



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

**held on Wednesday 8 April 2015 at 6.30pm
in Meeting Room 3 at the Richmond Town Hall**

I. ATTENDANCE

Councillor Stephen Jolly
Councillor Simon Huggins
Councillor Misha Coleman (substitute for Cr Gaylard)

Matt Cohen (Co-ordinator Statutory Planning)
John Theodosakis (Senior Statutory Planner)
Vicky Grillakis (Senior Statutory Planner)
Cindi Johnston (Governance Officer)

II. APOLOGIES AND LEAVE OF ABSENCE

Councillor Sam Gaylard

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

IV. CONFIRMATION OF MINUTES

Internal Development Approvals Committee Resolution:

Moved: Councillor Jolly **Seconded:** Councillor Huggins

That the minutes of the meeting of the Internal Development Approvals Committee held on Wednesday 25 March 2015 be confirmed.

CARRIED

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



Guidelines for public participation at Internal Development Approval Committee meetings

POLICY

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

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

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

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

**Governance Branch
2008**

Councillor Jolly nominated Councillor Huggins as Chairperson.

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

Councillor Huggins assumed the Chair.

1. INTERNAL DEVELOPMENT APPROVALS COMMITTEE

Item		Page	Res. Page
1.1	PLN14/0585 - 65-69 Keele Street Collingwood VIC 3066 - Develop the land by the construction of a four-storey residential building (containing 17 dwellings) with basement car park, and a reduction in car parking	6	12
1.2	PLN14/0860 - 7 & 9 - 15 Little Oxford Street Collingwood - Use and development of the land for the construction of an eight-storey (plus basement) building with ground floor, food and drinks premises (cafe) and 29 dwellings above (permit required for dwelling use only), a reduction in car parking requirement and a waiver of the loading bay requirement.	20	25
1.3	PLN14/0286 - 2 Yarralea Street Alphington - Development of the land for the construction of one additional dwelling on the lot.	26	28
1.4	PLN14/0789 - 8 & 10-12 Sherwood Street, Richmond	30	32
1.5	PLN14/0967 - 228 Swan Street, Cremorne	36	38

1.1 PLN14/0585 - 65-69 Keele Street Collingwood VIC 3066 - Develop the land by the construction of a four-storey residential building (containing 17 dwellings) with basement car park, and a reduction in car parking

Trim Record Number: D15/31095

Responsible Officer: Coordinator Statutory Planning

RECOMMENDATION

That having considered all relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant a Permit for PLN14/0585 to develop the land by the construction of a four-storey residential building and a reduction in car parking requirement at 65-69 Keele Street Collingwood, generally in accordance with the plans dated 30 June 2014, and subject to the following conditions:

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and two copies must be provided. The plans must be generally in accordance with the plans received by Council on 30 June, 2014, but modified to show:
 - (a) Deletion of the third / top floor (Unit 17) and associated terraces;
 - (b) The parapet wall to be a single level on all facades with a maximum height of 0.5m above the ceiling level of the second-floor;
 - (c) Reallocation of the car space for Unit 17 as a "Visitor's Car Space";
 - (d) Plans to show the location of the 8,000 Litre rainwater tank with a notation that it will be connected to all ground and first-floor toilets;
 - (e) The following ESD features to be shown on plans:
 - (i) Adjustable window shading devices;
 - (ii) location of individual water meters;
 - (iii) Openable windows to all habitable rooms;
 - (iv) Double-glazed windows;
 - (v) Roof mounted PV array for communal areas; and
 - (vi) demonstration of naturally ventilated corridors.
 - (f) Units 3, 4 and 5 at ground-floor to have street numbers on the pedestrian gates at Wellington Street interface;
 - (g) All car parking spaces to have wheel stops;
 - (h) The garbage collection area to be off-set 300mm from parking bay 6;
 - (i) A cross-section of the basement ramp from the centre of Keele Street to the first 5m within the property, showing kerb and channel, demonstrating that a car will not bottom out entering and exiting the premises;
 - (j) The car park ramp to contain sufficient drainage to ensure that run-off does not enter the basement;
 - (k) The eastern wall of the first-floor to be setback a minimum of 1.84m along its whole length;

