

**INTERNAL DEVELOPMENT APPROVALS  
COMMITTEE MEETING**

**MINUTES**

**held on Wednesday 22 January 2003 at 6.00pm  
at the Richmond Town Hall Meeting Room 2**

**I. ATTENDANCE**

Councillor Li Lai  
Councillor Greg Barber

**II. APOLOGIES**

Councillor Judy Morton

**III. DECLARATIONS OF PECUNIARY INTEREST**

Nil

**IV. CONFIRMATION OF MINUTES**

**INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION:**

**Moved:** Councillor Lai                      **Seconded:** Councillor Barber

That the minutes of the meeting of IDAC held on 18 December 2002 be confirmed.

**CARRIED**

***Welcome to the City of Yarra.  
Council acknowledges the  
Wurundjeri community as the first  
owners of this country.  
Today, they are still the custodians  
of the cultural heritage of this land.***

Councillor Lai nominated Councillor Barber as Chairperson.

There being no other nominations, Councillor Barber was appointed Chairperson.

Councillor Barber assumed the Chair.

## **INTERNAL DEVELOPMENT APPROVALS COMMITTEE MEETING**

<b>ITEM</b>	<b>PAGE</b>
1. 55 Jamieson Street, North Fitzroy – Planning Permit Application No. PL02/1195 (Demolition of footbridge and construction of 32 dwellings (combination one and two storey buildings) and partial waiver of car parking requirements).	5
2. 78 Oxford Street, Collingwood – Planning Permit Application No. PL02/0636 (Part demolition, alterations and additions (four stories plus basement) to establish 39 dwellings and partial waiver of car parking requirements).	18

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- 1. 55 Jamieson Street, North Fitzroy - Planning Permit Application No. PL02/1195 (Demolition of footbridge and the construction of thirty two (32) residential dwellings (combination one and two storey buildings) and a partial reduction in the car parking requirements of the Planning Scheme).**
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## **RECOMMENDATION**

That having considered all objections and relevant planning documents, the Committee resolves to issue a Notice of Decision to Grant a Permit to land at 55 Jamieson Street, North Fitzroy for the demolition (relocation) of the existing footbridge and the construction of 32 residential dwellings (one and two storeys and a reduction in the associated car parking requirement of the Planning Scheme in accordance with endorsed plans subject to the following conditions.

1. Amended Plans

Before the use and/or development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the application plans, but modified to show:

- (a) the location of any air conditioning units associated with the individual dwellings;
- (b) existing bollard on eastern side of Jamieson Street to be retained in situ;
- (c) existing three cast iron bollards to the west of the site to be notated as being retained in situ;
- (d) specification of proposed fencing. Fencing should be painted charcoal grey;
- (e) provision of a 3.0 metre wide asphalt pathway around the Edinburgh Gardens frontage (and within the Gardens). The path location and design specification shall be worked out in consultation with Council's open Space planning branch;
- (f) the colour of the balustrading to be generally dark in tone and to the satisfaction of Council's Heritage Advisor;
- (g) proposed timber screens to be grey finish or painted in a muted colour;
- (h) car parking bays and aisle widths to be dimensioned to be in accordance with standard B16 of Clause 55 (Rescode) of the Yarra Planning Scheme, for 90° car parking, or an alternative to the satisfaction of Council's Traffic Engineers;
- (i) a landscape plan to the satisfaction of the Responsible Authority prepared by a suitably qualified landscape professional. When approved, the landscape plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and three copies must be provided. The plan must show:

