



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

**held on Wednesday 27 May 2015 at 6.30pm
in Meeting Room 3 at the Richmond Town Hall**

I. ATTENDANCE

Councillor Sam Gaylard (substitute for Cr Coleman)
Councillor Roberto Colanzi (substitute for Cr Fristacky)
Councillor Geoff Barbour

Danielle Connell (Co-ordinator Statutory Planning)
Sarah Thomas (Principal Planner)
Cindi Johnston (Governance Officer)

II. APOLOGIES AND LEAVE OF ABSENCE

Councillor Misha Coleman
Councillor Jackie Fristacky

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

IV. CONFIRMATION OF MINUTES

Internal Development Approvals Committee Resolution:

Moved: Councillor Barbour **Seconded:** Councillor Gaylard

That the minutes of the meeting of the Internal Development Approvals Committee held on Wednesday 13 May 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 Barbour nominated Councillor Colanzi as Chairperson.

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

Councillor Colanzi assumed the Chair.

1. INTERNAL DEVELOPMENT APPROVALS COMMITTEE

Item		Page	Res. Page
1.1	PLN14/0526 - 44 Brunswick Street Fitzroy - Part demolition of the existing hotel and the development of the land by the construction of two-storey extension (new levels 5 and 6) containing 24 new dwellings and a partial reduction in the car parking requirements of clause 52.06 of the Yarra Planning Scheme	6	10
1.2	25 Clifton Street, Richmond - Planning Application No. PLN14/0560	15	16
1.3	PLN14/0108 - 375 Highett Street, Richmond - Development of the land for an extension to the existing building resulting in a three storey dwelling - Consent Order	18	19
1.4	223 Napier Street, Fitzroy VIC 3065 - Planning Permit Application No. PLN14/0849	20	25

1.1 PLN14/0526 - 44 Brunswick Street Fitzroy - Part demolition of the existing hotel and the development of the land by the construction of two-storey extension (new levels 5 and 6) containing 24 new dwellings and a partial reduction in the car parking requirements of clause 52.06 of the Yarra Planning Scheme

Trim Record Number: D15/62550

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 Planning Permit PLN14/0526 for part demolition of the existing building to allow the construction of a two-storey extension (new Levels 5 and 6) and a partial reduction in the car parking requirements of Clause 52.06 of the Yarra Planning Scheme, at 44 Brunswick Street Fitzroy, 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) Realignment of the western wall of the living area of Apartment 6 (Level 5) to be setback a minimum of 7.32m from the western title boundary to align with bedroom 1;
- (b) As a result of condition (1a), the deletion of the western balcony of Apartment 18 (Level 6);
- (c) The realignment of the southern wall of the kitchen / living area of Apartment 10 (Level 5) to be setback a minimum of 2.44m from the southern title boundary;
- (d) Removal of the paint colour "Black Caviar" from the material schedule and the painting of facades in "Hat Stand" only;
- (e) A full material sample board with colours of all external materials clearly showing the finish and colour;
- (f) Plans updated to show the following ESD measures:
 - (i) The 3kW solar PV system to be shown on the roof plan;
 - (ii) The 2000Lt rainwater tank to be shown on the basement plan;
 - (iii) The planter boxed to be converted to rainwater gardens to be identified on the plans;
 - (iv) Details of the interstitial blinds to windows and a plan notation on each façade;
 - (v) The location of the individual water meters to be clearly shown on plans.
- (g) The provision of a gas-boosted hot-water system (split tank system) located on the roof, integrated into the design (screened from street views);
- (h) All access corridors from lifts and staircases on Level 5 and 6 to be a minimum of 1.2m in width;
- (i) The location of residential mail boxes for the new apartments, easily accessed by Australia Post via Brunswick Street;
- (j) The provision of 24 storage areas - with one allocated to each new dwelling;

- (k) Confirmation of whether the 6 motorcycle / scooter parking bays are for residential use, the hotel use or both;
 - (l) The provision of bicycle signage as per clause 52.34-4 and 52.34-5 of the Yarra Planning Scheme; and
 - (m) Demonstration of compliance of all screening to windows and balconies in accordance with Standard B22 of Clause 55 of the Yarra Planning Scheme.
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. 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.

4. The provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.
5. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with 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.
8. Finished floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.
9. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
10. All pipes, fixtures, fittings and vents servicing any building on the land must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.

11. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the areas set aside on the endorsed plans for the car parking spaces (67), scooter / motorcycle parking (6) and bicycle parking (24), 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.
12. 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.
13. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.
14. Before the development commences, a Construction Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will form part of this permit. The plan must provide for:
 - (a) a pre-conditions survey (dilapidation report) of the land and all adjacent Council roads frontages and nearby road infrastructure;
 - (b) works necessary to protect road and other infrastructure;
 - (c) remediation of any damage to road and other infrastructure;
 - (d) containment of dust, dirt and mud within the land and method and frequency of clean up procedures to prevent the accumulation of dust, dirt and mud outside the land,
 - (e) facilities for vehicle washing, which must be located on the land;
 - (f) the location of loading zones, site sheds, materials, cranes and crane/hoisting zones, gantries and any other construction related items or equipment to be located in any street;
 - (g) site security;
 - (h) management of any environmental hazards including, but not limited to,:
 - (i) contaminated soil;
 - (ii) materials and waste;
 - (iii) dust;
 - (iv) stormwater contamination from run-off and wash-waters;
 - (v) sediment from the land on roads;
 - (vi) washing of concrete trucks and other vehicles and machinery; and
 - (vii) spillage from refuelling cranes and other vehicles and machinery;
 - (i) the construction program;
 - (j) preferred arrangements for trucks delivering to the land, including delivery and unloading points and expected duration and frequency;
 - (k) parking facilities for construction workers;
 - (l) measures to ensure that all work on the land will be carried out in accordance with the Construction Management Plan;

- (m) an outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services;
- (n) an emergency contact that is available for 24 hours per day for residents and the Responsible Authority in the event of relevant queries or problems experienced;
- (o) the provision of a traffic management plan to comply with provisions of AS 1742.3-2002 Manual of uniform traffic control devices - Part 3: Traffic control devices for works on roads;
- (p) a Noise and Vibration Management Plan showing methods to minimise noise and vibration impacts on nearby properties and to demonstrate compliance with Noise Control Guideline 12 for Construction (Publication 1254) as issued by the Environment Protection Authority in October 2008. The Noise and Vibration Management Plan must be prepared to the satisfaction of the Responsible Authority. In preparing the Noise and Vibration Management Plan, consideration must be given to:
 - (i) using lower noise work practice and equipment;
 - (ii) the suitability of the land for the use of an electric crane;
 - (iii) silencing all mechanical plant by the best practical means using current technology;
 - (iv) fitting pneumatic tools with an effective silencer;
 - (v) other relevant considerations; and

During the construction:

- (q) any stormwater discharged into the stormwater drainage system must be in compliance with Environment Protection Authority guidelines;
 - (r) 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;
 - (s) vehicle borne material must not accumulate on the roads abutting the land;
 - (t) the cleaning of machinery and equipment must take place on the land and not on adjacent footpaths or roads; and
 - (u) all litter (including items such as cement bags, food packaging and plastic strapping) must be disposed of responsibly.
15. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
- (a) Monday to Friday (excluding public holidays) before 7 am or after 6 pm;
 - (b) Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday) before 9 am or after 3 pm; or
 - (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.
16. This permit will expire if:
- (a) the development is not commenced within two years of the date of this permit; or
 - (b) the development is not completed within four years of the date of this permit.
 - (c) the dwelling uses are 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:

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.

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

All future residents, visitors, business owners and employees 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

Ms Christine Hartley addressed the Committee on behalf of the Applicant.

The following people also addressed the Committee:

*Mr Josh Funder;
Mr Aboukhater;
Mr Jonathan Nichols;
Ms Mary Polis;
Mr Mark Whitmore;
Ms Anne Myer; and
Mr Pham.*

INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION

Moved: Councillor Barbour

Seconded: Councillor Gaylard

That having considered all relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant a Planning Permit PLN14/0526 for part demolition of the existing building to allow the construction of a two-storey extension (new Levels 5 and 6) and a partial reduction in the car parking requirements associated with dwellings of Clause 52.06 of the Yarra Planning Scheme, at 44 Brunswick Street Fitzroy, 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) Realignment of the western wall of the living area of Apartment 6 (Level 5) to be setback a minimum of 7.32m from the western title boundary to align with bedroom 1;
- (b) As a result of condition (1a), the deletion of the western balcony of Apartment 18 (Level 6);
- (c) The realignment of the southern wall of the kitchen / living area of Apartment 10 (Level 5) to be setback a minimum of 2.44m from the southern title boundary;
- (d) Removal of the paint colour "Black Caviar" from the material schedule and the painting of facades in "Hat Stand" only;

