



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

**held on Wednesday 2 October 2019 at 6.30pm
in Meeting Rooms 1 & 2 at the Richmond Town Hall**

I. ATTENDANCE

Councillor Chen Yi Mei
Councillor Fristacky
Councillor Stone

Vicky Grillakis (Coordinator Statutory Planning)
Gary O'Reilly (Senior Statutory Planner)
Rhys Thomas (Group Manager Chief Executive's Office)

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 Stone **Seconded:** Councillor Chen Yi Mei

That the minutes of the meeting of the Internal Development Approvals Committee held on Wednesday 18 September 2019 be confirmed.

CARRIED UNANIMOUSLY

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***"Welcome to the City of Yarra.
Yarra City Council acknowledges the
Wurundjeri Woi-wurrung 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."***

Internal Development Approvals Committee Submissions

“Prior to the consideration of any Committee Business Report at a meeting of the Internal Development Approvals Committee, members of the public shall be invited by the Chairperson to make a verbal submission. In determining the order of submissions, the Chairperson shall first invite the applicant or their representatives to submit, followed by formal objectors and finally any other interested persons.

All submitters accepting the invitation to address the meeting shall make submissions in accordance with these guidelines (or a variation of these guidelines as determined by the Chairperson at their sole discretion).

- Speak for a maximum of five minutes;
- Direct their submission to the Chairperson;
- Confine their submission to the planning permit under consideration;
- If possible, explain their preferred decision in relation to a permit application (refusing, granting or granting with conditions) and set out any requested permit conditions.
- Avoid repetition and restating previous submitters;
- Refrain from asking questions or seeking comments from the Councillors, applicants or other submitters;
- If speaking on behalf of a group, explain the nature of the group and how the submitter is able to speak on their behalf.

Following public submissions, the applicant or their representatives will be given a further opportunity of two minutes to exercise a right of reply in relation to matters raised by previous submitters. Applicants may not raise new matters during this right of reply.

Councillors will then have an opportunity to ask questions of submitters. Submitters may determine whether or not they wish to take these questions.

Once all submissions have been received, the formal debate may commence. Once the debate has commenced, no further submissions, questions or comments from submitters can be received.”

Extract from the Council Meeting Operations Policy, September 2019

Councillor Chen Yi Mei nominated Councillor Fristacky as Chair.

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

Councillor Fristacky assumed the Chair.

1 INTERNAL DEVELOPMENT APPROVALS COMMITTEE

Item		Page	Res. Page
1.1	PLN18/0913 - 68 - 88 Green Street Cremorne - Use and development of the land for the construction of two, multi-storey, mixed use buildings (permit required for shop and food and drinks premises (cafes)) and a reduction in car parking requirements.	6	20
1.2	175 Keele Street Collingwood - Langridge - Planning Permit Application PLN18/0779 - Part demolition, construction of a ground and first floor addition and alterations to the existing dwelling	21	23

1.1 PLN18/0913 - 68 - 88 Green Street Cremorne - Use and development of the land for the construction of two, multi-storey, mixed use buildings (permit required for shop and food and drinks premises (cafes)) and a reduction in car parking requirements.

Reference: D19/145202

Authoriser: Senior Coordinator Statutory Planning

[Help](#)

RECOMMENDATION

That having considered all objections and relevant planning policies, Council resolve to advise the Victorian Civil and Administrative Tribunal that it supports the substituted amended plans, and that had Council been in a position to, it would have issued a Notice of Decision to Grant a Planning Permit PLN18/0913 for the use and development of the land for the construction of two, multi-storey, mixed use buildings (permit required for shop and food and drinks premises (cafes)) and a reduction in car parking requirements at 68-88 Green Street, Cremorne, 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 architectural plans labelled 'VCAT Amended Plans', Revision C, prepared by Bates Smart Architects dated 5 and 8 August 2019 but modified to show:
 - (a) the deletion of Level 7, resulting in a reduced maximum height of 35.5m, inclusive of plant (reduction in height of 3.9m);
 - (b) the food and drinks premises labelled as 'cafes';
 - (c) the ground floor tenancies labelled, from north to south, Tenancy 1 to 5;
 - (d) the provision of the shading canopy on the roof terrace of the northern building;
 - (e) deletion of the word 'public' from the open space area;
 - (f) a reduction in the number of bike spaces proposed on the kerb outstand to 10 bike spaces (on five racks) in one bank, with a minimum of two public seats;
 - (g) 10 bike spaces (as a result of Conditions 1(d)) relocated to the basement levels, in one group, with any basement visitor spaces directly visible from the lift;
 - (c) dimensions of footpath and unobstructed footpath width alongside any street furniture or other fixtures;
 - (d) the exact location of the existing post box, sewer vent and power pole;
 - (e) the terrace balustrades of the southern building to be on the outside of any planters;
 - (f) the headroom at the development entrance and along critical points along the ramped accessways are to be dimensioned;
 - (g) the inside and outside radii of the curved ramp specified on the drawings. Each inside radial should be no less than 4m radius as required by AS/NZS 2890.1:2004. The swept path diagram for a B99 design vehicle and an oncoming B85 design vehicle passing one another at the curved ramp must be submitted to Council for assessment and approval;
 - (h) widths of the at-grade car parking spaces dimensioned;
 - (i) accessible parking spaces dimensioned on the drawings and to comply with the Australian/New Zealand Standard AS/NZS 2890.6:2009;