- (l) The eastern wall of Units 14 and 16 to be setback a minimum of 4m from the eastern boundary and the internal reconfiguration of the second-floor accordingly;
 - (m) The balcony of Unit 14 to be setback 1m from the southern boundary;
 - (n) All elevations corrected to accurately show the location of walls and windows as per the floor plans;
 - (o) The windows and balconies of Units 14 and 16 to be screened to comply with Standard B22, with cross-sections of all balcony screening to demonstrate compliance with standard B22 of clause 55 of the Yarra Planning Scheme;
 - (p) The courtyards / terraces / balconies of all Units to demonstrate compliance with Standard B23 of clause 55 of the Yarra Planning Scheme.
 - (q) All air-conditioning units to be shown on plans and elevations and to be suitably screened if visible from the street.
 - (r) Provision of over-bonnet storage for each apartment, confirming a minimum of 6m³ to each unit;
 - (s) A full colour set of elevations clearly showing all materials;
 - (t) Construction of a 0.6m high masonry wall to the ground-floor planting on Wellington Street (to match the planter wall on Keele Street) with a cross-section of the vertical garden planter and its irrigation system;
 - (u) Creation of a visibility splay to the top of the basement ramp with the planting to the eastern and western perimeter of the ramp for a distance of 3m from the footpath be of low growing plants and maintained to the satisfaction of the Responsible Authority; and
 - (v) An area for pits, valves and metres (including individual water metres for each dwelling) to be shown within the site boundaries.
2. The development and use 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. The provisions, recommendations and requirements of the Sustainable Design Assessment must be implemented and complied with to the satisfaction of the Responsible Authority.
4. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the 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.
 - (e) Internal ramp grades confirming compliance with AS/NZS2890.1:2004
- to the satisfaction of the Responsible Authority.

5. 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 basement car park, pedestrian walkway, laneway and 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 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.
7. 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.

Site contamination

8. Before the construction of the development authorised by this permit commences, 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; and
 - (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.
9. If the assessment required by condition 8 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.
10. If the assessment required by condition 8 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 commences, the Environmental Auditor appointed under section 53S of the 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.

11. If, pursuant to condition 10, a Statement is issued:
 - (a) the 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 (pre-commencement conditions);
 - (c) 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 pre-commencement conditions have been complied with must be submitted to the responsible authority.
 - (d) 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 of the land) 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
 - (e) 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).

Landscape Plan

12. An updated landscape plan providing detail of the proposed street trees, to be provided at the permit holder's cost, showing footpath detail, fill material and street selection, all to the satisfaction of the Responsible Authority;
13. 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 at the permit holder's expense and completed to the satisfaction of the Responsible Authority.
14. 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.

Waste Management

15. Before the development commences, a Waste Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. Once approved, the Waste Management Plan will be endorsed and will form part of this permit.

Engineering

16. 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.
17. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the footpaths along both Keele Street and Wellington Street frontages must be reconstructed:
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority
18. 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) at the permit holder's cost; and
 - (c) 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, any redundant vehicular crossing must be demolished and reinstated as standard footpath and kerb and channel:
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.

Construction

20. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
 - (a) before 7.00 am or after 6.00 pm, Monday-Friday (excluding public holidays);
 - (b) before 9.00 am or after 3.00 pm, Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday); or
 - (c) at any time on Sundays, ANZAC Day, Christmas Day and Good Friday.
21. Before the use and 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; and
- (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.
- (r) during the construction:
 - (i) any stormwater discharged into the stormwater drainage system must be in compliance with Environment Protection Authority guidelines;
 - (ii) 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;
 - (iii) vehicle borne material must not accumulate on the roads abutting the land;
 - (iv) 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 limits

22. 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.

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 maybe required before development is commenced. Please contact Council's Building Services on 9205 5095 to confirm.

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

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

In accordance with the Yarra Planning Scheme, a 4.5 per cent public open space contribution will apply in the event of the subdivision of the land.

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.

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.

Submissions

The Applicant, Mr George Petridis addressed the Committee.

The following people also addressed the Committee:

*Mr Frank Zammit;
Mr Wol Pidriz;
Mr John Grant; and
Mr Fred Wood.*

INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION

Moved: Councillor Jolly

Seconded: Councillor Coleman

That having considered all relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant a Permit for PLN14/0585 to develop the land by the construction of a four-storey residential building and a reduction in car parking requirement at 65-69 Keele Street Collingwood, generally in accordance with the plans dated 30 June 2014, and subject to the following conditions:

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and two copies must be provided. The plans must be generally in accordance with the plans received by Council on 30 June, 2014, but modified to show:
 - (a) Deletion of the third / top floor (Unit 17) and associated terraces;
 - (b) The parapet wall to be a single level on all facades with a maximum height of 0.5m above the ceiling level of the second-floor;