- (i) all landscaped areas on the site including the retention of the existing trees on site;
  - (ii) the provision of street trees in roadway cutouts. Trees should be spaced approximately 15 metres apart, and should alternate diagonally with trees on the eastern side of Jamieson Street. The location of trees shall be worked out in conjunction with Council's Open Space Planning Unit and Engineering department. Tree species in road reserve should be nominated as *Ulmus hollandica* in accordance with the Street Tree Precinct Master Plan;
  - (iii) trees located within the subject site and around the Edinburgh Gardens frontage should be nominated as *Ulmus procera* or *Ulmus hollandica*;
  - (iv) the location, quantity, maturity and botanical name of all proposed plants;
  - (v) the location of all areas to be covered by lawn or other surface materials;
  - (vi) a specification of works to be undertaken prior to planting, including the installation of an irrigation system;
  - (vii) any existing trees (or vegetation) to be removed to be clearly marked on plan;
  - (viii) the provision of any outdoor lighting within the development; and
  - (ix) the provision of a Barbecue and Shelter within the private communal garden.
- (j) a tree management for application during the construction period must be submitted for endorsement. The plan must be prepared by a qualified arborist and include plans to indicate the area around mature trees to be isolated during demolition and construction works. The plan/strategy must also include an indication of any necessary pruning works for construction and soil amelioration works;
  - (k) the provision of screening on the western edge of the first floor elevated walkway generally between bedroom windows of units 23 and 24 (and opposite the stairwell) so as to limit overlooking to the private open space of unit 19;
  - (l) relocation of kitchen window in unit number 15 to limit overlooking into the private open space area of unit 16;
  - (m) first floor west facing bedroom windows of units 20-27 to be redesigned to reduce direct interface (inter looking) with elevated walkway;
  - (n) the walkway area outside of the front door of unit 28 to be screened to provide some protection from overlooking to the private open space of unit 18 below;
  - (o) provision of a demolition and reconstruction/relocation plan for the footbridge. The plan must be prepared in consultation with a heritage architect (or suitably experienced person) and must include:
    - (i) measured drawings for demolition;
    - (ii) measured drawings for reconstruction (including any modifications proposed);
    - (iii) method of relocation; and

- (iv) an engineer's report in relation to the relocation and reconstruction.
  - (p) a schedule of all external materials and finishes to show materials, colours (including colour and material samples) and finishes to all external wall, roof, fascias, window frames, glazing types, doors, fences paving, outbuildings and structures.
2. Endorsed Plans  
All development and use must accord with the endorsed plans. Any alterations must be approved by the Responsible Authority.
  3. Demolition and Reconstruction of Footbridge to be complied with:  
The demolition and reconstruction plan for the footbridge, required by condition 1(o) above must be complied with and all works and supporting documentation must be carried out at the full cost to the permit applicant.
  4. Photographic record of Footbridge  
Prior to the demolition of the existing footbridge, a photographic record of the footbridge (in its context and in detail) shall be prepared. The photographs shall be submitted in black and white medium format and should be taken by a suitably experienced heritage photographer. The photographs are to be submitted to Council for historical recording and should be organised in consultation with Council's Heritage Advisor.
  5. Landscape Bond  
Prior to the commencement of works, a bond of no less than 5% of the total landscaping value must be submitted to the Responsible Authority. This bond will be returned in full no later than 3 months after the satisfactory completion of these works and subject to an Inspection by Council.
  6. Implementation of Tree Management Plan  
The implementation of the tree management plan required by condition 1(j) must be overseen by a qualified arborist.
  7. Bridge Bond/ Section 173 Agreement  
Prior to the commencement of relocation of the footbridge in accordance with the measured drawings and relocation and reconstruction plan, the applicant must enter into a Section 173 agreement with the Responsible Authority under the *Planning and Environment Act, 1987*. The cost of preparing and lodging this agreement shall be borne by the applicant. The agreement will provide for:
    - (a) the removal, relocation and restoration of the existing footbridge to Mooraduc Railway Station (or alternative location to be agreed to in writing by the Responsible Authority) at the full cost of the permit holder;
    - (b) an application to be made for a Planning Scheme Amendment to Mornington Shire Council for the inclusion of the bridge within a Heritage Overlay. The application is to be made by, and at the cost of the permit applicant; and
    - (c) the provision of a \$50,000 (AUS) bond to be held in a solicitor's trust fund for refund upon satisfactory completion of re-erection of the bridge (to be confirmed in writing by the Responsible Authority).