- (j) column depths and setbacks dimensioned on the drawings and satisfy Diagram 1 Clearance to car parking spaces of Clause 52.06-9;
 - (k) motorcycle spaces dimensioned on the drawings and to comply with AS/NZS 2890.1:2004;
 - (l) the ramp grade for the first 5m inside the property;
 - (m) the depth of loading facility dimensioned;
 - (n) swept path diagrams using a 6.4m long truck or equivalent vehicle provided demonstrating ingress and egress movements into and out of the loading bay;
 - (o) the typical spacing of bike spaces, clearances from walls and other objects for end spaces, and the corridors between the bike spaces
 - (h) details of the proposed permeability of the brick screens and perforated metal used within the northern building;
 - (i) clarification of the proposed masonry colours on the materials legend;
 - (j) details of security lighting provided to the open space;
 - (k) recessed areas of footpath at ground floor to have granite paving, as shown within the public space, to provide a coordinated treatment;
 - (l) any requirement of the endorsed Façade Strategy and Materials and Finishes Plan (condition 4) (where relevant to show on plans);
 - (m) any requirement of the endorsed Sustainable Management Plan (condition 8) (where relevant to show on plans);
 - (n) any requirement of the endorsed Waste Management Plan (condition 11) (where relevant to show on plans);
 - (o) any requirement of the endorsed Acoustic Report (condition 14) (where relevant to show on plans);
 - (p) any requirement of the endorsed Landscape Plan report (condition 18) (where relevant to show on plans);
 - (q) any requirement of the endorsed Green Street Kerb Outstand Works (condition 20) (where relevant to show on plans; and
 - (r) any requirement of the endorsed Wind Report (condition 25) (where relevant to show on plans).
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. As part of the ongoing consultant team, Bates Smart Architects or an architectural firm to the satisfaction of the Responsible Authority must be engaged to:
 - (a) oversee design and construction of the development; and
 - (b) ensure the design quality and appearance of the development is realised as shown in the endorsed plans or otherwise to the satisfaction of the Responsible Authority.
 4. In conjunction with the submission of development plans under Condition 1, a Façade Strategy and Materials and Finishes Plan to the satisfaction of the Responsible Authority must be submitted to and be approved by the Responsible Authority. When approved, the Façade Strategy and Materials and Finishes Plan will be endorsed and will then form part of this permit. This must detail:
 - (a) elevation drawings at a scale of 1:20 illustrating typical podium details, entries and doors, and utilities and typical mid-level and tower facade details;

- (b) section drawings to demonstrate façade systems, including fixing details and joints between materials or changes in form;
- (c) information about how the façade will be maintained, including any vegetation; and
- (d) a sample board and coloured drawings outlining colours, materials and finishes specifying the following:
 - (i) details of the proposed permeability of the brick screens and perforated metal used within the northern building;
 - (ii) clarification of the proposed masonry colours on the materials legend;

Uses

Food and drinks Premises (Café)

- 5. Except with the prior written consent of the Responsible Authority, no more than 30 patrons within the northern tenancy (Tenancy 3) and 120 patrons within the southern tenancy (Tenancy 4) are permitted within at any one time.
- 6. Except with the prior written consent of the Responsible Authority, the use within the Food and drinks Premises (Café) may only occur between the hours of 7.00am and 7.00pm Monday to Sunday.

Shops

- 7. Except with the prior written consent of the Responsible Authority, the use within the Shops may only occur between the hours of 7.00am and 7.00pm Monday to Sunday.
No more than 2 staff are permitted on the land at any one time in each shop.