- (c) Reallocation of the car space for Unit 17 as a “Visitor’s Car Space”;
- (d) Plans to show the location of the 8,000 Litre rainwater tank with a notation that it will be connected to all ground and first-floor toilets. The rainwater tank to be screened from all street views to the satisfaction of the Responsible Authority;
- (e) The following ESD features to be shown on plans:
 - (i) Adjustable window shading devices;
 - (ii) Location of individual water meters (screened from street view to the satisfaction of the Responsible Authority);
 - (iii) Openable windows to all habitable rooms;
 - (iv) Double-glazed windows;
 - (v) Roof mounted PV array for communal areas; and
 - (vi) demonstration of naturally ventilated corridors.
- (f) Units 3, 4 and 5 at ground-floor to have street numbers on the pedestrian gates at Wellington Street interface;
- (g) All car parking spaces to have wheel stops;
- (h) The garbage collection area to be off-set 300mm from parking bay 6;
- (i) A cross-section of the basement ramp from the centre of Keele Street to the first 5m within the property, showing kerb and channel, demonstrating that a car will not bottom out entering and exiting the premises;
- (j) The car park ramp to contain sufficient drainage to ensure that run-off does not enter the basement;
- (k) The eastern wall of the first-floor to be setback a minimum of 1.84m along its whole length;
- (l) The eastern wall of Units 15 and 16 to be setback a minimum of 4m from the eastern boundary and the internal reconfiguration of the second-floor accordingly;
- (m) The balcony of Unit 14 to be setback 1m from the southern boundary;
- (n) All elevations corrected to accurately show the location of walls and windows as per the floor plans;
- (o) The windows and balconies of Units 11, 12, 14, 15 and 16 to be screened to comply with Standard B22, with cross-sections of all balcony screening to demonstrate compliance with standard B22 of clause 55 of the Yarra Planning Scheme;
- (p) The courtyards / terraces / balconies of all Units to demonstrate compliance with Standard B23 of clause 55 of the Yarra Planning Scheme.
- (q) All air-conditioning units to be shown on plans and elevations and to be suitably screened if visible from the street and screened from properties to the east and south;
- (r) Provision of over-bonnet storage for each apartment, confirming a minimum of 6m³ to each unit;
- (s) A full colour set of elevations clearly showing all materials;

- (t) Construction of a 0.6m high masonry wall to the ground-floor planting on Wellington Street (to match the planter wall on Keele Street) with a cross-section of the vertical garden planter and its irrigation system;
 - (u) Creation of a visibility splay to the top of the basement ramp with the planting to the eastern and western perimeter of the ramp for a distance of 3m from the footpath be of low growing plants and maintained to the satisfaction of the Responsible Authority; and
 - (v) An area for pits, valves and metres (including individual water metres for each dwelling) to be shown within the site boundaries and screened from the street to the satisfaction of the Responsible Authority.
2. The development and use 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. The provisions, recommendations and requirements of the Sustainable Design Assessment must be implemented and complied with to the satisfaction of the Responsible Authority.
4. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the 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.
 - (e) Internal ramp grades confirming compliance with AS/NZS2890.1:2004
- to the satisfaction of the Responsible Authority.
5. 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 basement car park, pedestrian walkway, laneway and 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 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.
7. 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.

Site contamination

8. Before the construction of the development authorised by this permit commences, 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; and
 - (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.
9. If the assessment required by condition 8 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.
10. If the assessment required by condition 8 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 commences, the Environmental Auditor appointed under section 53S of the 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.
11. If, pursuant to condition 10, a Statement is issued:
 - (a) the 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 (pre-commencement conditions);
 - (c) 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 pre-commencement conditions have been complied with must be submitted to the responsible authority.
 - (d) 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 of the land) 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
- (e) 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).

Landscape Plan

12. An updated landscape plan providing detail of the proposed street trees, to be provided at the permit holder's cost, showing footpath detail, fill material and street selection, all to the satisfaction of the Responsible Authority;
13. 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 at the permit holder's expense and completed to the satisfaction of the Responsible Authority.
14. All landscaping shown on the endorsed Landscape Plan must be suitably 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;
 - (c) replacing any dead, diseased, dying or damaged plants; and
 - (d) the maintenance of all irrigation systems;
- to the satisfaction of the Responsible Authority

Waste Management

15. Before the development commences, a Waste Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. Once approved, the Waste Management Plan will be endorsed and will form part of this permit.

Engineering

16. 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.
17. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the footpaths along both Keele Street and Wellington Street frontages must be reconstructed:
- (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority
18. 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) at the permit holder's cost; and
- (c) 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, any redundant vehicular crossing must be demolished and re-instated as standard footpath and kerb and channel:

- (a) at the permit holder's cost; and
- (b) to the satisfaction of the Responsible Authority.

Construction

20. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:

- (a) before 7.00 am or after 6.00 pm, Monday-Friday (excluding public holidays);
- (b) before 9.00 am or after 3.00 pm, Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday); or
- (c) at any time on Sundays, ANZAC Day, Christmas Day and Good Friday.

