



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

**held on Wednesday 29 August 2018 at 6.30pm  
in Meeting Rooms 1 & 2 at the Richmond Town Hall**

**I. ATTENDANCE**

Councillor Stephen Jolly  
Councillor James Searle  
Councillor Mike McEvoy

Chris Stathis (Senior Statutory Planner)  
Amy Hodgen (Co-Ordinator Statutory Planning)  
Cindi Johnston (Governance Officer)

**II. APOLOGIES AND LEAVE OF ABSENCE**

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

**IV. CONFIRMATION OF MINUTES**

**Internal Development Approvals Committee Resolution:**

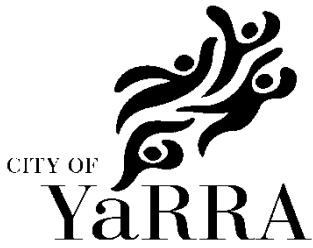
**Moved:** Councillor McEvoy **Seconded:** Councillor Searle

That the minutes of the meeting of the Internal Development Approvals Committee held on Wednesday 15 August 2018 be confirmed.

**CARRIED**

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***"Welcome to the City of Yarra.  
Yarra City Council acknowledges the  
Wurundjeri as the Traditional Owners  
of this country, pays tribute to all  
Aboriginal and Torres Strait Islander  
people in Yarra and gives respect to  
the Elders past and present."***



## **Guidelines for public participation at Internal Development Approval Committee meetings**

### **POLiCY**

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Council provides the opportunity for members of the public to address the Internal Development Approvals Committee.

The following guidelines have been prepared to assist members of the public in presenting submissions at these meetings:

- public submissions are limited to a maximum of five (5) minutes
- where there is a common group of people wishing to make a submission on the same matter, it is recommended that a representative speaker be nominated to present the views of the group
- all public comment must be made prior to commencement of any discussion by the committee
- any person accepting the chairperson's invitation to address the meeting shall confine himself or herself to the subject under consideration
- people making submissions shall address the meeting as a whole and the meeting debate shall be conducted at the conclusion of submissions
- the provisions of these guidelines shall be made known to all intending speakers and members of the public generally prior to the commencement of each committee meeting.

For further information regarding these guidelines or presenting submissions at Committee meetings generally, please contact the Governance Branch on (03) 9205 5110.

**Governance Branch  
2008**

Councillor Searle nominated Councillor Jolly as Chair.

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

Councillor Jolly assumed the Chair.

## 1. INTERNAL DEVELOPMENT APPROVALS COMMITTEE

Item		Page	Res. Page
1.1	PLN18/0021 - 1A/2 and 1E/4 Mansard Lane, Collingwood - The sale of liquor for the consumption on and off the premises in association with a food and drink premises (cafe) and a convenience shop (deli).	6	8
1.2	PLN17/0635 - 326-348 & 371 Church Street Richmond - Use and development of the land at No. 371 Church Street Richmond as a Childcare centre, including full demolition of the existing building, construction of a double-storey building, construction and display of direction signage, creation of access to a Category 1 Road Zone and associated reduction in the car parking requirement (with car parking for staff provided at No. 326 - 348 Church Street Richmond).	9	14
1.3	69 - 73 Victoria Street, Fitzroy - PL07/0761.02 Section 72 Amendment to Planning Permit PL07/0761 to increase the patron numbers to 46 and licensed hours to 11pm in association with a Food and Drink premises (Café).	20	23
1.4	PLN17/0973 - 12-14 Green Street Cremorne - Demolition of the existing dwelling on 14 Green Street (including part of this dwelling located on 12 Green Street) and construction of one new dwelling on 14 Green Street	24	26

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**1.1 PLN18/0021 - 1A/2 and 1E/4 Mansard Lane, Collingwood - The sale of liquor for the consumption on and off the premises in association with a food and drink premises (cafe) and a convenience shop (deli).**

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Trim Record Number: D18/122939

Responsible Officer: Senior Co-ordinator 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 PLN18/0021 for the sale of liquor for the consumption on premises in association with a food and drink premises (cafe) and for the sale of liquor for the consumption off the premises in association with a convenience shop (deli), at 1A/2 and 1E/4 Mansard Lane, Collingwood, subject to the following conditions:

**Amended Plans**

1. Before the sale and consumption of liquor 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 the following:
  - (a) The recommendations of the acoustic report prepared by Marshal Day Acoustics, dated 3 July 2018 including the following:
    - (i) As much absorptive materials as possible be added to the outdoor seating area to limit patron noise levels.
    - (ii) A suspended light steel grid installed to the interface between apartment 201 and the premises with a 200mm air gap, insulation and one layer of 16mm fire rated plasterboard.
    - (iii) A noise limiter installed and calibrated to comply with SEPP N-2.
    - (iv) Windows and doors to the premises closed during the night.
    - (v) All doors fitted with automatic closing mechanisms (to prevent the escape of noise through them).
  - (b) The 'red line' plan drawn to a scale of 1:100.
2. The use(s) 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.