Sustainable Management Plan

- 8. Before the development commences, an amended Sustainable Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Sustainable Management Plan will be endorsed and will form part of this permit. The amended Sustainable Management Plan must be generally in accordance with the Sustainable Management Plan by Ark Resources, Issue B, dated 29 Nov 2018 but modified to include or show:
 - (a) a commitment to a 5 star NABERS rating and 5 Star Green Star rating;
 - (b) compliance with the Urban Stormwater Best Practice Environmental Management Guidelines;
 - (c) the provision of a composting system or provision of an organic waste collection service;
 - (d) clarify provision of outdoor air to office spaces on all levels compared to NCC minimum;
 - (e) provide daylight modelling for typical floor;
 - (f) Modelling or other evidence required to demonstrate basis for thermal comfort claim;
 - (g) provide preliminary energy modelling report;
 - (h) façade performance required to be addressed in energy modelling report;
 - (i) more information on proposed hot water service servicing;
 - (j) an estimate for peak demand;
 - (k) information on proposed HVAC approach;
 - (l) information on proposed car park ventilation; and
 - (m) extent of water metering proposed.

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

SMP Implementation Report

10. Before the development is occupied, a report from the author of the Sustainability Management Plan, approved under this permit, or similarly qualified person or company, must be submitted to the Responsible Authority. The report must be to the satisfaction of the Responsible Authority and must confirm all measures specified in the Sustainability Management Plan have been implemented in accordance with the approved plan.

Waste Management Plan

11. Before the development commences, an amended Waste Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Waste Management Plan will be endorsed and will form part of this permit. The amended Waste Management Plan must be generally in accordance with the Waste Management Plan prepared by LID Consulting submitted on 2 April 2019 but modified to include or show the provision of a composting system or provision of an organic waste collection service.
12. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
13. The collection of waste from the site must be by private collection, unless with the prior written consent of the Responsible Authority with all collections to be between 7am and 6pm, Monday to Saturday and, and no earlier than 9am on Sundays.

Acoustic report

14. Before the 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 Marshall Day on 29 November 2018 but modified to include:
 - (a) confirmation that the building is to be designed to meet AS2107-2016 (Acoustics – Recommended design sound levels and reverberation times for building interiors) and indoor sound levels specified;
15. The provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.
16. Within 3 months of the occupation of the buildings, updated post-occupation Acoustic Report to the satisfaction of the Responsible Authority must be prepared by a suitably qualified acoustic engineer and must be generally in accordance with the endorsed acoustic report. The report must be submitted to and approved by the Responsible Authority. When approved, the updated post-commencement Acoustic Report will be endorsed and will form part of this permit. The Acoustic Report must (assess) address the following:
 - (a) confirm that the recommendations of the endorsed acoustic report required as part of Condition 14 have been implemented;
 - (b) assess mechanical plant noise (including noise from the mechanical plant and services) to SEPP N-1; and
 - (c) If non-compliance with Condition 16b is measured, additional acoustic measures as recommended by the amended post-occupation acoustic report are to be implemented within one month of the date of the amended acoustic report.
17. The provisions, recommendations and requirements of the endorsed post-occupation Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.

Landscape Plan

18. 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:
- (a) orientate the proposed tree toward the east side of the open space;
 - (b) the building apron on the north and south side of the open space should be kept clear and the proposed planter beds and seating moved away from the walls, with a minimum 1.5m walk through space provided to function as a shoreline and guide users to the entrance foyer;
 - (c) ensure there is still a minimum 1.5m walkthrough space through the centre of the open space;
 - (d) further detail on the furniture/planter beds proposed;
 - (e) clarify if the existing electrical posts will be relocated and if so, provide further information about the location on the landscape plan;
 - (f) an increased width of the planter bed along the eastern side of level 2 balcony to maximise opportunities for greening
 - (g) planters to be on the inside of balcony balustrades for easier maintenance access;
 - (h) provide information on the proposed planters of the development including depth, widths, soil media, drainage layers, mulch and irrigation;
 - (i) include the provision of landscaping on all terraces;
 - (j) include a planting plan;
 - (k) show the type, location, quantity, height at maturity and botanical names of all proposed plants;
 - (l) include details of lighting within the proposed open space;
 - (m) show the materiality of the proposed spaces;
 - (n) detail the design (including the provision of detailed sections) and layout of the common area, planters and ground level planting areas;
 - (o) provide a specification of works to be undertaken prior to planting;
 - (p) further detail on any sustainable treatments and water harvesting methods ;and
 - (q) detail plant/planting maintenance schedules and requirements.
- to the satisfaction of the Responsible Authority.
19. 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.