21. Before the use and 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; and

- (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.
- (r) during the construction:
 - (i) any stormwater discharged into the stormwater drainage system must be in compliance with Environment Protection Authority guidelines;
 - (ii) 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;
 - (iii) vehicle borne material must not accumulate on the roads abutting the land;
 - (iv) 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 limits

22. 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.

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 maybe required before development is commenced. Please contact Council's Building Services on 9205 5095 to confirm.

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

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

In accordance with the Yarra Planning Scheme, a 4.5 per cent public open space contribution will apply in the event of the subdivision of the land.

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.

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.

CARRIED UNANIMOUSLY

1.2 PLN14/0860 - 7 & 9 - 15 Little Oxford Street Collingwood - Use and development of the land for the construction of an eight-storey (plus basement) building with ground floor, food and drinks premises (cafe) and 29 dwellings above (permit required for dwelling use only), a reduction in car parking requirement and a waiver of the loading bay requirement.

Trim Record Number: D15/30539

Responsible Officer: Coordinator Statutory Planning

RECOMMENDATION

That having considered all objections and relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant a Planning Permit PLN14/0860 for the development and use of the land for the construction of a mixed-use building (including dwellings), reduction in car parking requirements and a waiver of loading bay requirements at 7 & 9-15 Little Oxford Street Collingwood, subject to the following conditions:

1. Before the use and development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the decision plans but modified to show:
 - (a) The reorientation of the north-facing balconies of Apartments 1.01 and 2.01 to the north-eastern corner of the site and facing Little Oxford Street.
 - (b) The reorientation of the north-facing balconies of Apartments 1.07 and 2.0 to the north-western corner of the site with a solid wall located on the splayed corner and return wall.
 - (c) Each dwelling as having storage cage/space with a capacity of at least 3 cubic meters.
 - (d) All balconies to have a width of at least 1.6m.
 - (e) All west-facing balconies and windows which have views into private open space areas or habitable room windows into the development at No. 86 Smith Street, screened to limit these views in accordance with Standard B22 of Clause 55 or Objective 2.9 of DSE Design Guidelines for Higher Density Residential Development.
 - (f) The inclusion of a window between the food and drinks premises and the pedestrian entry.
 - (g) The deletion of the proposed kerb outstand in Little Oxford Street.
 - (h) Alteration of the materials of the southern and eastern elevations of the sloped roof with the stair and circulation core as per the sketch plan provided on 23 January 2014.
 - (i) A roof plan showing all plant and equipment to be screened from views from Little Oxford Street.
 - (j) All habitable room windows as openable (except when required due to screening).
 - (k) All garage doors as being constructed of a patterned, visually permeable material.
 - (l) The inner and outer radii of the curved ramp and all lateral clearances.
 - (m) The bluestone invert in the laneways to the north, west and south as being kept intact.
 - (n) The deletion of the metal plate at the garage entrance.
 - (o) Details confirming that vehicles will not bottom out in the Right-of-Way.
 - (p) The finished floor levels along the parking area's slab (at rear) as being set 40mm higher than the edge of the bluestone Right of Way pavement.
 - (q) Any requirement of the endorsed ESD report (condition 4) (where relevant to show on plans).
 - (r) Any requirement of the endorsed acoustic report (condition 7) (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, Kennedy Nolan Architects 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. Before the use and 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 prepared by Ark Resources and dated 16 September 2014, but modified to include or show:

- (a) The provision of external, retractable shading to the glazing on the east, west and northern facades.
 - (b) The capacity of rainwater tank and the toilet connections to be annotated on the architectural drawings.
5. The provisions, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
6. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority. In the event that the proposed loading zone is not approved by Council, the Waste Management Plan must be amended to provide an alternative pick-up location to the satisfaction of the Responsible Authority
7. Before the use and development commences, an Acoustic Report to the satisfaction of the Responsible Authority must be prepared by a suitably qualified acoustic engineer and must be submitted to and approved by the Responsible Authority. When approved, the Acoustic Report will be endorsed and will form part of this permit. The Acoustic Report must assess the following:
 - (a) noise impact resulting from the proposed use and development to the surrounding properties.
 - (b) noise impacts from the surrounding non-residential uses (vehicles, trams, commercial premises and live-music entertainment venues) to the proposed use and development.

The acoustic report must make recommendations to limit the noise impacts in accordance with the State Environment Protection Policy (Control of noise from industry, commerce and trade) No. N-1 (SEPP N-1), State Environment Protection Policy (Control of music noise from public premises) No. N-2 (SEPP N-2) or any other requirement to the satisfaction of the Responsible Authority.