8. **Cost of construction of pathway**  
All costs associated with the construction of the 3.0 metre wide pathway within the Edinburgh Gardens must be borne by the permit holder. Works must be completed prior to the occupation of dwellings referenced as 11 – 17 on the endorsed plan unless by further written consent of the Responsible Authority.
9. **Environmental Audit**  
Before building or works are constructed or carried out in association with the development hereby approved, either:
  - (a) a Certificate of Environmental Audit or a statement indicating the land is suitable for a sensitive use (child care centre) must be issued for the land in accordance with Section 57AA(5)(b) of the *Environment Protection Act 1970*; or
  - (b) an environmental auditor appointed under the *Environment Protection Act 1970* must make a statement in accordance with Section 57AA(5)(b) of the Act that the environmental conditions of the land are suitable for the proposed sensitive use.
10. **Audit to be Carried Out and confirmed in writing.**  
Prior to the occupation of dwellings a letter must be submitted to the Responsible Authority by an Environmental Auditor accredited with the EPA, to advise that all construction and remediation works necessary and required by an environmental audit or statement have been carried out.
11. **Soil Removal**  
Any soil removal from the site during the construction phase should comply with EPA requirements for off-site disposal for potentially contaminated soil (ie. EPA Publication No. 626, October 1998).
12. **Car Parking**  
No fewer than 15 car spaces must be provided on the land for the use and development at all times.
13. **Car Parking Areas**  
All areas set aside for parked vehicles and access lanes as shown on the endorsed plans must be:
  - (a) used for no other purpose;
  - (b) formed to levels, constructed, line marked, sealed, illuminated and drained to specifications approved by the Responsible Authority; and
  - (c) maintained at all times to the satisfaction of the Responsible Authority.
14. **Vehicle Crossings**  
Any existing vehicular crossing made redundant by the building and works depicted on the endorsed plans must be broken out and re-instated as standard footpath and kerb and channel to the approval and to the satisfaction of the Responsible Authority and at the permit holder's expense. Any new vehicular crossings must be constructed to Council's standard vehicular crossing specification.

15. **Construction of a footpath**  
At the cost of the permit holder, a footpath must be constructed along the western side of Jamieson Street, North Fitzroy. The new footpath must be constructed to the specifications of the Responsible Authority and will include a standard kerb and channel (if necessary to replace existing). The preparation of the specifications of the footpath and kerb and channel is to be done in conjunction with the Responsible Authority and will be to the satisfaction of the Responsible Authority.
16. **Line Marking and parking restrictions pole signs**  
Parallel car parking spaces must be provided (and marked if necessary) along the western side of Jamieson Street adjacent to the subject site and corresponding parking restriction pole signs must be installed. The works must be carried out at the cost of the permit holder to the specification and satisfaction of the Responsible Authority.
17. **Street Trees**  
Street trees will be provided within the road reserve or footpath following discussions with Council's Coordinator Open Space Unit and to the satisfaction of the Responsible Authority. All costs are to be borne by the permit holder.
18. **Outdoor Lighting**  
Outdoor lighting must be designed, baffled and located to the satisfaction of the Responsible Authority to prevent any adverse effect on nearby land.
19. **Garbage Collection**  
Rubbish, including bottles and packaging material, shall at all times be stored within the building and screened from external view. All waste collection to be undertaken by private contractors.
20. **Stormwater**  
Stormwater drainage to be provided to the nearest Council pit of adequate depth and capacity to the satisfaction of the responsible Authority.
21. **Construction Management Plan**  
Prior to the commencement of construction or any works on the site (including demolition and material removal) the applicant must submit for approval to the Responsible Authority a Construction Management Plan in line with the requirements of the City of Yarra's Building Code of Practice. The plan must address, but not be limited to following:
  - (a) site contamination and disposal of contaminated matter;
  - (b) containment of dust, dirt and mud within the site and method and frequency of clean up procedures in the event of build up of matter outside of the site;
  - (c) on site facilities for vehicle washing;
  - (d) parking facilities for construction workers;
  - (e) delivery and unloading points and expected frequency;
  - (f) a liaison officer for contact by residents and the Responsible Authority in the event of relevant queries or problems experienced;
  - (g) an outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services; and