Green Street Kerb Outstand Works

20. Before the development starts, or by such later date as approved in writing by the Responsible Authority, a Green Street Kerb Outstand Works plan to the satisfaction of the

Responsible Authority must be submitted to and approved by the Responsible Authority. Once, approved, the Green Street Kerb Outstand Works plan will be endorsed and will then form part of the permit. The Green Street Kerb Outstand Works plan must include the kerb extension along the western footpath of Green Street, adjacent to its intersection with Adelaide Street as per the VCAT Amended Plans Revision C, dated 5 and 8 August 2019 but modified to include:

- (a) kerb type, crossing alignments, dimensions, drainage and full depth pavement works as a result of the kerb extension design;
 - (b) a reduction in the number of bike spaces proposed on the kerb outstand to 10 bike spaces (on five racks) in one bank, with a minimum of two public seats;
 - (c) details of the proposed street trees including a revised landscape plan incorporating measures to increase soil volumes and provide for passive irrigation; and
 - (d) details of the movement of vehicles to identify any conflict between street trees and large vehicle movement.
21. Before the building is occupied, all works associated with the Green Street Kerb Outstand Works (referred to in condition 20) must be fully constructed and completed to the satisfaction of the Responsible Authority and at no cost to the Responsible Authority.
 22. Before the development starts, or by such later date as approved in writing by the Responsible Authority, detailed design drawings to the satisfaction of the Responsible Authority addressing all road infrastructure works and drainage works (including any necessary drainage catchment analysis) associated the Green Street Kerb Outstand Works (outlined in condition 20) must be submitted to and approved by the Responsible Authority. Once approved, the detailed design drawings will be endorsed and will then form part of the permit.
 23. Before the development is completed, all associated works shown on the endorsed civil and drainage design plan (referred to in condition 22) must be fully constructed and completed all to the satisfaction of the Responsible Authority and at no cost to the Responsible Authority.

Street tree

24. Before the development commences, the permit holder must make a one off 'loss of amenity' contribution of \$5,000 (not inclusive of GST) to the Responsible Authority for the removal and replacement of the Green Street street tree located within the existing kerb extension outside of the property boundaries. This will be used for the replacement and maintenance of trees within the immediate locale to Council's discretion. All tree planting and maintenance work will be undertaken by City of Yarra Contractors.

Wind

25. Before the development commences, an amended Wind Assessment Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Wind Assessment Report will be endorsed and will form part of this permit. The amended Wind Assessment Report must be generally in accordance with the Wind Assessment Report prepared by ViPac Engineers & Scientists and prepared on 21 January 2019, but modified to include (or show):
 - (a) a wind tunnel model study of the environmental wind conditions to quantify the wind conditions and whether additional mitigation treatments are required to satisfy the relevant criteria, including the assessment of wind conditions at the following locations:
 - (i) Surrounding streetscapes
 - (ii) Terraces
 - (iii) Private outdoor area of No. 66 Green Street

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

Section 173 Agreement (Proposed Open Space)

27. Within six months of the commencement of works, the owner (or another person in anticipation of becoming the owner) must enter into an agreement with the Responsible Authority under section 173 of the *Planning and Environment Act 1987*, providing for the following:
 - (a) The Owner must provide unfettered 24 hour public access over (and inclusive of the provision of lighting) over that part of the land to be used for the green open space;
 - (b) The owner is responsible for maintaining at all times the areas that are private land open to the public described in condition 27(a) at the cost of the owners of the site and to the satisfaction of the Yarra City Council;
 - (c) The owner(s) must obtain and maintain insurance, approved by Yarra City Council, for the public liability and indemnify Yarra City Council against all claims resulting from any damage, loss, death or injury in connection with the public accessing the land described in condition 27(a).
28. The owner, or other person in anticipation of becoming the owner, must meet all of the expenses of the preparation and registration of the agreement, including the reasonable costs borne by the Responsible Authority.

Potentially Contaminated Land

29. Before either the construction of the development authorised by this permit or the use authorised by this permit commence, an assessment of the land to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The assessment must be prepared by an environmental professional with suitable qualifications to the satisfaction of the Responsible Authority and must include:
 - (a) A description of previous land uses and activities on the land.
 - (b) An assessment of the level, nature and distribution of any contamination within, or in close proximity to, the land.
 - (c) Details of any provisions, recommendations and requirements (including but not limited to, clean up, construction, ongoing maintenance or monitoring) required to effectively address and manage any contamination within the land.
 - (d) Recommendations as to whether the land is suitable for the use for which the land is proposed to be developed and whether an Environmental Auditor should be appointed under section 53S of the *Environment Protection Act 1970 (EP Act)* to undertake an Environmental Audit in accordance with the provisions of the EP Act.
 - (e) If the assessment required by condition 29 does not result in a recommendation that an environmental auditor be appointed under section 53S of the EP Act to undertake an environmental audit in accordance with the provisions of the EP Act, all provisions, recommendations and requirements of the assessment must be implemented and complied with to the satisfaction of the Responsible Authority.
30. If the assessment required by condition 29 does not result in a recommendation that an environmental auditor be appointed under section 53S of the EP Act to undertake an environmental audit in accordance with the provisions of the EP Act, all provisions, recommendations and requirements of the assessment must be implemented and complied with to the satisfaction of the Responsible Authority.
31. If the assessment required by condition 29 results in a recommendation that an environmental auditor be appointed under section 53S of the EP Act to undertake an environmental audit in accordance with the provisions of the EP Act, before the construction of the development authorised by this permit or the use authorised by this permit commence,

the environmental auditor appointed under section 53S of the *Environment Protection Act* 1970 (EP Act) must undertake an environmental audit in accordance with the provisions of the EP Act and issue:

- (a) a Certificate of Environmental Audit for the land in accordance with section 53Y of the EP Act (**Certificate**); or
- (b) a Statement of Environmental Audit for the land in accordance with section 53Z of the EP Act (Statement),

and the Certificate or Statement must be provided to the Responsible Authority.

32. If, pursuant to condition 31, a Statement is issued:

(a) the:

- use; and
- development,

authorised by this permit must not be undertaken unless the Statement clearly states that the land is suitable for the sensitive use for which the land is being developed;

- (b) the development authorised by this permit must not be undertaken until compliance is achieved with the terms and conditions that the Statement states must be complied with before the development commences (**development pre-commencement conditions**);
- (c) the use authorised by this permit must not be undertaken until compliance is achieved with all terms and conditions that the Statement states must be complied with before the use commences (**use pre-commencement conditions**);
- (d) before the construction of the development authorised by this permit commences, a letter prepared by the Environmental Auditor appointed under section 53S of the EP Act which states that the development pre-commencement conditions have been complied with must be submitted to the responsible authority.
- (e) before the use authorised by this permit commences, a letter prepared by the Environmental Auditor appointed under section 53S of the EP Act which states that the use pre-commencement conditions have been complied with must be submitted to the responsible authority;
- (f) if any term or condition of the Statement requires any ongoing maintenance or monitoring, the owner of the land (or another person in anticipation of becoming the owner) must enter into an agreement with the Responsible Authority pursuant to section 173 of the *Planning and Environment Act* 1987 (**Agreement**). The Agreement must:
 - (i) provide for the undertaking of the ongoing maintenance and monitoring as required by the Statement; and
 - (ii) be executed before the sensitive use for which the land is being developed commences; and
- (g) the owner of the land, or other person in anticipation of becoming the owner, must pay all costs and expenses (including legal expenses) of, and incidental to, the Agreement (including those incurred by the Responsible Authority).

VicTrack Report

33. Prior to the commencement of the development, an expert report on the relevant rail issues and potential impacts on the rail corridor must be submitted to and approved by the Responsible Authority and the relevant transport agencies. The report should address the following:

- (a) Electrical safety requirements (building clearance distances are specified from overhead rail electrical wires)

- (b) Details of crash wall protection in accordance with Australian Standard AS5100
- (c) Ongoing issues like building maintenance, graffiti removal and access for emergency vehicles in the instance of fire
- (d) Throw protection screens to upper level terraces
- (e) Sun glare/reflectivity to ensure that the colours materials and finishes of the rail side of the proposed building will not adversely impact on train driver vision
- (f) Construction – how the CMP will manage construction with no delays to transport services.

Green Travel Plan

34. Before the development 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) A description of the location in the context of alternative modes of transport;
 - (b) Employee welcome packs (e.g. provision of Myki/transport ticketing);
 - (c) Sustainable transport goals linked to measurable targets, performance indicators and monitoring timeframes;
 - (d) A designated 'manager' or 'champion' responsible for coordination and implementation;
 - (e) Details of bicycle parking and bicycle routes;
 - (f) Details of GTP funding and management responsibilities;
 - (g) Security arrangements to access the employee bicycle storage spaces;
 - (h) Signage and wayfinding information for bicycle facilities and pedestrians pursuant to Australian Standard AS2890.3;
 - (i) Reference to EV charging facilities; and
 - (j) Provisions for the Green Travel Plan to be updated not less than every 5 years.
35. The provisions, recommendations and requirements of the endorsed Green Travel Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Car Parking

36. Before the development commences, a Car Park Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Car Park Management Plan will be endorsed and will form part of this permit. The Car Park Management Plan must address, but not be limited to, the following:
- (a) the number of car parking spaces allocated to each tenancy and that each space is allocated;
 - (b) details of way-finding, cleaning and security of end of trip bicycle facilities;
 - (c) policing arrangements and formal agreements;
 - (d) details of the electric car charging points;
 - (e) a schedule of all proposed signage including directional arrows and signage, informative signs indicating location of disabled bays and bicycle parking, exits, restrictions, pay parking system etc;
 - (f) the collection of waste and garbage including the separate collection of organic waste and recyclables, which must be in accordance with the Waste Management Plan required by Condition 11; and

