



Agenda

Planning Decisions Committee

5.30pm, Tuesday 30 March 2021

MS Teams

The Planning Decisions Committee

The Planning Decisions Committee is a delegated committee of Council with full authority to make decisions in relation to planning applications and certain heritage referrals. The committee is made up of three Councillors who are rostered on a quarterly basis.

Participating in the Meeting

Planning Decisions Committee meetings are decision-making forums and only Councillors have a formal role. However, Council is committed to ensuring that any person whose rights will be directly affected by a decision of Council is entitled to communicate their views and have their interests considered before the decision is made.

There is an opportunity for both applicants and objectors to make a submission to Council in relation to each matter presented for consideration at the meeting.

Before each item is considered, the meeting chair will ask people in attendance if they wish to make submission. Simply raise your hand and the Mayor will invite you to come forward, take a seat at the microphone, state your name clearly for the record and:

- Speak for a maximum of five minutes;
- direct your submission to the chair;
- confine your submission to the planning permit under consideration;
- If possible, explain your 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 you are able to speak on their behalf.

Once you have made your submission, please remain silent unless called upon by the chair to make further comment or to clarify any aspects.

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.

Arrangements to ensure our meetings are accessible to the public

Planning Decisions Committee meetings are held at the Richmond Town Hall. The following arrangements are in place to ensure they are accessible to the public:

- Entrance ramps and lifts (via the entry foyer).
- Interpreting assistance is available by arrangement (tel. 9205 5110).
- Auslan interpreting is available by arrangement (tel. 9205 5110).
- A hearing loop and receiver accessory is available by arrangement (tel. 9205 5110).
- An electronic sound system amplifies Councillors' debate.
- Disability accessible toilet facilities are available.

1. Appointment of Chair

Councillors are required to appoint a meeting chair in accordance with the City of Yarra Governance Rules 2020.

2. Statement of recognition of Wurundjeri Woi-wurrung Land

“Yarra City Council acknowledges the Wurundjeri Woi Wurrung people as the Traditional Owners and true sovereigns of the land now known as Yarra.

We acknowledge their creator spirit Bunjil, their ancestors and their Elders.

We acknowledge the strength and resilience of the Wurundjeri Woi Wurrung, who have never ceded sovereignty and retain their strong connections to family, clan and country despite the impacts of European invasion.

We also acknowledge the significant contributions made by other Aboriginal and Torres Strait Islander people to life in Yarra.

We pay our respects to Elders from all nations here today—and to their Elders past, present and future.”

3. Attendance, apologies and requests for leave of absence

Anticipated attendees:

Councillors

- | | |
|----------------------|------------|
| • Cr Stephen Jolly | Councillor |
| • Cr Herschel Landes | Councillor |
| • Cr Sophie Wade | Councillor |

Council officers

- | | |
|-------------------|--|
| • Sarah Griffiths | Senior Coordinator Continuous Improvement - Statutory Planning |
| • Chris Stathis | Senior Planner |
| • Rhys Thomas | Senior Governance Advisor |
| • Cindi Johnson | Governance Officer |

4. Declarations of conflict of interest

Any Councillor who has a conflict of interest in a matter being considered at this meeting is required to disclose that interest either by explaining the nature of the conflict of interest to those present or advising that they have disclosed the nature of the interest in writing to the Chief Executive Officer before the meeting commenced.

5. Committee business reports

Item		Page	Rec. Page
5.1	Notice of Rescission No. 1 of 2021 - PLN17/0101.01 - 34 Henry Street Abbotsford	5	7

5.1 Notice of Rescission No. 1 of 2021 - PLN17/0101.01 - 34 Henry Street Abbotsford

Reference	D21/28395
Author	Rhys Thomas - Senior Governance Advisor
Authoriser	Group Manager Chief Executive's Office

I, Councillor Stephen Jolly, hereby give notice that it is my intention to move the following motion at the next meeting of the Planning Decisions Committee:

“That the motion of the Planning Decisions Committee as carried on 24 March 2021 and stating:

That having considered all relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant an amended Planning Permit PLN17/0101.01, at No. 34 Henry Street, Abbotsford, 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 Christopher Vaughan, dated 6 November 2020 (Revision G: TP02, TP03a, TP03b, TP04, TP05, TP06, TP07, TP08 and TP09), but modified to show:*
 - (a) *The design changes in accordance with the sketch plans submitted to Council on 25 January 2021 which are as follows:*
 - (i) *The rear setback increased from 1 metre to 1.5 metres at the second and third floors.*
 - (ii) *The Standing Seam Cladding of the third-floor reading room projection as Coreton wall tiles.*

But further modified to show:
 - (b) *A maximum height of 16 metres through the reduced internal ceiling heights as shown in the sketch plans submitted to Council on 25 January 2021 and through a further reduction to the ground floor internal ceiling height to a maximum of 2.7 metres.*
 - (c) *The protruding bay window setback a minimum of 2.4 metres from the front title boundary.*
 - (d) *The second and third floors setback a minimum of 3 metres from the front title boundary.*
 - (e) *The terrace balustrade setback a minimum of 4 metres from the front title boundary.*
 - (f) *The garage door as Cor-ten on the Proposed West Elevation.*
 - (g) *Remove or clarify the “brick facing tiles” notation relating to the reclaimed brick in the materials schedule.*
 - (h) *The pump room associated with the swimming pool, to be appropriately acoustically treated so as not to cause unreasonable detriment to adjacent properties.*
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 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.

4. *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.*
5. *Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating access to the dwelling entrances must be provided. Lighting must be:*
 - (a) *Located;*
 - (b) *directed;*
 - (c) *shielded; and*
 - (d) *of limited intensity,**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.

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

NOTE: 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.

NOTE: 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.

NOTE: 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.

NOTE: 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.

NOTE: 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.

be rescinded.”

RECOMMENDATION

That the motion of the Planning Decisions Committee as carried on 24 March 2021 and stating:

That having considered all relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant an amended Planning Permit PLN17/0101.01, at No. 34 Henry Street, Abbotsford, 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 Christopher Vaughan, dated 6 November 2020 (Revision G: TP02, TP03a, TP03b, TP04, TP05, TP06, TP07, TP08 and TP09), but modified to show:
 - (a) The design changes in accordance with the sketch plans submitted to Council on 25 January 2021 which are as follows:
 - (i) The rear setback increased from 1 metre to 1.5 metres at the second and third floors.
 - (ii) The Standing Seam Cladding of the third-floor reading room projection as Coreton wall tiles.But further modified to show:
 - (b) A maximum height of 16 metres through the reduced internal ceiling heights as shown in the sketch plans submitted to Council on 25 January 2021 and through a further reduction to the ground floor internal ceiling height to a maximum of 2.7 metres.
 - (c) The protruding bay window setback a minimum of 2.4 metres from the front title boundary.
 - (d) The second and third floors setback a minimum of 3 metres from the front title boundary.
 - (e) The terrace balustrade setback a minimum of 4 metres from the front title boundary.
 - (f) The garage door as Cor-ten on the Proposed West Elevation.
 - (g) Remove or clarify the “brick facing tiles” notation relating to the reclaimed brick in the materials schedule.
 - (h) The pump room associated with the swimming pool, to be appropriately acoustically treated so as not to cause unreasonable detriment to adjacent properties.
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 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.
4. 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.
5. Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating access to the dwelling

entrances must be provided. Lighting must be:

- (a) Located;
- (b) directed;
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to the satisfaction of the Responsible Authority.

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 - (a) at the permit holder's cost; and
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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
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