- (h) protection works necessary for the preservation and remediation of any damage to the Edinburgh Gardens (limited to an area proximate to the development site).

22. Construction

During the construction phase of the development, the following conditions shall be met:

- (a) only clean rainwater shall be discharged to the stormwater drainage system;
- (b) stormwater drainage system protection measures shall be installed as required to ensure that no solid waste, sediment, sand, soil, clay or stones from the premises enters the stormwater drainage system;
- (c) vehicle borne material from the premises shall not accumulate on the roads abutting the site;
- (d) all machinery and equipment must be cleaned (if required) on site and not on adjacent footpaths or roads;
- (e) all litter (including items such as cement bags, food packaging and plastic strapping) must be contained within the site boundaries, and disposed of responsibly; and
- (f) all site operations shall comply with the *Environmental Protection (Residential Noise) Regulations 1997*.

23. Construction Hours and Noise

Except with the written consent of the Responsible Authority, demolition or construction works must only be carried out between: 7 am - 6 pm, Monday-Friday (excluding public holidays) and 9 am - 5 pm, Saturday and public holidays. No work is to be carried out on Sundays, ANZAC Day, Christmas Day or Good Friday without a specific permit. All site operations must comply with the relevant Environmental Protection Authority's Guidelines on Construction and Demolition Noise.

24. Time Limits

This permit will expire if the use or development is not commenced within two years from the date of this permit. All development must be completed within four years from the date of this permit. The Responsible Authority may approve extensions to these time limits if requests are made within three months of expiry.

Note: Building Permits

A building permit must be obtained before development is commenced.

Note: Heritage Overlay

This property is covered by a Heritage Overlay. A planning permit is required for any demolition (other than approved as part of this permit, re-painting, sandblasting, exterior works, subdivision or consolidation of land).

Note: Drainage

The site must be drained to the legal point of discharge to the satisfaction of the Responsible Authority.

**Note: Road Reserve**

Council approval must be obtained for any works on, or occupation of, the road reserve.

**Note: Co-ordinator Open Space**

The approval of the Co-ordinator is to be obtained for any works pertaining to the removal of street trees. Approval will also be sought for any works on the footpath within 4 metres of a street tree.

**Submissions:**

The applicant, Ms Susan Farrugia addressed the Committee.

Ms Karen McWilliam, representing the applicant, also addressed the Committee.

Mr David Bishop also addressed the Committee.

**INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION**

**Moved:** Councillor Lai

**Seconded:** Councillor Barber

That having considered all objections and relevant planning documents, the Committee resolves to issue a Notice of Decision to Grant a Permit to land at 55 Jamieson Street, North Fitzroy for the demolition (relocation) of the existing footbridge and the construction of 32 residential dwellings (one and two storeys and a reduction in the associated car parking requirement of the Planning Scheme in accordance with endorsed plans subject to the following conditions.