- (g) details regarding the management of loading and unloading of goods and materials.
- 37. The provisions, recommendations and requirements of the endorsed Car Park Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
- 38. 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.
- 39. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, a notice showing the location of car parking must be placed in a clearly visible position near the entry to the land. The notice must be maintained thereafter to the satisfaction of the Responsible Authority.
- 40. The loading and unloading of vehicles and the delivery of goods to and from the land must be conducted entirely within the land to the satisfaction of the Responsible Authority.
- 41. Delivery and collection of goods to and from the land (including waste) may only occur between 7am and 6pm Monday to Saturday, or after 9am on a Sunday or public holiday except for those allowed under any relevant local law.
- 42. Delivery and collection of goods to and from the land (including waste) are from vehicles no larger than 'medium rigid trucks'.

Road Infrastructure

- 43. 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, re-instated as standard footpath and kerb and channel with parking sensors:
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
- 44. 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) demonstrating satisfactory access into and out of the site with a vehicle ground clearance check using the B99 design vehicle and be fully dimensioned with actual reduced levels (to three decimal places) as per Council's Vehicle Crossing Information Sheet;
 - (c) at the permit holder's cost; and
 - (d) to the satisfaction of the Responsible Authority.
- 45. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, selected sections of kerb and channel along the property's Green Street road frontage must be reconstructed to Council's satisfaction and at the Permit Holder's cost. The extent of these kerb works shall be determined by Council's Reinstatement Officer:
 - (a) at the permit holder's cost; and

- (b) to the satisfaction of the Responsible Authority.
- 46. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any damaged roads, footpaths and other road related infrastructure adjacent to the development site as a result of the construction works, including trenching and excavation for utility service connections, must be reconstructed:
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
- 47. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, footpath along the property's Green Street road frontage must be stripped and re-sheeted:
 - (a) with a cross-fall of 1 in 40 or unless otherwise specified by Council;
 - (b) at the permit holder's cost; and
 - (c) to the satisfaction of the Responsible Authority.
- 48. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any redundant property drains are to be removed and reinstated with paving, kerb and channel:
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
- 49. 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.
- 50. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.

Lighting

- 51. 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 vehicle entrance, pedestrian entrances and open space must be provided on the subject site. Lighting must be:
 - (a) located;
 - (b) directed;
 - (c) shielded; and
 - (d) of limited intensity,to the satisfaction of the Responsible Authority.

General

- 52. Finished floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.
- 53. 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.

54. The uses and development must comply at all times with the State Environment Protection Policy — Control of Noise from Commerce, Industry and Trade (SEPP N-1).
55. The uses and development must comply at all times with the State Environment Protection Policy — Control of Music Noise from Public Premises (SEPP N-2).
56. The provision of music and entertainment on the land must be at a background noise level.
57. Speakers external to the building must not be erected or used.
58. Emptying of bottles and cans into bins may only occur between 7am and 10pm on any day.
59. 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.
60. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
61. Before the building is occupied, any wall located on a boundary facing public property must be treated with a graffiti proof finish to the satisfaction of the Responsible Authority.
62. All pipes, fixtures, fittings and vents servicing any building on the land must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.
63. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
 - (a) Monday-Friday (excluding public holidays) before 7 am or after 6 pm;
 - (b) Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday) before 9 am or after 3 pm; or
 - (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.

Construction Management

64. 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;
 - (p) a Noise and Vibration Management Plan showing methods to minimise noise and vibration impacts on nearby properties and to demonstrate compliance with Noise Control Guideline 12 for Construction (Publication 1254) as issued by the Environment Protection Authority in October 2008. The Noise and Vibration Management Plan must be prepared to the satisfaction of the Responsible Authority. In preparing the Noise and Vibration Management Plan, consideration must be given to:
 - (i) using lower noise work practice and equipment;
 - (ii) the suitability of the land for the use of an electric crane;
 - (iii) silencing all mechanical plant by the best practical means using current technology;
 - (iv) fitting pneumatic tools with an effective silencer;
 - (v) other relevant considerations; and
 - (q) any site-specific requirements.
- During the construction:
- (r) any stormwater discharged into the stormwater drainage system must be in compliance with Environment Protection Authority guidelines;
 - (s) stormwater drainage system protection measures must be installed as required to ensure that no solid waste, sediment, sand, soil, clay or stones from the land enters the stormwater drainage system;
 - (t) vehicle borne material must not accumulate on the roads abutting the land;
 - (u) the cleaning of machinery and equipment must take place on the land and not on adjacent footpaths or roads; and
 - (v) all litter (including items such as cement bags, food packaging and plastic strapping) must be disposed of responsibly.