**Acoustic Report**

3. The provisions, recommendations and requirements of the endorsed acoustic report prepared by Marshall Day Acoustics dated 3 July 2018 must be implemented and complied with to the satisfaction of the Responsible Authority.

**Noise and Amenity Action Plan**

4. Before the sale and consumption of liquor commences, an amended noise and amenity action plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended noise and amenity action plan will be endorsed and will form part of this planning permit. The amended noise and amenity and action plan must be generally in accordance with the noise and amenity action plan prepared by SJB Planning dated March 2018, but modified to reflect the liquor licence approved under this planning permit and include (or show, or address) the following:
  - (a) The operating hours for the sale and consumption of liquor approved under this planning permit.
  - (b) The patron numbers for the sale and consumption of liquor approved under this planning permit.

5. The provisions recommendation and requirements of the endorsed noise and amenity action plan must be implemented and complied with at all times to the satisfaction of the Responsible Authority.

#### **Food and Drink Premises (Café)**

6. The sale of liquor for consumption on the food and drink premises (café) must only occur between the hours of 7:00am and 11:00pm, seven days a week, unless with the prior written consent of the Responsible Authority.
7. Liquor must not be consumed within the outdoor seating area beyond 8:00pm on any night, unless with the prior written consent of the Responsible Authority.
8. No more than 50 patrons are permitted on the food and drink premises (café) at any one time, during the times that liquor is allowed to be sold and consumed under this permit.
9. No more than 25 patrons are permitted in the outdoor seating area at any one time, during the times that liquor is allowed to be sold and consumed under this permit.
10. The predominant activity in the food and drink premises (café), at all times, must be the preparation and serving of meals for consumption by patrons on the premises, during the times that liquor is allowed to be sold and consumed under this permit.
11. Speakers must not be located outside the building.
12. Deliveries associated with liquor may only occur between 8:00am and 4:00pm, unless with the prior written consent of the Responsible Authority.

#### **Convenience Shop (Deli)**

13. The sale of liquor for consumption off the premises must only occur between the hours of 7:00am and 11:00pm, seven days a week, unless with the prior written consent of the Responsible Authority.
14. Deliveries associated with liquor may only occur between 8:00am and 4:00pm, unless with the prior written consent of the Responsible Authority.

#### **General**

15. The sale and consumption of liquor must comply at all times with the State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N-1).
16. The use(s) must comply at all times with the State Environment Protection Policy – Control of Music Noise from Public Premises (SEPP N-2).
17. Emptying of bottles and cans (associated with liquor) into bins may only occur between 7:00am and 10:00pm on any day.
18. 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(s) of the licensed premises advising patrons / customers to respect the amenity of adjacent residential areas and to leave in a quiet and orderly manner.
19. The sale of liquor for consumption on and off the premises must be managed so that the amenity of the area is not detrimentally affected including through:
  - (a) The transport of materials, goods or commodities to or from land;
  - (b) The appearance of any buildings, works or materials; and
  - (c) The emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or the presence of vermin.

#### **Permit Expiry**

20. This permit will expire if:
- (a) The use is not commenced within two years from the date of this permit; or
  - (b) The use is discontinued for a period of two years.

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

**NOTES:**

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

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

Submissions

Mr David Hickey of SJB Planning addressed the Committee on behalf of the Applicant.

The following people also addressed the Committee:

Mr Mark Gemmola;  
Ms Claire Thompson; and  
Mr Hugh Bradshaw.

**INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION**

**Moved:** Councillor Jolly

**Seconded:** Councillor McEvoy

That with respect to planning permit application PLN18/0021, Council resolves to issue a Notice of Refusal to Grant a Planning Permit for the sale of liquor for the consumption on premises in association with a food and drink premises (cafe) and for the sale of liquor for the consumption off the premises in association with a convenience shop (deli), at 1A/2 and 1E/4 Mansard Lane, Collingwood, on the following grounds:

1. The proposal for the sale of liquor for the consumption on premises in association with a food and drink premises (cafe) and for the sale of liquor for the consumption off the premises in association with a convenience shop (deli) would adversely affect the residential amenity of the surrounding area including through noise emissions, dispersal of patrons and patron behaviour, contrary to Clause 13.05, Clause 21.04-1, Clause 22.05-2 and Clause 22.09-2 of the Yarra Planning Scheme.
2. The proposal for the sale of liquor for the consumption on premises in association with a food and drink premises (cafe) and for the sale of liquor for the consumption off the premises in association with a convenience shop (deli) is inconsistent with principles of orderly and proper planning, contrary to Clause 65.01 of the Yarra Planning Scheme.

