 Queens Parade and
 - (b) Extending from outside the southern pedestrian entry to Townhouse 2 and extending to the north-east title boundary of Rear 304-308 Queens Parade.at the permit holder's cost; and to the satisfaction of the Responsible Authority.
7. Before the development is occupied, or by such later date as approved in writing by the Responsible Authority, the lighting levels of all existing public lights within Koormiel Lane and Barruth Lane adjacent to the site, must be measured and checked against the AS/NZS 1158.3.1:2005 to determine whether new or upgraded public lights are required. The supply and installation of any additional or upgraded lighting and poles shall be funded by the developer.
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. Any services poles, structures or pits that interfere with the proposal must be adjusted, removed or relocated at the owner's expense after seeking approval from the relevant authority.
10. 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.
11. Before the building is occupied, any wall located on a boundary facing public property at ground floor level must be treated with a graffiti proof finish to the satisfaction of the Responsible Authority.

12. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.
13. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
14. 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.
15. 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 laneways for the width of the property frontages 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, external lighting capable of illuminating access to the dwelling entrance must be provided. Lighting must be:
 - (a) located;
 - (b) directed;
 - (c) shielded; and
 - (d) of limited intensity,to the satisfaction of the Responsible Authority.
17. All external lighting must be located, treated or baffled to prevent light spill into secluded private open space and/or habitable rooms of residential properties to the north, to the satisfaction of the Responsible Authority.
18. 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;

If required, the Construction Management Plan may be approved in stages. Construction of each stage must not commence until a Construction Management Plan has been endorsed for that stage, to the satisfaction of the Responsible Authority.

- 19. The provisions, recommendations and requirements of the endorsed Construction Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
- 20. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
 - (a) before 7 am or after 6 pm, Monday-Friday (excluding public holidays);
 - (b) before 9 am or after 3 pm, Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday); or
 - (c) at any time on Sundays, ANZAC Day, Christmas Day and Good Friday.
- 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.
 - (c) the use is not commenced within five years of the date of this permit.

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

NOTES

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 5095 for further information.

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.

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

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.

Submissions

The Applicant, Mr Brad Coates addressed the Committee.

Mr Ben Ciullo also addressed the Committee.

INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION

Moved: Councillor Coleman

Seconded: Councillor Searle

That having considered all relevant planning policies, the Committee resolves to inform VCAT that had it been in a position, it would have issued Notice of Decision to Grant a Planning Permit PLN16/1201 for use and development of the land for construction of two dwellings at "Rear 304-308 Queens Parade, Fitzroy North"; including demolition of the existing building on this site, and a section of wall associated with "Rear 312 Queens Parade, Fitzroy North"; and an associated reduction of the statutory car parking requirement at Rear 304-308 and Rear 312 Queens Parade, Fitzroy North, subject to the following conditions:

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and two copies must be provided. The plans must be generally in accordance with the decision plans (received by Council on 31 July 2017) but modified to show:
 - (a) Metal cladding to external walls (above ground floor) to be modified to be a lighter colour - "Surfmist" or similar.
 - (b) A notation that the finished floor levels along the edges of the concrete slab of the car parking areas will be set 40mm above the edges of the bluestone pavements of the Right of Ways.
 - (c) Unobstructed dimensions of the car spaces to be notated to show compliance with Design standard 2: Car parking spaces of Clause 52.06-8 of the Yarra Planning Scheme.
 - (d) Width of the garage doors dimensioned, accounting for any structural supports.
 - (e) The proposed location of general waste and recycling bins, for Council collection, along Michael Street.
 - (f) The main pedestrian entries to the dwellings provided with:
 - (i) clearly identifiable street number;
 - (ii) letter box;
 - (iii) glazing;
 - (iv) security screen for Townhouse 2 to be no more than 50% transparent.
 - (g) Any changes to the plans required to reflect the amended Sustainable Design Assessment, pursuant to condition 3, including revised STORM report (as necessary).
 - (h) Deletion of the portion of the window associated with the retreat room in Townhouse 2 which projects over the laneway.
 - (i) A minimum 1.5m setback to both dwellings from the south-east boundary (Barruth Lane) at second floor and above.
 - (j) The volume of storage to each dwelling shown on the floor plans, with a minimum 6m³ provided to each dwelling.