8. The provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.
9. Before the use and development commences, an amended Green Travel Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Green Travel Plan will be endorsed and will form part of this permit. The amended Green Travel Plan must be generally in accordance with the Green Travel Plan prepared by Cardno and dated 10 September 2014 but modified to include or show:
 - (a) the provision of travel smart maps.

10. The provisions, recommendations and requirements of the endorsed Green Travel Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
11. 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) at the permit holder's cost; and
 - (c) to the satisfaction of the Responsible Authority.
12. 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 and re-instated as standard footpath and kerb and channel:
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
13. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, 6 bike spaces must be installed on the Wellington Street footpath:
 - (a) at the permit holder's cost; and
 - (b) in a location and manner,to the satisfaction of the Responsible Authority.
14. 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.
15. 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.
16. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the car stackers must be installed in accordance with the manufacturer's specifications by a suitably qualified person. The car stackers must be maintained thereafter to the satisfaction of the Responsible Authority.
17. 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 basement car park, pedestrian and vehicular entrances, 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.

18. 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.
19. 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.
20. The use must comply at all times with the State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N-1).
21. The use must comply at all times with the State Environment Protection Policy – Control of Music Noise from Public Premises (SEPP N-2).
22. 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.
23. 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.
24. 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.
25. Before the use and 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.

26. 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; or
- (c) the use has not commenced within five 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 maybe required before development is commenced. Please contact Council's Building Services on 9205 5095 to confirm.

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.

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

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

In accordance with the Yarra Planning Scheme, a 4.5 per cent public open space contribution will apply in the event of the subdivision of the land.

Submissions

The Applicant, Mr Hugh Smythe addressed the Committee.

The following people also addressed the Committee:

*Mr Ned Vernon;
Ms Judy Nicholson;
Ms Linda Vernon;
Mr Bruce Kellett; and
Mr Sam Gugliotta.*

INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION

Moved: Councillor Jolly

Seconded: Councillor Coleman

That with respect to Planning Permit PLN14/0860, Council resolves to issue a Notice of Refusal for development and use of the land for the construction of a mixed-use building (including dwellings), reduction in car parking requirements and a waiver of loading bay requirements at 7 & 9-15 Little Oxford Street Collingwood, subject to the following grounds:

1. The proposal does not respect the character of the existing neighbourhood and fails to comply with policies within Clauses 15.01-2 (Urban Design Principles), 21.05-2 (Urban Design) and 22.10-3.2 (Urban Form and Character).

CARRIED UNANIMOUSLY

1.3 PLN14/0286 - 2 Yarralea Street Alphington - Development of the land for the construction of one additional dwelling on the lot.

Trim Record Number: D15/31021

Responsible Officer: Coordinator Statutory Planning

RECOMMENDATION

That having considered all objections and relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant a Planning Permit PLN14/0286 for the development of the land for the construction of one additional dwelling on the lot at 2 Yarralea Street Alphington, 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 two copies must be provided. The plans must be generally in accordance with the decision plans Council date stamped 09 April 2014 and 17 December 2014 showing the following changes:
 - (a) The provision of a canopy tree within the front setback of the proposed dwelling.
 - (b) The provision of a semi-transparent, brick pier and vertical or horizontal metal or timber infill fence to the front of the proposed dwelling, to be no higher than 1.5m and to be reflective of the character of the area.
 - (c) The location of letter boxes indicated on the ground floor plan.
 - (d) Removal of the existing vehicle crossover.
 - (e) Car space to new dwelling to be a minimum of 5.4m long.
 - (f) Elevations to depict detail of the proposed sheds to both dwellings not exceeding 3m in height.
 - (g) Detail of the fence separating the existing dwelling from the proposed dwelling to be a minimum 1.8m in height.
 - (h) A materials and colour schedule of proposed finishes to the dwelling and front fence.
 - (i) All plans to depict proposed rainwater tanks consistent with the detail provided with the STORM report.
2. The development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
3. Before the development is occupied, or by such later date as approved in writing by the Responsible Authority, all screening and other measures to prevent overlooking as shown on the endorsed plans must be installed to the satisfaction of the Responsible Authority. Once installed the screening and other measures must be maintained to the satisfaction of the Responsible Authority.
4. Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, all new on-boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.
5. Within 2 months of the completion of the development, or by such later date as approved in writing by the Responsible Authority, any redundant vehicular crossing must be demolished and re-instated as standard footpath and kerb and channel:
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.

6. Within 2 months of the completion of the development, 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. Within 2 months of the completion of the development, 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) at the permit holder's cost; and
 - (c) to the satisfaction of the Responsible Authority.
8. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
 - (a) before 7 am or after 6 pm, Monday-Friday (excluding public holidays);
 - (b) before 9 am or after 3 pm, Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday); or
 - (c) at any time on Sundays, ANZAC Day, Christmas Day and Good Friday.
9. 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 Unit on Ph. (03) 9205 5351 to confirm.