1. Amended Plans

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- (a) the location of any air conditioning units associated with the individual dwellings;
- (b) existing bollard on eastern side of Jamieson Street to be retained in situ;
- (c) existing three cast iron bollards to the west of the site to be notated as being retained in situ;
- (d) specification of proposed fencing. Fencing should be painted charcoal grey;
- (e) provision of a 3.0 metre wide asphalt pathway around the Edinburgh Gardens frontage (and within the Gardens). The path location and design specification shall be worked out in consultation with Council's open Space planning branch;
- (f) the colour of the balustrading to be generally dark in tone and to the satisfaction of Council's Heritage Advisor;

- (g) proposed timber screens to be grey finish or painted in a muted colour;
- (h) car parking bays and aisle widths to be dimensioned to be in accordance with standard B16 of Clause 55 (Rescode) of the Yarra Planning Scheme, for 90° car parking, or an alternative to the satisfaction of Council's Traffic Engineers;
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  - (v) the location of all areas to be covered by lawn or other surface materials;
  - (vi) a specification of works to be undertaken prior to planting, including the installation of an irrigation system;
  - (vii) any existing trees (or vegetation) to be removed to be clearly marked on plan; and
  - (viii) the provision of any outdoor lighting within the development.
- (j) a tree management for application during the construction period must be submitted for endorsement. The plan must be prepared by a qualified arborist and include plans to indicate the area around mature trees to be isolated during demolition and construction works. The plan/strategy must also include an indication of any necessary pruning works for construction and soil amelioration works;
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- (l) relocation of kitchen window in unit number 15 to limit overlooking into the private open space area of unit 16;
- (m) first floor west facing bedroom windows of units 20-27 to be redesigned to reduce direct interface (inter looking) with elevated walkway;
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- (o) provision of a demolition and reconstruction/relocation plan for the footbridge. The plan must be prepared in consultation with a heritage architect (or suitably experienced person) and must include:
    - (i) measured drawings for demolition;
    - (ii) measured drawings for reconstruction (including any modifications proposed);
    - (iii) method of relocation; and
    - (iv) an engineer's report in relation to the relocation and reconstruction.
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  7. Bridge Bond/ Section 173 Agreement  
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- (a) the removal, relocation and restoration of the existing footbridge to Mooraduc Railway Station (or alternative location to be agreed to in writing by the Responsible Authority) at the full cost of the permit holder;
  - (b) an application to be made for a Planning Scheme Amendment to Mornington Shire Council for the inclusion of the bridge within a Heritage Overlay. The application is to be made by, and at the cost of the permit applicant; and
  - (c) the provision of a \$50,000 (AUS) bond to be held in a solicitor's trust fund for refund upon satisfactory completion of re-erection of the bridge (to be confirmed in writing by the Responsible Authority).
8. Cost of construction of pathway  
All costs associated with the construction of the 3.0 metre wide pathway within the Edinburgh Gardens must be borne by the permit holder. Works must be completed prior to the occupation of dwellings referenced as 11 – 17 on the endorsed plan unless by further written consent of the Responsible Authority.
9. Environmental Audit  
Before building or works are constructed or carried out in association with the development hereby approved, either:
- (a) a Certificate of Environmental Audit or a statement indicating the land is suitable for a sensitive use (child care centre) must be issued for the land in accordance with Section 57AA(5)(b) of the *Environment Protection Act 1970*; or
  - (b) an environmental auditor appointed under the *Environment Protection Act 1970* must make a statement in accordance with Section 57AA(5)(b) of the Act that the environmental conditions of the land are suitable for the proposed sensitive use.
10. Audit to be Carried Out and confirmed in writing.  
Prior to the occupation of dwellings a letter must be submitted to the Responsible Authority by an Environmental Auditor accredited with the EPA, to advise that all construction and remediation works necessary and required by an environmental audit or statement have been carried out.
11. Soil Removal  
Any soil removal from the site during the construction phase should comply with EPA requirements for off-site disposal for potentially contaminated soil (ie. EPA Publication No. 626, October 1998).
12. Car Parking  
No fewer than 15 car spaces must be provided on the land for the use and development at all times.
13. Car Parking Areas  
All areas set aside for parked vehicles and access lanes as shown on the endorsed plans must be:
- (a) used for no other purpose;
  - (b) formed to levels, constructed, line marked, sealed, illuminated and drained to specifications approved by the Responsible Authority; and