- (k) All sections to have an upper parapet height consistent with proposed elevations (i.e. RL47.55).
 - (l) North-west boundary fence to Townhouse 2 to be 2.66m high.
2. The use and development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
 3. 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 Certified Energy and received by Council on 13 June 2017, but modified to include or show:
 - (a) The BESS report to be a final version (rather than a draft version).
 - (b) Additional measures to achieve a minimum 50% overall rating in the BESS report;
 - (c) A revised STORM report achieving a minimum score of 100% for each Townhouse, updated to include all impermeable surfaces for both dwellings, and referring to the correct number of bedrooms to Townhouse 2.
 4. The provisions, recommendations and requirements of the endorsed Sustainable Design Assessment must be implemented and complied with to the satisfaction of the Responsible Authority.
 5. Before the development commences, a Landscape Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Landscape Plan will be endorsed and will form part of this permit. The Landscape Plan must provide details of planters adjacent main pedestrian entries to Townhouse 1 and 2, including height, width and depth of planters, proposed plant species, and irrigation and drainage specifications, to the satisfaction of the Responsible Authority.
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 - (a) Extending from outside the northern pedestrian entry to Townhouse 1 and extending to the north-east title boundary of Rear 304-308 Queens Parade and
 - (b) Extending from outside the southern pedestrian entry to Townhouse 2 and extending to the north-east title boundary of Rear 304-308 Queens Parade.at the permit holder's cost; and to the satisfaction of the Responsible Authority.
 7. Before the development is occupied, or by such later date as approved in writing by the Responsible Authority, the lighting levels of all existing public lights within Koormiel Lane and Barruth Lane adjacent to the site, must be measured and checked against the AS/NZS 1158.3.1:2005 to determine whether new or upgraded public lights are required. The supply and installation of any additional or upgraded lighting and poles shall be funded by the developer.
 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. Any services poles, structures or pits that interfere with the proposal must be adjusted, removed or relocated at the owner's expense after seeking approval from the relevant authority.

10. 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.
11. Before the building is occupied, any wall located on a boundary facing public property at ground floor level must be treated with a graffiti proof finish to the satisfaction of the Responsible Authority.
12. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.
13. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
14. 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.
15. 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 laneways for the width of the property frontages 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, external lighting capable of illuminating access to the dwelling entrance must be provided. Lighting must be:
 - (a) located;
 - (b) directed;
 - (c) shielded; and
 - (d) of limited intensity,to the satisfaction of the Responsible Authority.
17. All external lighting must be located, treated or baffled to prevent light spill into secluded private open space and/or habitable rooms of residential properties to the north, to the satisfaction of the Responsible Authority.
18. 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;

If required, the Construction Management Plan may be approved in stages. Construction of each stage must not commence until a Construction Management Plan has been endorsed for that stage, to the satisfaction of the Responsible Authority.

- 19. The provisions, recommendations and requirements of the endorsed Construction Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
- 20. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
 - (a) before 7 am or after 6 pm, Monday-Friday (excluding public holidays);
 - (b) before 9 am or after 3 pm, Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday); or
 - (c) at any time on Sundays, ANZAC Day, Christmas Day and Good Friday.
- 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.
 - (c) the use is not commenced within five years of the date of this permit.

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

NOTES

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 5095 for further information.

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.

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

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

1.2 PLN17/0313 32-34 Bedford Street, Collingwood - Development of the land for dwellings within a seven-storey building, use of the ground floor as a Food and Drinks Premises and an associated reduction in car parking and loading bay requirements.