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.

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.

Submissions

The following people addressed the Committee:

*Mr Bernie Quinn;
Mr Steven Peach;
Ms Lence Petrovski;
Ms Megan Gray; and
Ms Lisa Di Benedetto.*

INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION

Moved: Councillor Coleman

Seconded: Councillor Jolly

That having considered all objections and relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant a Planning Permit PLN14/0286 for the development of the land for the construction of one additional dwelling on the lot at 2 Yarralea Street Alphington, 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 two copies must be provided. The plans must be generally in accordance with the decision plans Council date stamped 09 April 2014 and 17 December 2014 showing the following changes:
 - (a) The provision of a canopy tree within the front setback of the proposed dwelling.
 - (b) The provision of a semi-transparent, brick pier and vertical or horizontal metal or timber infill fence to the front of the proposed dwelling, to be no higher than 1.5m and to be reflective of the character of the area.
 - (c) The location of letter boxes indicated on the ground floor plan.
 - (d) Removal of the existing vehicle crossover.
 - (e) Car space to new dwelling to be a minimum of 5.4m long.
 - (f) Elevations to depict detail of the proposed sheds to both dwellings not exceeding 3m in height.
 - (g) Detail of the fence separating the existing dwelling from the proposed dwelling to be a minimum 1.8m in height.
 - (h) A materials and colour schedule of proposed finishes to the dwelling and front fence.
 - (i) All plans to depict proposed rainwater tanks consistent with the detail provided with the STORM report.
 - (j) The upper level setback a minimum of 3.2m from the northern boundary in compliance with Standard B17 of Rescode and appropriately treated.
 - (k) The front entrance redesigned to include a gable end above the entrance similar to the existing dwelling on the subject site.
 - (l) The upper level setback an additional 2.0m from the east.
 - (m) The first floor, south-facing balcony deleted.
2. The development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
3. Before the development is occupied, or by such later date as approved in writing by the Responsible Authority, all screening and other measures to prevent overlooking as shown on the endorsed plans must be installed to the satisfaction of the Responsible Authority. Once installed the screening and other measures must be maintained to the satisfaction of the Responsible Authority.
4. Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, all new on-boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.
5. Within 2 months of the completion of the development, or by such later date as approved in writing by the Responsible Authority, any redundant vehicular crossing must be demolished and re-instated as standard footpath and kerb and channel:
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.

6. Within 2 months of the completion of the development, 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. Within 2 months of the completion of the development, 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) at the permit holder's cost; and
 - (c) to the satisfaction of the Responsible Authority.
8. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
 - (a) before 7 am or after 6 pm, Monday-Friday (excluding public holidays);
 - (b) before 9 am or after 3 pm, Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday); or
 - (c) at any time on Sundays, ANZAC Day, Christmas Day and Good Friday.
9. 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 Unit on Ph. (03) 9205 5351 to confirm.

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.

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.

CARRIED UNANIMOUSLY

1.4 PLN14/0789 - 8 & 10-12 Sherwood Street, Richmond

Trim Record Number: D15/27990

Responsible Officer: Coordinator Statutory Planning

RECOMMENDATION

That having considered all relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant Planning Permit PLN14/0789 for development of the land to include partial demolition of the dwelling at 8 Sherwood Street and full demolition of the dwelling at 10-12 Sherwood Street and the construction of one new triple-storey dwelling at 10-12 Sherwood Street, at 8 & 10-12 Sherwood Street, Richmond, 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) An amended demolition plan to include the removal of the front fence and a section of western wall at No. 8 Sherwood Street;
 - (b) A full schedule of restoration works proposed to the façade, verandah and roofing of No. 8 Sherwood Street;
 - (c) The edge of the dividing wall between the two single garages to be setback 0.75m from its current location (a total of 2.04m from the rear boundary), with the two single roller doors relocated to match this setback;
 - (d) The landscaping area adjacent to the eastern-most single garage to be splayed near the edge of the garage;
 - (e) The top 1m (minimum) section of the western wall of the rear first-floor terrace associated with No. 10-12 Sherwood Street to be setback a minimum of 1m from its current location;
 - (f) The top 1.4m section of the southern wall of the rear first-floor terrace associated with No. 10-12 Sherwood Street to be setback a minimum of 0.7m from the southern boundary;
 - (g) The southern balustrade of the terrace associated with No. 8 Sherwood Street to be increased in height to a minimum of 1.7m above floor level, with the balustrade to be no more than 25% transparent;
 - (h) Downward views from the two south-facing windows associated with the home office of No. 10-12 Sherwood Street to the adjacent ground floor window in No. 2 Strode Street to be screened in accordance with Standard B22 of the Scheme;
 - (i) All services for No. 8 Sherwood Street to be demonstrated on the plans, with none of these services to be visible from Sherwood Street;
 - (j) Storage space, of at least 6 cubic metres in size, to be provided for No. 8 Sherwood Street; and
 - (k) An updated schedule of materials to demonstrate an amended finish to the eastern wall of 10-12 Sherwood Street, with amended materials for this wall to be to the satisfaction of the Responsible Authority.