Time expiry

65. This permit will expire if:

- (a) the development is not commenced within two years of the date of this permit;
- (b) the development is not completed within four years of the date of this permit; or

- (c) the use (shops and food and drinks premises (café)) is not commenced within five years of the date of this permit or
- (d) the use (shops and food and drinks premises (café)) is discontinued for a period of two years.

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 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.

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.

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.

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.

Only roof runoff, surface water and clean groundwater seepage from above the water table can be discharged into Council drains.

Council will not permit clean groundwater from below the groundwater table to be discharged into Council's drainage system. Basements that extend into the groundwater table must be waterproofed/tanked.

No parking restriction signs or line-marked on-street parking bays are to be removed, adjusted, changed or relocated without approval or authorisation from Council's parking management unit and construction management branch.

Any on-street parking reinstated as a result of development works must be approved by Council's parking management unit.

The removal of any kerbside parking sensors and any reinstatement of parking sensors will require the permit holder to pay Council the cost of each parking sensor taken out from the kerb/footpath/roadway. Any costs associated with the reinstatement of road infrastructure due to the removal of the parking sensors must also be borne by the permit holder.

All future employees and occupiers working within the development approved under this permit will not be permitted to obtain employee or visitor car parking permits.

The applicant must liaise with Council's open space unit for the protection of the street trees in the vicinity of the site.

The existing sewer vent on the east side of Green Street could potentially be problematic for occupants/employees of the upper level of the new offices. The developer should liaise with the relevant water authority regarding the sewer vent and ascertain any clearances required from windows. If the vent is still active, measures should be taken by the developer to ensure that fumes do not waft into the new building.

Submissions

Tim McBride-Burgess (Contour Town Planners) addressed the Committee on behalf of the applicant.

The following people also addressed the Committee:

Stewart Irwin;
David Ebeling;
Brian Richards;
Chris Idle;
Megan Harrison;
Sarah Padley;
Simon Chambers; and
Russell Worth.

INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION

Moved: Councillor Chen Yi Mei

Seconded: Councillor Stone

That having considered all objections and relevant planning policies, Council resolves to advise the Victorian Civil and Administrative Tribunal, the Permit Applicant and all parties that it does not support the substituted amended plans, and that if it were in a position to, it would have issued a Notice of Refusal to Grant A Planning Permit PLN18/0913 for the use and development of the land for the construction of two, multi-storey, mixed use buildings (permit required for shop and food and drinks premises (cafes)) and a reduction in car parking requirements at 68-88 Green Street, Cremorne, subject to the following grounds:

1. The proposed development does not positively respond to the context of the development nor does it respect the scale and form of surrounding development, contrary to the objectives of clause 22.10 and policy within Clauses 22.10-3.2 and 22.10-3.3 of the Yarra Planning Scheme.
2. The development will unreasonably impact on the amenity of the area and fails to comply with policy at Clause 22.10-3.8 of the Yarra Planning Scheme.
3. The scale, height and massing of the buildings will dominate the surrounding streetscape and is contrary to policy at clauses 15.01-1S, 15.01-2S, 21.05-2, 22.10-3.2 and 22.10-3.3 of the Yarra Planning Scheme.

CARRIED

**1.2 175 Keele Street Collingwood - Langridge - Planning Permit Application
PLN18/0779 - Part demolition, construction of a ground and first floor addition
and alterations to the existing dwelling**

Reference: D19/165086

Authoriser: Coordinator Statutory Planning

[Help](#)

RECOMMENDATION

That a Notice of Decision to Grant a Planning Permit PLN18/0779 be issued for part demolition, construction of a ground and first floor addition and alterations to the existing dwelling at 175 Keele Street, Collingwood generally in accordance with the plans noted previously as the “decision plan” and subject to the following conditions:

1. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions, and three copies must be provided. The plans must be generally in accordance with the decision plans but modified to show:
 - (a) The height of the first floor terrace pergola reduced to be no higher than 6.5m above natural ground level;
 - (b) Replacement roof cladding to the front section (i.e. first two bedrooms) of the dwelling to be galvanised corrugated iron roof sheeting;
 - (c) A schedule of works for the replacement of brickwork to the front façade to the satisfaction of the Responsible Authority;
 - (d) Notation that the repointing of brickwork to the front façade is to be carried out in accordance with the technical guidelines *‘Repointing Mortar Joints – Some Important Points’* prepared by Heritage Victoria;
 - (e) Full documentation (including photographs and measured drawings) of the existing wing walls to the front verandah.
 - (f) The capacity of the underground rainwater tank and its connection to toilets noted on the plans, in accordance with the STORM report provided.
 - (g) The rear gate to the bin store to open within the title boundaries of the subject site.
 - (h) External lighting to the rear porch.
 - (i) Adjoining properties and shadows removed (or ghosted) on the existing and proposed elevations.
 - (j) A north-south cross section of the development showing the access to the roof store from the first floor terrace.
2. Before the demolition commences, a structural report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the structural report will be endorsed and will form part of this permit. The structural report must be prepared by a suitably qualified structural engineer, or equivalent, and demonstrate the means by which the retained portions of building will be supported during demolition and construction works to ensure their retention.
3. 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.
Melbourne Water conditions (Conditions 4 to 10)
4. Finished floor levels of the extended floor with the exception to the ‘porch’ area must be constructed no lower than 20.21 metres to Australian Height Datum (AHD).

5. Finished floor levels of the 'porch' must be constructed no lower than 19.70 metres to AHD.
6. The layout of the site and size, design and location of the 5.05 metre square flood storage area as shown on the Ground Floor plan (Project No. KSH Drawing A103 Revision T4 dated 6 August 2019) must not be altered without prior written consent from Melbourne Water. The layout must remain open for the life of the structure to allow for flood storage.
7. Any fencing to the rear southern boundary must be a minimum of 75% 'open style' to allow for the conveyance of overland flow. No timber paling fence is permitted to this boundary.
8. Imported fill must be kept to a minimum on the property and must only be used for the sub floor areas of the extended floor area.
9. Any new fencing must be open style (50%) of construction or timber paling to allow for the conveyance of overland flow.
10. Prior to the issue of an Occupancy Permit, a certified survey plan, showing finished floor levels (as constructed) reduced to the Australian Height Datum, must be submitted to Melbourne Water to demonstrate that the floor levels have been constructed in accordance with Melbourne Water's requirements.
11. 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.
12. 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.
13. Before the development is occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating access to the pedestrian entry from the laneway, 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, 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.
15. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
 - (a) Monday-Friday (excluding public holidays) before 7 am or after 6 pm,;
 - (b) Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday) before 9 am or after 3 pm; or
 - (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.
16. 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 5428 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.

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

The applicable flood level is 19.91 metres to Australian Height Datum (AHD).

Submissions

Andrew Gardam (Drew Gardam Architects) addressed the Committee on behalf of the applicant.

The following people also addressed the Committee:

Kim Bishop; and
Jason.

INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION

Moved: Councillor Stone

Seconded: Councillor Chen Yi Mei

That a Notice of Decision to Grant a Planning Permit PLN18/0779 be issued for part demolition, construction of a ground and first floor addition and alterations to the existing dwelling at 175 Keele Street, Collingwood generally in accordance with the plans noted previously as the "decision plan" and subject to the following conditions:

1. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions, and three copies must be provided. The plans must be generally in accordance with the decision plans but modified to show:
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 - (e) Full documentation (including photographs and measured drawings) of the existing wing walls to the front verandah.
 - (f) The capacity of the underground rainwater tank and its connection to toilets noted on the plans, in accordance with the STORM report provided.
 - (g) The rear gate to the bin store to open within the title boundaries of the subject site.
 - (h) External lighting to the rear porch.

- (i) Adjoining properties and shadows removed (or ghosted) on the existing and proposed elevations.
- (j) A north-south cross section of the development showing the access to the roof store from the first floor terrace.
- (k) Reduction in the proposed scale of works to eliminate any additional overshadowing of adjoining balconies to the west at No. 173 Keele Street from 10am on 22 September.

2. Before the demolition commences, a structural report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the structural report will be endorsed and will form part of this permit. The structural report must be prepared by a suitably qualified structural engineer, or equivalent, and demonstrate the means by which the retained portions of building will be supported during demolition and construction works to ensure their retention.

3. 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.

Melbourne Water conditions (Conditions 4 to 10)

4. Finished floor levels of the extended floor with the exception to the 'porch' area must be constructed no lower than 20.21 metres to Australian Height Datum (AHD).

5. Finished floor levels of the 'porch' must be constructed no lower than 19.70 metres to AHD.

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7. Any fencing to the rear southern boundary must be a minimum of 75% 'open style' to allow for the conveyance of overland flow. No timber paling fence is permitted to this boundary.

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- to the satisfaction of the Responsible Authority
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 - (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.
16. 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:

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

The applicable flood level is 19.91 metres to Australian Height Datum (AHD).

CARRIED

The meeting closed at 8.57 PM.

Confirmed at the meeting held on Wednesday 16 October 2019

Chair