Trim Record Number: D17/158166

Responsible Officer: Senior Coordinator Statutory Planning

RECOMMENDATION

That having considered all objections and relevant planning documents, the Committee resolves to issue a Notice of Decision to Grant a Permit (PLN17/0313) for development of the land for dwellings, use of the ground floor as a food and drinks premises and an associated reduction in car parking and loading bay requirements at 32-34 Bedford Street, Collingwood subject to the following conditions:

1. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions, and three copies must be provided. The plans must be generally in accordance with the decision plans (dated 21/06/17) but amended to show/include:
 - (a) Replacement of dark tinted glass to the common foyers and lift lobbies with clear glazing;
 - (b) Windows to all light courts, common area foyer and lift lobbies containing operable sections;
 - (c) Any works required to comply with recommendations from the acoustic report requested under condition 5;
 - (d) The habitable room windows facing onto central light courts treated to avoid a direct line of sight into habitable room windows located on the opposite side of the light court;
 - (e) Floor plans to demonstrate no less than 50% of dwellings to meet the bathroom design requirements under Standard D17 – *Accessibility* under clause 58 of the Yarra Planning Scheme;
 - (f) The edge of the splay for the new vehicle crossing having a minimum 1m clearance from face of the electrical pole in Napoleon Street;
 - (g) Any works, screening or other detail required to comply with the outcomes under condition 3(a);
 - (h) Lighting to lobby entrance and basement ramp.

2. The use and development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.

3. Before the development commences, an amended Sustainability Management Plan (SMP) to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Sustainability Management Plan will be endorsed and will form part of this permit. The amended SMP must be generally in accordance with the SMP prepared by GIW and dated 19 April, 2017, but modified to include or show:
 - (a) Demonstrate that all upper level dwellings (401, 501, 503, and 601) have a cooling load less than 30 MJ/m²/pa;
 - (b) Bikes correctly numbered to correspond with the plans at 23 spaces.

4. The provisions, recommendations and requirements of the endorsed Sustainability Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
5. Before the development commences, an Acoustic Report to the satisfaction of the Responsible Authority must be prepared by a suitably qualified acoustic engineer and must be submitted to and approved by the Responsible Authority. When approved, the Acoustic Report will be endorsed and will form part of this permit. The Acoustic Report must assess the following:
 - (a) car stacker and vehicle entrance door operation;
 - (b) lift noise;
 - (c) noise from the Food and Drinks Premises to residents within the approved development;
6. The provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.
7. The provisions, recommendations and requirements of the endorsed Waste Management 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, any damage to Council infrastructure resulting from the development must be reinstated (including by the re-sheeting of the Napoleon and Bedford street footpaths, kerb and channel and half width pavement for the width of the property frontage):
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
9. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.
10. 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.
11. 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.
12. 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.

13. 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 basement car park, and dwelling entrances 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.

14. 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.

15. 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.

16. 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.

17. 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.

Use

- 18. No more than forty (40) patrons are permitted on the land at any one time.
- 19. Except with the prior written consent of the Responsible Authority, the use authorised by this permit may only operate between the hours of 7:00am to 7:00pm – seven days.
- 20. The amenity of the area must not be detrimentally affected by the use, including through:
 - (a) the transport of materials, goods or commodities to or from land;
 - (b) the appearance of any buildings, works or materials;
 - (c) the emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or
 - (d) the presence of vermin.to the satisfaction of the Responsible Authority.
- 21. The use must comply at all times with the State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N-1).
- 22. The use must comply at all times with the State Environment Protection Policy – Control of Music Noise from Public Premises (SEPP N-2).
- 23. Except with the prior written consent of the Responsible Authority, the provision of music and entertainment on the land must be at a background noise level.
- 24. Except with the prior written consent of the Responsible Authority, speakers external to the building must not be erected or used.
- 25. Emptying of bottles and cans into bins may only occur between 7am and 10pm on any day.
- 26. The collection of waste from the site must be by private collection, unless with the prior written consent of the Responsible Authority.
- 27. Except with the prior written consent of the Responsible Authority, delivery and collection of goods to and from the land may only occur between 7am and 10pm on any day.
- 28. 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.
 - (c) the use is not commenced within five years of the date of this permit.

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

Notes:

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

A building permit 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.

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

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

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.