**CARRIED UNANIMOUSLY**

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- 1.2 PLN17/0635 - 326-348 & 371 Church Street Richmond - Use and development of the land at No. 371 Church Street Richmond as a Childcare centre, including full demolition of the existing building, construction of a double-storey building, construction and display of direction signage, creation of access to a Category 1 Road Zone and associated reduction in the car parking requirement (with car parking for staff provided at No. 326 - 348 Church Street Richmond).**
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Trim Record Number: D18/135217

Responsible Officer: Senior Coordinator Statutory Planning

## **RECOMMENDATION**

That a Notice of Decision to Grant a Planning Permit PLN17/0635 be issued for use and development of the land at No. 371 Church Street Richmond as a Childcare centre, including full demolition of the existing building, construction of a double-storey building, construction and display of direction signage, creation of access to a Category 1 Road Zone and associated reduction in the car parking requirement (with car parking for staff provided at No. 326 - 348 Church Street Richmond), generally in accordance with the plans and reports stamped as the "decision plans" and subject to the following conditions:

### **Amended plans**

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 InSite Architects (Rev.02: TP03, TP02, TP04, TP05, TP06, TP07 - dated 04.10.2017; and materials and finishes schedule), but modified to show:
  - (a) The removal of one car space to accommodate a turning bay and subsequent changes to the parking layout as per sketch plans; SK01 (prepared by Ratio Consultants and dated 05.06.2018), including the removal of the disabled sign from the proposed turning bay.
  - (b) Location of the proposed 300mm deep raingardens.
  - (c) Location and dimensions of the proposed direction signage as per sketch plans (prepared by Ratio Consultants dated 17.08.2018).
  - (d) Details of proposed fencing on all elevations.
  - (e) Dimensions of all proposed works above natural ground level on all elevations.
  - (f) The following to demonstrate no unreasonable overlooking into adjoining sensitive areas:
    - (i) North-facing, habitable room windows at ground floor and first floor;
    - (ii) Northern perimeter of the outdoor play areas at first floor.
  - (g) Section of the original fencing to be removed, reused on site.
  - (h) The location and heights of all acoustic fences/barriers to match the locations and heights recommended in the Acoustic Report, prepared by Vipac Engineers & Scientists, dated 21.02.2018.
  - (i) The proposed driveway and car park be constructed using a permeable material.
  - (j) A minimum clearance of 300mm to be provided for car spaces adjacent to walls.
  - (k) Column depths and walls to be dimensioned on plans.
  - (l) Dimensions of the visibility triangle on the relevant plans.

### **Childcare centre use**

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 87 children are permitted on the land at any one time.
4. No more than 16 staff is permitted on the land at any one time.
5. Except with the prior written consent of the Responsible Authority, the use authorised by this permit may only operate between the hours of 6:30am and 7:00pm, Monday to Friday.
6. Except with the prior written consent of the Responsible Authority, the use of the outdoor play areas authorised by this permit may only operate between the hours of 9:00am and 5:00pm, Monday to Friday.

#### **Off-site car parking**

7. Prior to the commencement of the approved use and at all times during the approved use, the eight (8) car parking spaces on the land at 326 – 348 Church Street Richmond must be made available for the approved use at 371 Church Street Richmond, to the satisfaction of the Responsible Authority.

#### **General amenity**

8. The amenity of the area must not be detrimentally affected by the use or development, 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.
9. The use must comply at all times with the State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N-1).
10. Before the use commences, 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. 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.
12. Before the use commences, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating access to the car park, pedestrian walkway and building 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.
13. 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.

### **Acoustic Report**

14. The provisions, recommendations and requirements of the endorsed Acoustic Report prepared by Vicpac Engineers & Scientists and dated 28.02.2018 must be implemented and complied with to the satisfaction of the Responsible Authority.

### **Sustainable Development Assessment**

15. The provisions, recommendations and requirements of the endorsed Sustainable Design Assessment prepared by Sustainability House dated 01.11.2017, must be implemented and complied with to the satisfaction of the Responsible Authority.

### **Waste Management Plan**

16. The provisions, recommendations and requirements of the endorsed Waste Management Plan prepared by Ratio Consultants dated 05.10.2017, must be implemented and complied with to the satisfaction of the Responsible Authority.

### **Landscape Plan**

17. Before the use commences, an amended Landscape Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Landscape Plan will be endorsed and will form part of this permit. The amended Landscape Plan must be generally in accordance with the Landscape Plan prepared by Nature Playgrounds dated 02/08/2017, but modified to include (or meet):

- (a) Information on the proposed pavement materials.
- (b) Details of the raised planters, including drainage method.

18. Before the use commences, or by such later date as approved in writing by the Responsible Authority, the landscaping works shown on the endorsed Landscape Plan must be carried out and completed to the satisfaction of the Responsible Authority. The landscaping shown on the endorsed Landscape Plan must be maintained by:

- (a) implementing and complying with the provisions, recommendations and requirements of the endorsed Landscape Plan;
- (b) not using the areas set aside on the endorsed Landscape Plan for landscaping for any other purpose; and
- (c) replacing any dead, diseased, dying or damaged plants,

to the satisfaction of the Responsible Authority.