- (c) maintained at all times to the satisfaction of the Responsible Authority.
14. **Vehicle Crossings**  
Any existing vehicular crossing made redundant by the building and works depicted on the endorsed plans must be broken out and re-instated as standard footpath and kerb and channel to the approval and to the satisfaction of the Responsible Authority and at the permit holder's expense. Any new vehicular crossings must be constructed to Council's standard vehicular crossing specification.
  15. **Construction of a footpath**  
At the cost of the permit holder, a footpath must be constructed along the western side of Jamieson Street, North Fitzroy. The new footpath must be constructed to the specifications of the Responsible Authority and will include a standard kerb and channel (if necessary to replace existing). The preparation of the specifications of the footpath and kerb and channel is to be done in conjunction with the Responsible Authority and will be to the satisfaction of the Responsible Authority.
  16. **Line Marking and parking restrictions pole signs**  
Parallel car parking spaces must be provided (and marked if necessary) along the western side of Jamieson Street adjacent to the subject site and corresponding parking restriction pole signs must be installed. The works must be carried out at the cost of the permit holder to the specification and satisfaction of the Responsible Authority.
  17. **Street Trees**  
Street trees will be provided within the road reserve or footpath following discussions with Council's Coordinator Open Space Unit and to the satisfaction of the Responsible Authority. All costs are to be borne by the permit holder.
  18. **Outdoor Lighting**  
Outdoor lighting must be designed, baffled and located to the satisfaction of the Responsible Authority to prevent any adverse effect on nearby land.
  19. **Garbage Collection**  
Rubbish, including bottles and packaging material, shall at all times be stored within the building and screened from external view. All waste collection to be undertaken by private contractors unless the applicant can prove to the satisfaction of the Responsible Authority that collection can be undertaken by Council services in accordance with their relevant policies.
  20. **Stormwater**  
Stormwater drainage to be provided to the nearest Council pit of adequate depth and capacity to the satisfaction of the responsible Authority.

21. Construction Management Plan

Prior to the commencement of construction or any works on the site (including demolition and material removal) the applicant must submit for approval to the Responsible Authority a Construction Management Plan in line with the requirements of the City of Yarra's Building Code of Practice. The plan must address, but not be limited to following:

- (a) site contamination and disposal of contaminated matter;
- (b) containment of dust, dirt and mud within the site and method and frequency of clean up procedures in the event of build up of matter outside of the site;
- (c) on site facilities for vehicle washing;
- (d) parking facilities for construction workers;
- (e) delivery and unloading points and expected frequency;
- (f) a liaison officer for contact by residents and the Responsible Authority in the event of relevant queries or problems experienced;
- (g) an outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services; and
- (h) protection works necessary for the preservation and remediation of any damage to the Edinburgh Gardens (limited to an area proximate to the development site).

22. Construction

During the construction phase of the development, the following conditions shall be met:

- (a) only clean rainwater shall be discharged to the stormwater drainage system;
- (b) stormwater drainage system protection measures shall be installed as required to ensure that no solid waste, sediment, sand, soil, clay or stones from the premises enters the stormwater drainage system;
- (c) vehicle borne material from the premises shall not accumulate on the roads abutting the site;
- (d) all machinery and equipment must be cleaned (if required) on site and not on adjacent footpaths or roads;
- (e) all litter (including items such as cement bags, food packaging and plastic strapping) must be contained within the site boundaries, and disposed of responsibly; and
- (f) all site operations shall comply with the *Environmental Protection (Residential Noise) Regulations 1997*.

23. Construction Hours and Noise

Except with the written consent of the Responsible Authority, demolition or construction works must only be carried out between: 7 am - 6 pm, Monday-Friday (excluding public holidays) and 9 am - 5 pm, Saturday and public holidays. No work is to be carried out on Sundays, ANZAC Day, Christmas Day or Good Friday without a specific permit. All site operations must comply with the relevant Environmental Protection Authority's Guidelines on Construction and Demolition Noise.