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

Submissions

The Applicant, Mr Paul Little addressed the Committee.

The following people also addressed the Committee:

Ms Helen Madden;
Ms Nada Stanisich; and
Mr Donald Madden.

INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION

Moved: Councillor Bosler

Seconded: Councillor Searle

That having considered all objections and relevant planning documents, the Committee resolves to issue a Notice of Decision to Grant a Permit (PLN17/0313) for development of the land for dwellings, use of the ground floor as a food and drinks premises and an associated reduction in car parking and loading bay requirements at 32-34 Bedford Street, Collingwood subject to the following conditions:

1. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions, and three copies must be provided. The plans must be generally in accordance with the decision plans (dated 21/06/17) but amended to show/include:
 - (a) Deletion of the two upper-most levels from the building;
 - (b) Level 3 set back no less than 2.0m from the eastern boundary;
 - (c) Level 4 set back no less than 2.0m from the northern and western boundaries;
 - (d) Replacement of dark tinted glass to the common foyers and lift lobbies with clear glazing;
 - (e) Windows to all light courts, common area foyer and lift lobbies containing operable sections
 - (f) Any works required to comply with recommendations from the acoustic report requested under condition 5;
 - (g) The habitable room windows facing onto central light courts treated to avoid a direct line of sight into habitable room windows located on the opposite side of the light court;
 - (h) Floor plans to demonstrate no less than 50% of dwellings to meet the bathroom design requirements under Standard D17 – Accessibility under clause 58 of the Yarra Planning Scheme;
 - (i) The edge of the splay for the new vehicle crossing having a minimum 1m clearance from face of the electrical pole in Napoleon Street;
 - (j) Any works, screening or other detail required to comply with the outcomes under condition 3(a);
 - (k) Lighting to lobby entrance and basement ramp.

2. The use and development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.

3. Before the development commences, an amended Sustainability Management Plan (SMP) to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Sustainability Management Plan will be endorsed and will form part of this permit. The amended SMP must be generally in accordance with the SMP prepared by GIW and dated 19 April, 2017, but modified to include or show:
 - (a) Demonstrate that all upper level dwellings (401, 402 & 403) have a cooling load less than 30 MJ/m²/pa;
 - (b) Bikes correctly numbered to correspond with the plans at 23 spaces.

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

5. Before the development commences, an Acoustic Report to the satisfaction of the Responsible Authority must be prepared by a suitably qualified acoustic engineer and must be submitted to and approved by the Responsible Authority. When approved, the Acoustic Report will be endorsed and will form part of this permit. The Acoustic Report must assess the following:
 - (a) car stacker and vehicle entrance door operation;
 - (b) lift noise;
 - (c) noise from the Food and Drinks Premises to residents within the approved development;

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

7. The provisions, recommendations and requirements of the endorsed Waste Management 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, any damage to Council infrastructure resulting from the development must be reinstated (including by the re-sheeting of the Napoleon and Bedford street footpaths, kerb and channel and half width pavement for the width of the property frontage):
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
9. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.
10. 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.
11. 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.
12. 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.
13. 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 basement car park, and dwelling entrances 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.

14. 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.
15. 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.
16. 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.
17. 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.

Use

18. No more than forty (40) patrons are permitted on the land at any one time.
 19. Except with the prior written consent of the Responsible Authority, the use authorised by this permit may only operate between the hours of 7:00am to 7:00pm – seven days.
 20. The amenity of the area must not be detrimentally affected by the use, including through:
 - (a) the transport of materials, goods or commodities to or from land;
 - (b) the appearance of any buildings, works or materials;
 - (c) the emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or
 - (d) the presence of vermin.
- to the satisfaction of the Responsible Authority.
21. The use must comply at all times with the State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N-1).
 22. The use must comply at all times with the State Environment Protection Policy – Control of Music Noise from Public Premises (SEPP N-2).
 23. Except with the prior written consent of the Responsible Authority, the provision of music and entertainment on the land must be at a background noise level.
 24. Except with the prior written consent of the Responsible Authority, speakers external to the building must not be erected or used.
 25. Emptying of bottles and cans into bins may only occur between 7am and 10pm on any day.
 26. The collection of waste from the site must be by private collection, unless with the prior written consent of the Responsible Authority.
 27. Except with the prior written consent of the Responsible Authority, delivery and collection of goods to and from the land may only occur between 7am and 10pm on any day.
 28. 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.
 - (c) the use is not commenced within five years of the date of this permit.