### **Tree Management Plan**

19. The provisions, recommendations and requirements of the endorsed Tree Management Plan prepared by Glenn Waters and dated 22.05.2017 must be complied with and implemented to the satisfaction of the Responsible Authority.

### **Car Parking Management Plan**

20. Before the use commences, a Car Parking Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Traffic Management Plan will be endorsed and will form part of this permit. The Car Parking Management Plan must address, but not be limited to, the following:

- (a) the number and location of car parking spaces allocated to employees and visitors;

- (b) the management of on-site car parking spaces; and
- (c) a schedule of all proposed signage including direction arrows and signage, informative signs indicating location of bicycle parking, exits, restrictions, etc.,

to the satisfaction of the Responsible Authority.

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

### **Signage**

22. The location and details of the signs, 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 signs must not be illuminated by external or internal light.
24. The signs must be constructed, displayed and maintained to the satisfaction of the Responsible Authority.
25. This permit will expire if the signs are not erected within 2 years of the date of this permit. The Responsible Authority may extend the period referred to if a request is made in writing before the permit expires or within six months afterwards for commencement or twelve months afterwards for completion.
26. The signage component of this permit expires 15 years from the date of the permit.

### **Infrastructure**

27. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any new vehicle crossing(s) 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.
28. Before the use commences, 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.
29. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.
30. Before the use commences, 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 at 371 Church Street Richmond 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.

### **VicRoads Conditions (condition 31)**

31. Before the use approved by this permit commences the following roadworks on Church Street, Richmond must be completed at no cost to and to the satisfaction of the Responsible Authority and or the Roads Corporation:
- (a) The installation of signs, line marking, a left painted arrow out and associated road works permitting only “left turn in” and “left turn out” vehicular access from Church Street.
  - (b) Modification or removal of any existing car parking spaces and associated road works on the east side of Church Street to accommodate the new vehicular access arrangement.

### **Expiry**

32. This permit will expire if:

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

The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires or within six months afterwards 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 maybe required before development is commenced. Please contact Council's Building Services on 9205 5095 to confirm.

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

All future employees within the development approved under this permit will not be permitted to obtain employee parking permits.

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

A local law permit may be required for tree removal. Please contact Council's Compliance Branch on 9205 5063.

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.

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

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

### **VicRoads Note:**

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

### Submissions

Mr Luke Mooney addressed the Committee on behalf of the Applicant.

The following people also addressed the Committee:

Mr Alistair Maclean; and  
Ms Lucy O'Connor.

## **INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION**

**Moved:** Councillor McEvoy

**Seconded:** Councillor Searle

That a Notice of Decision to Grant a Planning Permit PLN17/0635 be issued for use and development of the land at No. 371 Church Street Richmond as a Childcare centre, including full demolition of the existing building, construction of a double-storey building, construction and display of direction signage, creation of access to a Category 1 Road Zone and associated reduction in the car parking requirement (with car parking for staff provided at No. 326 - 348 Church Street Richmond), generally in accordance with the plans and reports stamped as the "decision plans" and subject to the following conditions:

### **Amended plans**

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 InSite Architects (Rev.02: TP03, TP02, TP04, TP05, TP06, TP07 - dated 04.10.2017; and materials and finishes schedule), but modified to show:
  - (a) The removal of one car space to accommodate a turning bay and subsequent changes to the parking layout as per sketch plans; SK01 (prepared by Ratio Consultants and dated 05.06.2018), including the removal of the disabled sign from the proposed turning bay, and a sign advising this space is not to be used for parking.
  - (b) Location of the proposed 300mm deep raingardens.
  - (c) Location and dimensions of the proposed direction signage as per sketch plans (prepared by Ratio Consultants dated 17.08.2018).
  - (d) Details of proposed fencing on all elevations.
  - (e) Dimensions of all proposed works above natural ground level on all elevations.
  - (f) The following to demonstrate no unreasonable overlooking into adjoining sensitive areas:
    - (i) North-facing, habitable room windows at ground floor and first floor;
    - (ii) Northern and southern perimeters of the outdoor play areas at first floor.
  - (g) Section of the original fencing to be removed, reused on site.
  - (h) The location and heights of all acoustic fences/barriers to match the locations and heights recommended in the Acoustic Report, prepared by Vipac Engineers & Scientists, dated 21.02.2018.
  - (i) The proposed driveway and car park be constructed using a permeable material.
  - (j) A minimum clearance of 300mm to be provided for car spaces adjacent to walls.
  - (k) Column depths and walls to be dimensioned on plans.