- (e) A full material sample board with colours of all external materials clearly showing the finish and colour;
 - (f) Plans updated to show the following ESD measures:
 - (i) The 3kW solar PV system to be shown on the roof plan;
 - (ii) The 2000Lt rainwater tank to be shown on the basement plan;
 - (iii) The planter boxed to be converted to rainwater gardens to be identified on the plans;
 - (iv) Details of the interstitial blinds to windows and a plan notation on each façade;
 - (v) The location of the individual water meters to be clearly shown on plans;
 - (vi) Operable windows to all habitable rooms;
 - (vii) Shading mechanisms to all north, east and west facing windows; and
 - (viii) Confirmation that a 100% STORM rating will be achieved.
 - (g) The provision of a gas-boosted hot-water system (split tank system) located on the roof, integrated into the design (screened from street views);
 - (h) All access corridors from lifts and staircases on Level 5 and 6 to be a minimum of 1.2m in width;
 - (i) The location of residential mail boxes for the new apartments, easily accessed by Australia Post via Brunswick Street;
 - (j) The provision of 24 storage areas - with one allocated to each new dwelling;
 - (k) Confirmation of whether the 6 motorcycle / scooter parking bays are for residential use, the hotel use or both;
 - (l) The provision of bicycle signage as per clause 52.34-4 and 52.34-5 of the Yarra Planning Scheme;
 - (m) Demonstration of compliance of all screening to windows and balconies in accordance with Standard B22 of Clause 55 of the Yarra Planning Scheme; and
 - (n) Deletion of Apartments 4, 5, 6, 16, 17 and 18 with the resultant, exposed western elevation and lift shaft appropriately treated to integrate with the remainder of the development.
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. 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.

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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.
8. Finished floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.
9. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
10. All pipes, fixtures, fittings and vents servicing any building on the land must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.
11. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the areas set aside on the endorsed plans for the car parking spaces (67), scooter / motorcycle parking (6) and bicycle parking (24), 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.
12. 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.
13. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.

14. Before the development commences, a Construction Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will form part of this permit. The plan must provide for:
- (a) a pre-conditions survey (dilapidation report) of the land and all adjacent Council roads frontages and nearby road infrastructure;
 - (b) works necessary to protect road and other infrastructure;
 - (c) remediation of any damage to road and other infrastructure;
 - (d) containment of dust, dirt and mud within the land and method and frequency of clean up procedures to prevent the accumulation of dust, dirt and mud outside the land,
 - (e) facilities for vehicle washing, which must be located on the land;
 - (f) the location of loading zones, site sheds, materials, cranes and crane/hoisting zones, gantries and any other construction related items or equipment to be located in any street;
 - (g) site security;
 - (h) management of any environmental hazards including, but not limited to,:
 - (i) contaminated soil;
 - (ii) materials and waste;
 - (iii) dust;
 - (iv) stormwater contamination from run-off and wash-waters;
 - (v) sediment from the land on roads;
 - (vi) washing of concrete trucks and other vehicles and machinery; and
 - (vii) spillage from refuelling cranes and other vehicles and machinery;
 - (i) the construction program;
 - (j) preferred arrangements for trucks delivering to the land, including delivery and unloading points and expected duration and frequency;
 - (k) parking facilities for construction workers;
 - (l) measures to ensure that all work on the land will be carried out in accordance with the Construction Management Plan;
 - (m) an outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services;
 - (n) an emergency contact that is available for 24 hours per day for residents and the Responsible Authority in the event of relevant queries or problems experienced;
 - (o) the provision of a traffic management plan to comply with provisions of AS 1742.3-2002 Manual of uniform traffic control devices - Part 3: Traffic control devices for works on roads;
 - (p) a Noise and Vibration Management Plan showing methods to minimise noise and vibration impacts on nearby properties and to demonstrate compliance with Noise Control Guideline 12 for Construction (Publication 1254) as issued by the Environment Protection Authority in October 2008. The Noise and Vibration Management Plan must be prepared to the satisfaction of the Responsible Authority. In preparing the Noise and Vibration Management Plan, consideration must be given to:
 - (i) using lower noise work practice and equipment;
 - (ii) the suitability of the land for the use of an electric crane;
 - (iii) silencing all mechanical plant by the best practical means using current technology;
 - (iv) fitting pneumatic tools with an effective silencer;
 - (v) other relevant considerations; and

During the construction:

- (q) any stormwater discharged into the stormwater drainage system must be in compliance with Environment Protection Authority guidelines;
- (r) 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;

- (s) vehicle borne material must not accumulate on the roads abutting the land;
 - (t) the cleaning of machinery and equipment must take place on the land and not on adjacent footpaths or roads; and
 - (u) all litter (including items such as cement bags, food packaging and plastic strapping) must be disposed of responsibly.
15. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
- (a) Monday to Friday (excluding public holidays) before 7 am or after 6 pm;
 - (b) Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday) before 9 am or after 3 pm; or
 - (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.
16. This permit will expire if:
- (a) the development is not commenced within two years of the date of this permit; or
 - (b) the development is not completed within four years of the date of this permit.
 - (c) the dwelling uses are 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:

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.