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

4. Before the buildings are 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 and garages 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 buildings are 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. Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, the footpaths along both street frontages must be reconstructed:
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
8. Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, any redundant vehicular crossing must be demolished and re-instated as standard footpath and kerb and channel:
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
9. Before the buildings are 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.
10. Noise emissions from mechanical plant/equipment must comply with any relevant State Environment Protection Policy or any other standard recommended by the Environment Protection Authority.
11. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
 - (a) before 7.00 am or after 6 .00 pm, Monday-Friday (excluding public holidays);
 - (b) before 9.00 am or after 3.00 pm, Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday); or
 - (c) at any time on Sundays, ANZAC Day, Christmas Day and Good Friday.
12. 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 maybe required before development is commenced. Please contact Council's Building Department on PH 9205 5095 to confirm.

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

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.

The developer must check and ensure that the building and any balconies have adequate clearances from overhead power lines, transformers, substations or any other electrical assets as per CitiPower requirements. The developer must contact CitiPower and seek advice on EMF and clearances from electrical assets.

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.

All future residents within the development approved under this permit will not be permitted to obtain resident or visitor parking permits.

The finished floor levels along the edge of the setbacks/aprons must be set 40 mm high than the edge of the bluestone pavement of the Right of Way.

Submissions

The Applicant, Mr Matt Breen, addressed the Committee.

The following people also addressed the Committee:

*Ms Judy Morton; and
Ms Sheryl McGrillen.*

INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION

Moved: Councillor Coleman

Seconded: Councillor Jolly

That having considered all relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant Planning Permit PLN14/0789 for development of the land to include partial demolition of the dwelling at 8 Sherwood Street and full demolition of the dwelling at 10-12 Sherwood Street and the construction of one new triple-storey dwelling at 10-12 Sherwood Street, at 8 & 10-12 Sherwood Street, Richmond, 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) An amended demolition plan to include the removal of the front fence and a section of western wall at No. 8 Sherwood Street;
 - (b) A full schedule of restoration works proposed to the façade, verandah and roofing of No. 8 Sherwood Street;

- (c) The edge of the dividing wall between the two single garages to be setback 0.75m from its current location (a total of 2.04m from the rear boundary), with the two single roller doors relocated to match this setback;
 - (d) The landscaping area adjacent to the eastern-most single garage to be splayed near the edge of the garage;
 - (e) The top 1m (minimum) section of the western wall of the rear first-floor terrace associated with No. 10-12 Sherwood Street to be setback a minimum of 1m from its current location;
 - (f) The top 1.4m section of the southern wall of the rear first-floor terrace associated with No. 10-12 Sherwood Street to be setback a minimum of 0.7m from the southern boundary;
 - (g) The southern and western balustrades of the terrace associated with No. 8 Sherwood Street and the upper level terrace of No. 10-12 Sherwood Street to be increased in height to a minimum of 1.7m above floor level, with the balustrades to be no more than 25% transparent;
 - (h) Downward views from the two south-facing windows associated with the home office of No. 10-12 Sherwood Street to the adjacent ground floor window in No. 2 Strode Street to be screened in accordance with Standard B22 of the Scheme;
 - (i) All services for No. 8 Sherwood Street to be demonstrated on the plans, with none of these services to be visible from Sherwood Street;
 - (j) Storage space, of at least 6 cubic metres in size, to be provided for No. 8 Sherwood Street;
 - (k) An updated schedule of materials to demonstrate an amended finish to the eastern wall of 10-12 Sherwood Street, with amended materials for this wall to be to the satisfaction of the Responsible Authority; and
 - (l) Amended plans to confirm only 2 dwellings are proposed, with the bedrooms numbered correctly to demonstrate that the existing dwelling will contain 2 bedrooms and the new dwelling will contain two bedrooms and a study.
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. The provisions, recommendations and requirements of the endorsed Sustainable Design Assessment must be implemented and complied with to the satisfaction of the Responsible Authority.
 4. Before the buildings are 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 and garages 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 buildings are 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. Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, the footpaths along both street frontages must be reconstructed:
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
8. Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, any redundant vehicular crossing must be demolished and re-instated as standard footpath and kerb and channel:
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
9. Before the buildings are 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.
10. Noise emissions from mechanical plant/equipment must comply with any relevant State Environment Protection Policy or any other standard recommended by the Environment Protection Authority.
11. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
 - (a) before 7.00 am or after 6 .00 pm, Monday-Friday (excluding public holidays);
 - (b) before 9.00 am or after 3.00 pm, Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday); or
 - (c) at any time on Sundays, ANZAC Day, Christmas Day and Good Friday.
12. 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 maybe required before development is commenced. Please contact Council's Building Department on PH 9205 5095 to confirm.