- (l) Dimensions of the visibility triangle on the relevant plans.
- (m) Provision of solar panels to improve the energy efficiency of the building.
- (n) Location of an electronic sign to alert when the car park is full.
- (o) Notations on the demolition plan that hinges to the front pedestrian gate to be flipped to the northern side and deletion of the notation relating to the existing pedestrian gate on the proposed ground floor plan.

### **Childcare centre use**

- 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 87 children are permitted on the land at any one time.
- 4. No more than 16 staff is permitted on the land at any one time.
- 5. Except with the prior written consent of the Responsible Authority, the use authorised by this permit may only operate between the hours of 7:30am and 7:00pm, Monday to Friday.
- 6. Except with the prior written consent of the Responsible Authority, the use of the outdoor play areas authorised by this permit may only operate between the hours of 9:00am and 5:00pm, Monday to Friday.

### **Off-site car parking**

- 7. Prior to the commencement of the approved use and at all times during the approved use, the eight (8) car parking spaces on the land at 326 – 348 Church Street Richmond must be made available for the approved use at 371 Church Street Richmond, to the satisfaction of the Responsible Authority.

### **Green Travel Plan**

- 8. Before the use commences, a Green Travel Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Green Travel Plan will be endorsed and will form part of this permit. The Green Travel Plan must include, but not be limited to, the following:
  - (a) describe the location in the context of alternative modes of transport;
  - (b) the provision of real time passenger information displays for nearby stops within the foyer;
  - (c) details of bicycle parking and bicycle routes;
  - (d) a designated 'manager' or 'champion' responsible for co-ordination and implementation;
  - (e) once approved, be provided to all employees/parents of the development.
- 9. The provisions, recommendations and requirements of the endorsed Green Travel Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

### **General amenity**

- 10. The amenity of the area must not be detrimentally affected by the use or development, 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.

- 11. The use must comply at all times with the State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N-1).
- 12. Before the use commences, 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.
- 13. 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.
- 14. Before the use commences, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating access to the car park, pedestrian walkway and building 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.
- 15. 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.

### **Acoustic Report**

- 16. The provisions, recommendations and requirements of the endorsed Acoustic Report prepared by Vicpac Engineers & Scientists and dated 28.02.2018 must be implemented and complied with to the satisfaction of the Responsible Authority.

### **Sustainable Development Assessment**

- 17. The provisions, recommendations and requirements of the endorsed Sustainable Design Assessment prepared by Sustainability House dated 01.11.2017, must be implemented and complied with to the satisfaction of the Responsible Authority.

### **Waste Management Plan**

- 18. The provisions, recommendations and requirements of the endorsed Waste Management Plan prepared by Ratio Consultants dated 05.10.2017, must be implemented and complied with to the satisfaction of the Responsible Authority.

### **Landscape Plan**

- 19. Before the use commences, an amended Landscape Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Landscape Plan will be endorsed and will form part of this permit. The amended Landscape Plan must be generally in accordance with the Landscape Plan prepared by Nature Playgrounds dated 02/08/2017, but modified to include (or meet):

- (a) Information on the proposed pavement materials.
- (b) Details of the raised planters, including drainage method.

20. Before the use commences, or by such later date as approved in writing by the Responsible Authority, the landscaping works shown on the endorsed Landscape Plan must be carried out and completed to the satisfaction of the Responsible Authority. The landscaping shown on the endorsed Landscape Plan must be maintained by:

- (a) implementing and complying with the provisions, recommendations and requirements of the endorsed Landscape Plan;
- (b) not using the areas set aside on the endorsed Landscape Plan for landscaping for any other purpose; and
- (c) replacing any dead, diseased, dying or damaged plants,

to the satisfaction of the Responsible Authority.

### **Tree Management Plan**

21. The provisions, recommendations and requirements of the endorsed Tree Management Plan prepared by Glenn Waters and dated 22.05.2017 must be complied with and implemented to the satisfaction of the Responsible Authority.

### **Car Parking Management Plan**

22. Before the use commences, a Car Parking Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Traffic Management Plan will be endorsed and will form part of this permit. The Car Parking Management Plan must address, but not be limited to, the following:

- (a) the number and location of car parking spaces allocated to employees and visitors;
- (b) the management of on-site car parking spaces; and
- (c) a schedule of all proposed signage including direction arrows and signage, informative signs indicating location of bicycle parking, exits, restrictions, etc.,

to the satisfaction of the Responsible Authority.

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

### **Signage**

24. The location and details of the signs, 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.

25. The signs must not be illuminated by external or internal light.

26. The signs must be constructed, displayed and maintained to the satisfaction of the Responsible Authority.

27. This permit will expire if the signs are not erected within 2 years of the date of this permit. The Responsible Authority may extend the period referred to if a request is made in writing before the permit expires or within six months afterwards for commencement or twelve months afterwards for completion.