24. Time Limits

This permit will expire if the use or development is not commenced within two years from the date of this permit. All development must be completed within four years from the date of this permit. The Responsible Authority may approve extensions to these time limits if requests are made within three months of expiry.

Note: Building Permits

A building permit must be obtained before development is commenced.

Note: Heritage Overlay

This property is covered by a Heritage Overlay. A planning permit is required for any demolition (other than approved as part of this permit, re-painting, sandblasting, exterior works, subdivision or consolidation of land).

Note: Drainage

The site must be drained to the legal point of discharge to the satisfaction of the Responsible Authority.

Note: Road Reserve

Council approval must be obtained for any works on, or occupation of, the road reserve.

Note: Co-ordinator Open Space

The approval of the Co-ordinator is to be obtained for any works pertaining to the removal of street trees. Approval will also be sought for any works on the footpath within 4 metres of a street tree.

**CARRIED**

**PROCEDURAL MOTION**

**Moved:** Councillor Lai

**Seconded:** Councillor Barber

That the meeting be adjourned.

**CARRIED**

The Meeting adjourned at 6.28pm.

The Meeting reconvened at 6.31pm.

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- 2. 78 Oxford Street, Collingwood – Planning Permit Application No. PL02/0636 (Part demolition, alterations and additions (four stories plus basement) to establish 39 dwellings and partial waiver of car parking requirements).**
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### **RECOMMENDATION**

That having considered all objections and relevant planning documents, the Committee resolves to issue a Notice of Decision to Grant a Planning Permit at 78 Oxford Street, Collingwood for the conversion and extension of the existing building into 39 apartments over four levels plus basement including partial waiver of car parking requirements and part demolition.

1. Before the use and/or development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the application plans, but modified to show:
  - (a) car parking allocation schedule.
2. All development and use must accord with the endorsed plans. Any alterations must be approved by the Responsible Authority.
3. Before buildings or works are constructed or carried out in accordance with this permit, either:
4. Certificate of Environmental Audit or a statement indicating the land is suitable for residential use must be issued for the land in accordance with Section 57AA(5)(b) of the *Environment Protection Act* 1970; or
5. An environmental auditor appointed under the *Environment Protection Act* 1970 must make a statement in accordance with Section 57AA(5)(b) of the Act that the environmental conditions of the land are suitable for the proposed sensitive use.
6. Refuse collection to be made by private contractors.
7. No fewer than 48 car spaces must be provided on the land for the use and development at all times. This is inclusive of the 15 car parking spaces provided on the ancillary title attached to 78 Oxford Street.
8. The car parking area must be used for no other purpose and be maintained at all times to the satisfaction of the Responsible Authority.
9. Any damaged road(s) and footpath(s) adjacent to the development site must be reinstated to the satisfaction of the Responsible Authority.

10. Except with the written consent of the Responsible Authority, demolition or construction works must only be carried out between: 7 am - 6 pm, Monday-Friday (excluding public holidays) and 9 am - 5 pm, Saturday and public holidays. No work is to be carried out on Sundays, ANZAC Day, Christmas Day or Good Friday without a specific permit. All site operations must comply with the relevant Environmental Protection Authority's Guidelines on Construction and Demolition Noise.
11. This permit will expire if the use or development is not commenced within two years from the date of this permit. All development must be completed within four years from the date of this permit. The Responsible Authority may approve extensions to these time limits if requests are made within three months of expiry.

NOTE: The site must be drained to the legal point of discharge to the satisfaction of the Responsible Authority.

NOTE: This site is subject to a Heritage Overlay pursuant to the Yarra Planning Scheme. Unless hereby approved, a planning permit is required for any demolition, re-painting or other external alterations, sandblasting, exterior works (including the installation of external airconditioning units, solar panels, and any other heating/cooling units) to an existing building or buildings, construction of a building or fence, changes to the natural topography of the land or the subdivision or consolidation of land.