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

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.

The developer must check and ensure that the building and any balconies have adequate clearances from overhead power lines, transformers, substations or any other electrical assets as per CitiPower requirements. The developer must contact CitiPower and seek advice on EMF and clearances from electrical assets.

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.

All future residents within the development approved under this permit will not be permitted to obtain resident or visitor parking permits.

The finished floor levels along the edge of the setbacks/aprons must be set 40 mm high than the edge of the bluestone pavement of the Right of Way.

CARRIED UNANIMOUSLY

1.5 PLN14/0967 - 228 Swan Street, Cremorne

Trim Record Number: D15/35098

Responsible Officer: Coordinator Statutory Planning

RECOMMENDATION

That having considered all relevant planning policies, the Committee resolves to issue a Planning Permit PLN14/0967 for use of the land for sale and consumption of liquor (restaurant and café license) associated with a restaurant (no permit required use), a reduction in the car parking and bicycle requirement, and buildings and works comprising of new signage, including part demolition, at 228 Swan Street, Cremorne, 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 two copies must be provided. The plans must be generally in accordance with the decision plans received by Council on 11 December, 2014, and 15 January, 2015 but modified to show:
 - (a) All title boundaries accurately shown on floor plans.
 - (b) The proposed sign to match the dimensions of the existing front awning sign.
 2. The development and use 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, 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.
- Liquor license conditions 4-13
4. Except with the prior written consent of the Responsible Authority, no more than 50 patrons are permitted on the land at any time liquor is being sold or consumed.
 5. Except with the prior written consent of the Responsible Authority, the sale and consumption of liquor may only occur between the following hours:
 - (a) Monday to Sunday: 10:30am – 12:00am (midnight)
 6. The provisions recommendation and requirements of the endorsed Noise and Amenity Action Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
 7. Before the commencement of the sale and consumption of liquor, the applicant must, to the satisfaction of the Responsible Authority, display a sign at the exit of the licensed premises advising patrons to respect the amenity of adjacent residential areas and to leave in a quiet and orderly manner.
 8. 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.

9. The use must comply at all times with the State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N-1).
10. The use must comply at all times with the State Environment Protection Policy – Control of Music Noise from Public Premises (SEPP N-2).
11. Except with the prior written consent of the Responsible Authority, the provision of music and entertainment on the land must be at a background noise level.
12. Except with the prior written consent of the Responsible Authority, speakers external to the building must not be erected or used.
13. Except with the prior written consent of the Responsible Authority, emptying of bottles and cans into bins must not occur:
 - (a) before 7 am or after 6 pm, Monday-Friday (excluding public holidays);
 - (b) before 9 am or after 3 pm, Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday); or
 - (c) at any time on Sundays, ANZAC Day, Christmas Day and Good Friday.
14. The collection of waste from the site must be by private collection, unless with the prior written consent of the Responsible Authority.
15. Except with the written consent of the Responsible Authority, demolition or construction works must not be carried out:
 - (a) before 7 am or after 6 pm, Monday-Friday (excluding public holidays);
 - (b) before 9 am or after 3 pm, Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday); or
 - (c) at any time on Sundays, ANZAC day, Christmas Day and Good Friday.
16. 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 sale and consumption of liquor is not commenced within two years from the date of this permit.

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

17. The signage component of this permit expires fifteen (15) years from the date of the permit.

Notes:

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

A building permit maybe required before development is commenced. Please contact Council's Building Services on 9205 5095 to confirm.

These premises will be required to comply with the Food Act 1984. The use must not commence until approval has been granted by Council's Health Protection Unit.

All future employees for the use approved under this permit will not be permitted to obtain resident, employee or visitor parking permits.

Submission

The Applicant, Ms Rachael Siu addressed the Committee.

INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION

Moved: Councillor Jolly

Seconded: Councillor Huggins

That the Recommendation be adopted.

CARRIED

For: Councillors Huggins and Jolly

Against: Nil

Abstained: Councillor Coleman

The meeting closed at 8.13 pm.

Confirmed at the meeting held on Wednesday 29 April 2015

Chairperson