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

## **Infrastructure**

29. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any new vehicle crossing(s) 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.
30. Before the use commences, 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.
31. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.
32. Before the use commences, 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 at 371 Church Street Richmond 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.

## **VicRoads Conditions (condition 33)**

33. Before the use approved by this permit commences the following roadworks on Church Street, Richmond must be completed at no cost to and to the satisfaction of the Responsible Authority and or the Roads Corporation:
- (a) The installation of signs, line marking, a left painted arrow out and associated road works permitting only "left turn in" and "left turn out" vehicular access from Church Street.
  - (b) Modification or removal of any existing car parking spaces and associated road works on the east side of Church Street to accommodate the new vehicular access arrangement.

## **Expiry**

34. This permit will expire if:
- (a) the development is not commenced within two years of the date of this permit;
  - (b) the development is not completed within four years of the date of this permit; and
  - (c) the use is not commenced within five years from the date of this permit.

The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires or within six months afterwards 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 maybe required before development is commenced. Please contact Council's Building Services on 9205 5095 to confirm.

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

All future employees within the development approved under this permit will not be permitted to obtain employee parking permits.

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

A local law permit may be required for tree removal. Please contact Council's Compliance Branch on 9205 5063.

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.

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

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

VicRoads Note:

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

**CARRIED UNANIMOUSLY**

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**1.3 69 - 73 Victoria Street, Fitzroy - PL07/0761.02 Section 72 Amendment to Planning Permit PL07/0761 to increase the patron numbers to 46 and licensed hours to 11pm in association with a Food and Drink premises (Café).**

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Trim Record Number: D18/136721

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 PL07/0761 to increase the patron numbers to 46 and licensed hours to 11pm in association with a Food and Drink premises (Café) at 69-71 Victoria Street, Fitzroy, subject to the following amended permit preamble and conditions:

**Permit Preamble and conditions amended as follows:**

**Use of a portion of the ground floor for the sale and consumption of liquor (Restaurant and Café Licence), part demolition, buildings and works and the construction and display of business identification signage.**

**Conditions (amended or new conditions in bold)**

- 1 Before the use and/or 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 three copies must be provided, the plans must be generally in accordance with the application plans, but modified to show:
  - (a) deletion of all references to footpath seating and barriers;
  - (b) a revised proposed floor plan showing no more than 35 seats;
  - (c) an area for the storage of garbage bins and recycling services. Rubbish including bottles and packaging material, must at all times be stored within the building and screened from external view;
  - (d) the awning projecting a maximum 2.4m from the façade of the building;
  - (e) \*Deleted\***
  - (f) a revised, site plan, showing the location of associated car parking and amenity facilities for the convenience restaurant;
  - (g) a 'red line' plan confirming areas available for the sale and consumption of alcohol; and
  - (h) a 'keep clear, staff use only sign' displayed at the servery window.
  - (i) \*Deleted\***
- 2 **\*The use and development (including the sale and consumption of liquor) 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**

**Sale and Consumption of Liquor**

- 3 The servery window and all bi-fold doors must be closed from 9.00 pm (other than for ingress and egress), without the further written consent of the responsible authority.

- 4     **\*Liquor may only be sold or consumed between 10.00 am and 11.00 pm, Monday to Sunday.**
- 5     **\*No more than 46 patrons are permitted on the land at any time liquor is being sold or consumed**
- 6     **\*Seating for a minimum of 75% of patrons must be provided at all times liquor is made available for sale and consumption.**

**Noise and Amenity Action Plan**

- 7     **\*Before the sale and consumption of liquor until 11:00pm 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 the applicant and submitted to Council on 8 March 2018 but modified to include;**

- (a)   **The correct business name.**
- (b)   **Waste collection to be carried out by private contractor.**

- 8     The premises must be managed in accordance with the Noise and Amenity Action Plan, without the further written consent of the responsible authority.
- 9     During all hours (whether or not liquor is served) in which the business is open to the public, entry must be made freely available to any authorised officer(s) of the responsible authority for the carrying out of any investigations associated with the sale or consumption of alcohol on the site.
- 10    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").
- 11    The Manager must at all times be authorised by the occupier of the premises to make statements and admissions on their behalf to any authorised officer of the Responsible Authority regarding the conduct of the premises for the use hereby authorised.

**Amenity**

- 12    **\*No music other than ambient background music shall be played within the premises. Speakers must not be located outside the building.**
- 13    **\*The use must not, adversely affect the amenity of the neighbourhood, including through the;**
  - (a)    transport of materials, goods or commodities to or from land;
  - (b)    appearance of any buildings, works or materials;
  - (c)    emission of-noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil;
  - (d)    noise or other disturbances associated with the arrival or departure of customers; or
  - (e)    the presence of vermin.
- 14    Alarms must be directly connected to a security service and must not produce noise beyond the premises.