NOTE: A building permit must be obtained before development is commenced.

NOTE: Storm water drainage of the property must be provided to the nearest Council pit.

NOTE: Areas must be provided inside the property line and adjacent to the footpath to accommodate pits and metres.

NOTE: In accordance with Council policy, a 5% public open space contribution may apply in the event of the subdivision of the land.

NOTE: The requirements of the *Heritage Act* 1995 including the issue of a permit (P6177) under that Act, must be satisfied prior to the commencement of development.

### Submissions

The Applicant, Mr Rob Kelderman addressed the Committee.

Mr Greg O'Shea and Mr Ashley Murdock, representing the applicant, also addressed the Committee.

Mr Roger Van Wensveen also addressed the Committee.

## INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION

**Moved:** Councillor Lai

**Seconded:** Councillor Barber

That having considered all objections and relevant planning documents, the Committee resolves to issue a Notice of Decision to Grant a Planning Permit at 78 Oxford Street, Collingwood for the conversion and extension of the existing building into 39 apartments over four levels plus basement including partial waiver of car parking requirements and part demolition.

1. Before the use and/or development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the application plans, but modified to show:
  - (a) a minimum of 14 lockable bicycle stores to be located within the basement car park to the satisfaction of the Responsible Authority;  
and
  - (b) a car parking allocation schedule which provides a minimum of 1 car space per unit.
2. All 48 car parking spaces shown (inclusive of the 15 car parking spaces provided on the ancillary title attached to 78 Oxford Street) must be provided solely for the use of the residential development at 78 Oxford Street and cannot be sold or used by any other property.
3. All development and use must accord with the endorsed plans. Any alterations must be approved by the Responsible Authority.
4. Before buildings or works are constructed or carried out in accordance with this permit, either:
  - (a) Certificate of Environmental Audit or a statement indicating the land is suitable for residential use must be issued for the land in accordance with Section 57AA(5)(b) of the *Environment Protection Act 1970*; or
  - (b) An environmental auditor appointed under the *Environment Protection Act 1970* must make a statement in accordance with Section 57AA(5)(b) of the Act that the environmental conditions of the land are suitable for the proposed sensitive use.
5. Refuse collection to be made by private contractors.
6. The car parking area must be used for no other purpose and be maintained at all times to the satisfaction of the Responsible Authority.
7. Any damaged road(s) and footpath(s) adjacent to the development site must be reinstated to the satisfaction of the Responsible Authority.

8. Except with the written consent of the Responsible Authority, demolition or construction works must only be carried out between: 7 am - 6 pm, Monday-Friday (excluding public holidays) and 9 am - 5 pm, Saturday and public holidays. No work is to be carried out on Sundays, ANZAC Day, Christmas Day or Good Friday without a specific permit. All site operations must comply with the relevant Environmental Protection Authority's Guidelines on Construction and Demolition Noise.
9. This permit will expire if the use or development is not commenced within two years from the date of this permit. All development must be completed within four years from the date of this permit. The Responsible Authority may approve extensions to these time limits if requests are made within three months of expiry.

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NOTE: This site is subject to a Heritage Overlay pursuant to the Yarra Planning Scheme. Unless hereby approved, a planning permit is required for any demolition, re-painting or other external alterations, sandblasting, exterior works (including the installation of external airconditioning units, solar panels, and any other heating/cooling units) to an existing building or buildings, construction of a building or fence, changes to the natural topography of the land or the subdivision or consolidation of land.

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NOTE: The requirements of the *Heritage Act* 1995 including the issue of a permit (P6177) under that Act, must be satisfied prior to the commencement of development.

**CARRIED**

The meeting closed at 7.05pm.

**Confirmed this 5<sup>th</sup> day of February 2003**

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**Chairperson**