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

Notes:

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

A building permit 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.

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

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

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.

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

CARRIED UNANIMOUSLY

1.3 PLN17/0598 - 31 Leslie Street Richmond - Development of the land for partial demolition and the construction of an extension to the existing dwelling.

Trim Record Number: D17/176768

Responsible Officer: Coordinator Statutory Planning

RECOMMENDATION

That having considered all objections and relevant planning documents, the Committee resolves to issue a Notice of Decision to Grant a Planning Permit (PLN17/0598) for development of the land for partial demolition and the construction of an extension to the existing dwelling at 31 Leslie 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 but modified to show:
 - (a) Screening attached to the south-facing and north-facing habitable room window of the first floor provided with a maximum permeability rate of 25%.
 - (b) Deletion of the planter boxes and the eastern storage cupboard of the roof top terrace and their replacement with a 1.7m-high screening composed of a 1m-high balustrade and 0.7m-high obscure glass louvres, all in accordance with the Sketch Plans produced by DX Architects, received by Council on 01 November 2017.
 - (c) Roofing (including the roofing of the front window hood) of the existing dwelling to be Colorbond in the 'Dune' colour.
 - (d) Annotation to state that the front door is to be retained.
 - (e) Front picket fence to be of timber construction.
 - (f) Rear gate opening width of 4.5m in accordance with the Sketch Plans produced by DX Architects, received by Council on 01 November 2017.
 - (g) Elevations corrected to show the raingarden within the front setback of the existing dwelling.
2. The development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
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. 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.

6. 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.

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 Daniel Zebua addressed the Committee.

Mr Peter Moerth also addressed the Committee.

INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION

Moved: Councillor Searle

Seconded: Councillor Bosler

That having considered all objections and relevant planning documents, the Committee resolves to issue a Notice of Decision to Grant a Planning Permit (PLN17/0598) for development of the land for partial demolition and the construction of an extension to the existing dwelling at 31 Leslie 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 but modified to show:
 - (a) Screening attached to the south-facing and north-facing habitable room window of the first floor provided with a maximum permeability rate of 25%.
 - (b) Deletion of the planter boxes and the eastern storage cupboard of the roof top terrace and their replacement with a 1.7m-high screening composed of a 1m-high balustrade and 0.7m-high obscure glass louvres, limiting downward views.
 - (c) Roofing (including the roofing of the front window hood) of the existing dwelling to be Colorbond in the 'Dune' colour.

- (d) Annotation to state that the front door is to be retained.
 - (e) Front picket fence to be of timber construction.
 - (f) Rear gate opening width of 4.5m in accordance with the Sketch Plans produced by DX Architects, received by Council on 01 November 2017.
 - (g) Elevations corrected to show the raingarden within the front setback of the existing dwelling.
2. The development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
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. 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.
6. 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.

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

1.4 PLN15/1137 – 8 Murray Street, Abbotsford – Use of the land as a restaurant and for the sale and consumption of liquor (Restaurant and Café Licence), buildings and works, display of signage and reduction in the car parking requirement associated with a restaurant

Trim Record Number: D17/181759

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 Planning Permit PLN15/1137 be issued for use of the land as a restaurant and for the sale and consumption of liquor (Restaurant and Café Licence), buildings and works, display of signage and reduction in the car parking requirements in accordance with the decision plans and subject to the following conditions:

1. Before the use and 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 (prepared by Rauhaus, project no. 17027, drawing nos. A-0.00 to A-0.10, date: 16.10.2017) but modified to show:
 - (a) The waste storage area on the northern part of the site.
2. The use and development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
3. No more than 45 patrons are permitted on the land at any one time.
4. The restaurant use may only occur between the following hours:
 - (a) Internal areas - Monday to Sunday, 7am to 8pm; and
 - (b) External areas - Monday to Sunday, 7am to 7pm.
5. The sale and consumption of liquor may only occur between the following hours:
 - (a) Monday to Sunday, 9am to 7pm.
6. Before the sale and consumption of liquor commences, an amended Noise and Amenity Action Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Noise and Amenity Action Plan will be endorsed and will form part of this permit. The amended Noise and Amenity and Action Plan must be generally in accordance with the Noise and Amenity Action Plan prepared by Swindon Town Planning and dated 29 February 2016, but modified to include (or show, or address):
 - (a) The hours of operation and licensed hours in accordance with Conditions 4 and 5 of this permit.
 - (b) Delivery and collection of goods to and from the land must only occur on Mayfield Street or Murray Street. Delivery vehicles must not park on the laneways.
 - (c) The hours for emptying bottles and cans into bins updated to accord with Condition 16 of this permit.

7. The provisions, recommendations and requirements of the endorsed Noise and Amenity Action Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
8. Before the commencement of the sale and consumption of liquor, the applicant must, to the satisfaction of the Responsible Authority, display a sign at the exit of the licensed premises advising patrons to respect the amenity of adjacent residential areas and to leave in a quiet and orderly manner.
9. The amenity of the area must not be detrimentally affected by the use, including through:
 - (a) the transport of materials, goods or commodities to or from land;
 - (b) the appearance of any buildings, works or materials;
 - (c) the emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or
 - (d) the presence of vermin.to the satisfaction of the Responsible Authority.
10. Before the use and development 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 Audiometric and Acoustic Services and received by Council on 23 May 2017, but modified to include (or show, or address):
 - (a) The depth of the acoustic canopy to be 5m, consistent throughout the report.
 - (b) The thickness of the colorbond or galvanised steel sheeting of the external face to the acoustic fence/canopy structure to be 4.8mm thick, consistent throughout the report.
 - (c) The maximum patron number updated to 45 patrons.
11. The provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.
12. Before the use commences, the speaker systems must:
 - (a) be set at a level specified by a qualified acoustic engineer, with music levels checked at noise receiver locations during the process of setting up to ensure that SEPP N-2 limits are not exceeded; and
 - (b) be maintained at all times to the satisfaction of the Responsible Authority.
13. The use must comply at all times with the State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N-1).
14. The use must comply at all times with the State Environment Protection Policy – Control of Music Noise from Public Premises (SEPP N-2).
15. Except with the prior written consent of the Responsible Authority, the provision of music and entertainment on the land must be at a background noise level only.
16. Emptying of bottles and cans into bins may only occur between 7am and 10pm Monday to Saturday, and 9am and 10pm Sunday or public holiday.
17. The collection of waste from the site must be by private collection, unless with the prior written consent of the Responsible Authority.
18. Except with the prior written consent of the Responsible Authority, delivery and collection of goods to and from the land may only occur between 7am and 10pm on any day.

19. Before the use commences, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating pedestrian walkway, laneway and dwelling entrances 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.
20. Before the use commences, or by such later date as approved in writing by the Responsible Authority, five (5) bicycle parking spaces must be installed:
 - (a) at the permit holder's cost; and
 - (b) in a location and manner,to the satisfaction of the Responsible Authority.
21. The bicycle rack as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.
22. The location and details of the sign, including the supporting structure, 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.
23. The sign must be constructed, displayed and maintained to the satisfaction of the Responsible Authority.
24. The signage component of this permit expires 15 years from the date of the permit.
25. 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; or
 - (c) the use is not commenced 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:

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

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

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.

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.

Submission

The Applicant, Mr Martin Perry addressed the Committee.

INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION

Moved: Councillor Bosler

Seconded: Councillor Searle

That the Recommendation be adopted..

CARRIED UNANIMOUSLY

The meeting closed at 7.56pm.

Confirmed at the meeting held on Wednesday 13 December 2017

Chair