- 15 The operator must request patrons, either by leaflets or a prominent notices to take account of the needs of local residents for peace and quiet during normal sleeping hours, when exiting the premises.
- 16 **\*Emptying bottles into bins in outdoor areas should not occur after 10pm on any day, before 7am Monday to Saturday, or before 9am on a Sunday or public holiday.**
- 17 All delivery and collection of goods associated with the business must be conducted between 8am and 6pm Monday to Friday.
- 18 All waste collection is to be undertaken by private, contractors.
- 19 **\*The use must comply at all times with the State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N-1).**
- 20 **\*The use must comply at all times with the State Environment Protection Policy – Control of Music Noise from Public Premises (SEPP N-2).**

#### **Acoustic**

- 21 **\*Before the extended service and consumption of liquor 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 Renzo Tonin Associates, dated 3 April 2018, but modified to address:**
  - (a) The impact of the kitchen fan exhaust to the apartment above.
- 22 **\*The Provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.**

#### **Advertising Signage**

- 23 The location and details of the sign (including advertisement) must accord with the attached endorsed plans. Any alterations must be approved by the Responsible Authority.
- 24 The sign must be constructed and maintained to the satisfaction of the Responsible Authority.
- 25 The advertising sign must not be animated, flashing, dynamic or reflective.

#### **Car Parking**

- 26 The car parking space must be maintained at all times to the satisfaction to the Responsible Authority and must not be used for any other purpose, except with the written consent of the Responsible Authority.

#### **Construction**

- 27 Except with the written consent of the Responsible Authority, demolition or construction works must only be carried out between; 7.00 am – 6.00 pm, Monday-Friday (excluding public holidays) and 9.00 am - 3.00 pm, Saturday and public holidays. No work is to be carried out on Sundays, ANZAC Day, Christmas Day or Good Friday without a specific permit. All site operations must comply with the relevant Environmental Protection Authority's Guidelines on Construction and Demolition Noise.

#### **Expiry Conditions**

- 28 **\*This permit will expire if:**
  - (a) **the extended hours for the sale and consumption of liquor is not commenced within two years of the date of the amended permit**

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

- 29 The approval granted for the advertising signs will lapse fifteen (15) years from the date of this permit.

**NOTES:**

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

**\*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

Mr Martin Toohey addressed the Committee on behalf of the Applicant.

Mr Brian Gleeson also addressed the Committee.

**INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION**

**Moved:** Councillor McEvoy

**Seconded:** Councillor Jolly

That with respect to planning permit amendment application PL07/0761, Council resolves to issue a Notice of Refusal to Grant an amended Planning Permit to increase the patron numbers to 46 and licensed hours to 11pm in association with a Food and Drink Premises (Cafe), at 69-73 Victoria Street, Fitzroy, on the following grounds:

1. The proposal for the increase in patron numbers and hours permissible for the sale and consumption of liquor in association with a Food and Drink Premises (cafe) would adversely affect the residential amenity of the surrounding area including through noise emissions, dispersal of patrons and patron behaviour, contrary to Clause 13.05, Clause 21.04-1, Clause 22.05-2 and Clause 22.09-2 of the Yarra Planning Scheme.
2. The proposal for the sale of liquor for the consumption on premises in association with a food and drink premises (cafe) is inconsistent with principles of orderly and proper planning, contrary to Clause 65.01 of the Yarra Planning Scheme.

**CARRIED UNANIMOUSLY**

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**1.4 PLN17/0973 - 12-14 Green Street Cremorne - Demolition of the existing dwelling on 14 Green Street (including part of this dwelling located on 12 Green Street) and construction of one new dwelling on 14 Green Street**

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Trim Record Number: D18/129992

Responsible Officer: Senior Coordinator Statutory Planning

**RECOMMENDATION**

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 three copies must be provided. The plans must be generally in accordance with the plans prepared by Rauhaus, dated 30.05.18, but modified to show:
  - (a) The ground floor southern on boundary wall and the first floor southern setback siting and form be amended in accordance with the sketch plans received on 31 July 2018.
  - (b) The fence where opposite the north-facing window of the kids lounge to be 1.8 metres in height in accordance with the requirements of Clause 54.04-6 Overlooking (Standard A15).
  - (c) Details of the operation and materiality of the screen to the west facing master suite balcony be notated on the plans demonstrating compliance with Clause 54.04-6 Overlooking (Standard A15).
  - (d) Detailed diagrams demonstrating compliance with Clause 54.04-6 Overlooking (Standard A15) from the west facing balcony of the master suite into the secluded private open space areas within 9 metres. Any additional screening measures used to achieve compliance are to be shown.
  - (e) Materials schedule updated to reference the 1.5 metre high, and minimum 50% transparent, front fence. The fence is to be consistent with the timber picket gate with details of the landscape screen provided.
  - (f) The following changes in accordance with the sketch plans received on 23 July 2018:
    - (i) Garage material to be sheeted zinc to match the colour of the concrete.
    - (ii) Removal of the glazing within the street facing gable and replacement with solid panels.
    - (iii) The material "PO2" where it applies to the façade is to provide exaggerated grooves that will nominally be 15mm to 20mm.
  - (g) Deletion of the notation on the basement, ground and first floor plan indicating that a 'light court' will be provided within the northern setback.
  - (h) A revised STORM Rating demonstrating best practice in stormwater management (minimum score of 100%) be provided and any measures required to achieve compliance be shown on the plans.
2. The development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
3. 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, all new on-boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.
5. Prior to the completion of the development, subject to the relevant authority's consent, the relocation of the any assets necessary to facilitate the development must be undertaken:

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

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

Notes:

A building permit 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 metres. No private pits, valves or meters on Council property will be accepted.

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

Submissions

Mr Owen Mann addressed the Committee on behalf of the owner.

The following people also addressed the Committee:

Mr Jeff Kennett;  
Mr Russell Worth; and  
Ms Amy Worth.

## INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION

**Moved:** Councillor McEvoy

**Seconded:** Councillor Searle

That a Notice of Decision to Grant Planning Permit PLN17/0973 be issued for the demolition of the existing dwelling on 14 Green Street (including part of this dwelling located on 12 Green Street) and construction of one new dwelling on 14 Green Street, at 12-14 Green Street, Cremorne, generally in accordance with the plans noted previously as the “decision plans” and 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 three copies must be provided. The plans must be generally in accordance with the plans prepared by Rauhaus, dated 30.05.18, but modified to show:
  - (a) The ground floor southern on boundary wall and the first floor southern setback siting and form be amended in accordance with the sketch plans received on 31 July 2018.
  - (b) The fence where opposite the north-facing window of the kids lounge to be 1.8 metres in height in accordance with the requirements of Clause 54.04-6 Overlooking (Standard A15).
  - (c) Details of the operation and materiality of the screen to the west facing master suite balcony be notated on the plans demonstrating compliance with Clause 54.04-6 Overlooking (Standard A15).
  - (d) Detailed diagrams demonstrating compliance with Clause 54.04-6 Overlooking (Standard A15) from the west facing balcony of the master suite into the secluded private open space areas within 9 metres. Any additional screening measures used to achieve compliance are to be shown.
  - (e) Materials schedule updated to reference the 1.5 metre high, and minimum 50% transparent, front fence. The fence is to be consistent with the timber picket gate with details of the landscape screen provided.
  - (f) The following changes in accordance with the sketch plans received on 23 July 2018:
    - (i) Garage material to be sheeted zinc to match the colour of the concrete.
    - (ii) Removal of the glazing within the street facing gable and replacement with solid panels.
    - (iii) The material “PO2” where it applies to the façade is to provide exaggerated grooves that will nominally be 15mm to 20mm.
  - (g) Deletion of the notation on the basement, ground and first floor plan indicating that a ‘light court’ will be provided within the northern setback.
  - (h) A revised STORM Rating demonstrating best practice in stormwater management (minimum score of 100%) be provided and any measures required to achieve compliance be shown on the plans.
  - (i) Addition of solar panels on the roof.
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 commences, a Landscape Plan for the front setback 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:
  - (a) show the type, location, quantity, height at maturity and botanical names of all proposed plants;
  - (b) indicate the location of all areas to be covered by lawn or other surface materials; and
  - (c) provide a specification of works to be undertaken prior to planting.

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, the landscaping works shown on the endorsed Landscape Plan must be carried out and completed to the satisfaction of the Responsible Authority. The landscaping shown on the endorsed Landscape Plan must be maintained by:

- (a) implementing and complying with the provisions, recommendations and requirements of the endorsed Landscape Plan;
- (b) not using the areas set aside on the endorsed Landscape Plan for landscaping for any other purpose; and
- (c) replacing any dead, diseased, dying or damaged plants,

to the satisfaction of the Responsible Authority.

5. Before the development is occupied, or by such later date as approved in writing by the Responsible Authority, all screening and other measures to prevent overlooking as shown on the endorsed plans must be installed to the satisfaction of the Responsible Authority. Once installed the screening and other measures must be maintained to the satisfaction of the Responsible Authority.
6. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, all new on-boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.
7. Prior to the completion of the development, subject to the relevant authority's consent, the relocation of the any assets necessary to facilitate the development must be undertaken:
- (a) in accordance with any requirements or conditions imposed by the relevant authority;
  - (b) at the permit holder's cost; and
  - (c) to the satisfaction of the Responsible Authority.
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. 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.
10. This permit will expire if:
- (a) the development is not commenced within two years of the date of this permit; or
  - (b) the development is not completed within four years of the date of this permit.

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

Notes:

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

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

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

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

**CARRIED**

The meeting closed at 8.32pm.

**Confirmed at the meeting held on Wednesday 12 September 2018**

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**Chair**