



Minutes

Planning Decisions Committee

6.30pm, Wednesday 24 March 2021

MS TEAMS

1. Appointment of Chair

Cr Jolly nominated Cr Wade as chair.

There being no other nominations, Cr Wade was elected chair.

Cr Wade assumed the chair.

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 and apologies

Attendance

Councillors

Cr Stephen Jolly

Cr Herschel Landes (substitute for Cr Crossland)

Cr Sophie Wade

Council officers

Sarah Griffiths (Senior Co-ordinator Continuous Improvement – Statutory Planning)

Chris Stathis (Senior Planner)

Rhys Thomas (Senior Governance Advisor)

Cindi Johnston (Governance Officer)

Apologies

Cr Crossland

4. Declarations of conflict of interest

No declarations were made.

5. Confirmation of Minutes

RESOLUTION

Moved: Cr Jolly **Seconded:** Cr Landes

1. That the minutes of the meeting of the Planning Decisions Committee held on Wednesday 10 March 2021 be confirmed.

CARRIED

RESOLUTION

Moved: Cr Wade **Seconded:** Cr Landes

1. That the minutes of the meeting of the Planning Decisions Committee held on Wednesday 10 February 2021 be confirmed.

CARRIED

Cr Jolly requested that his opposition to the previous resolution be recorded in the minutes.

6 PLANNING DECISIONS COMMITTEE

Item		Page	Res. Page
6.1	PLN17/0101.01 - 34 Henry Street Abbotsford - Section 72 Amendment to amend the plans to show (amongst other changes) the introduction of a fourth floor with a roof terrace resulting in the increase to the overall height of the dwelling; to include a basement; to reduce the front setbacks of the upper levels and reduce the rear setback and revisions to facade and materials.	5	9

-
- 6.1 **PLN17/0101.01 - 34 Henry Street Abbotsford - Section 72**
Amendment to amend the plans to show (amongst other changes) the introduction of a fourth floor with a roof terrace resulting in the increase to the overall height of the dwelling; to include a basement; to reduce the front setbacks of the upper levels and reduce the rear setback and revisions to facade and materials.
-

Reference	D21/11010
Author	Jessica Sutherland - Statutory Planner
Authoriser	Coordinator Statutory Planning

RECOMMENDATION

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.**
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.

Submissions made online during the meeting

Spiro Neofitou, Planning Vision (for the applicant)
Sam Ledger
Greer Evans

MOTION

Moved: Cr Jolly

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 third floor bedroom and ensuite and the fourth floor terrace (extending for a distance of 8 metres from the eastern title boundary) set back 2 metres from the northern title boundary.

(g) The garage door as Cor-ten on the Proposed West Elevation.

(h) Remove or clarify the “brick facing tiles” notation relating to the reclaimed brick in the materials schedule.

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

Lapsed for want of a seconder.

PLANNING DECISIONS COMMITTEE RESOLUTION

Moved: Councillor Landes

Seconded: Councillor Wade

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.

CARRIED

Note:

Following the meeting and in accordance with the City of Yarra Governance Rules 2020, a notice of rescission was received from Cr Jolly in relation to the previous resolution. As required by those rules, the implementation of that resolution will now be deferred until the notice of rescission can be considered at the next meeting of the Planning Decisions Committee.

The meeting closed at 7.26pm.

Confirmed at the meeting held on Wednesday 7 April 2021

Chair