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

All future residents, visitors, business owners and employees 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.

Environmental Audit

The site is located within an Environmental Audit Overlay. Pursuant to Clause 45.03 of the Yarra Planning Scheme, the requirements of the Environmental Audit Overlay must be met prior to the commencement of development permitted under the permit.

CARRIED UNANIMOUSLY

NOTE

That the minutes reflect that the inclusion of condition 1(n) subsequently made conditions 1(a) and 1(b) redundant.

Should a permit be issued these conditions are to be deleted via a correction.

1.2 25 Clifton Street, Richmond - Planning Application No. PLN14/0560

Trim Record Number: D15/70997

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 PLN14/0560 for development of the land for full demolition and construction of a new two storey dwelling, including roof-top deck and pool, and a garage at the rear, at 25 Clifton street, Richmond VIC 3121 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) All structures/elements to be removed on the demolition plan(s).
 - (b) Confirm (so the ground floor plan and front elevation are consistent) whether or not the sections of mesh screening that partly overhangs the façade at the ground floor is operable or not.
 - (c) An updated schedule of materials confirming that the proposed mesh screen material will be a minimum of 50% transparent.
2. The development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
3. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, all new on-boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.
4. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any new vehicle crossing(s) 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.
5. Prior to completion of the development, the street tree to the immediate north of the Waverley Street crossover must either be replaced in close proximity to the current location, or the crossover amended to ensure the retention of the street tree, to the satisfaction of the Responsible Authority and at the permit holder's expense.
6. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated:
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
7. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
 - (a) 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.
8. This permit will expire if:

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

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

Notes:

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

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

A local law permit may be required for tree removal. Please contact Council's Compliance Branch on 9205 5063.

This application was not assessed against Clause 54 of the Yarra Planning Scheme (ResCode) as the subject site is greater than 500sqm.

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.

Submissions

Mr John Clements addressed the Committee on behalf of the Applicant.

The following people also addressed the Committee:

*Ms Lesley Farrell;
Ms Lynne Farrell;
Mr Claudio Aranibar; and
Mr Greg Smith.*

INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION

Moved: Councillor Gaylard

Seconded: Councillor Colanzi

That having considered all objections and relevant planning policies, the Committee resolves to issue a Notice of Refusal to Grant a Planning Permit PLN14/0560 for development of the land for full demolition and construction of a new two storey dwelling, including roof-top deck and pool, and a garage at the rear, at 25 Clifton street, Richmond VIC 3121 on the following grounds:

1. The proposed development would dominate the heritage precinct as a result of its height and massing, failing to comply with the objectives and guidelines at Clause 43.01 (Heritage Overlay), Clause 22.02 (Development Guidelines for Site Subject to the Heritage Overlay), and Clause 15.03 (Heritage) of the Yarra Planning Scheme.

CARRIED

For: CIs Gaylard and Colanzi

Against: Cr Barbour

1.3 PLN14/0108 - 375 Highett Street, Richmond - Development of the land for an extension to the existing building resulting in a three storey dwelling - Consent Order

Trim Record Number: D15/66993

Responsible Officer: Manager Statutory Planning

RECOMMENDATION

That the Committee resolves to advise the Victorian Civil and Administrative tribunal that it consents to the re-wording of Condition 1 of the NOD so it reads as follows:

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:

- *Drawing No. 1 – Title Sheet Revision 6 – Deck 2, 3 & garden walls revised dated 05/05/15*
- *Drawing No. 2 – Neighbourhood & Streetscapes Revision 6 – Deck 2, 3 & garden walls revised dated 05/05/15*
- *Drawing No. 3 – Proposed Site Plan Revision 6 – Deck 2, 3 & garden walls revised dated 05/05/15*
- *Drawing No. 5 – Proposed Ground Floor Plan Revision 6 – Deck 2, 3 & garden walls revised dated 05/05/15*
- *Drawing No. 6 – Proposed Mid-Level Plan Revision 6 – Deck 2, 3 & garden walls revised dated 05/05/15*
- *Drawing No. 7 – Proposed Upper Floor Plan Revision 6 – Deck 2, 3 & garden walls revised dated 05/05/15*
- *Drawing No. 8 – Proposed South & North Elevations Revision 6 – Deck 2, 3 & garden walls revised dated 05/05/15*
- *Drawing No. 9 – Proposed East and West Elevations Revision 6 – Deck 2, 3 & garden walls revised dated 05/05/15*
- *Drawing No. 10 – Shadows – 9am 22 September Revision 6 – Deck 2, 3 & garden walls revised dated 05/05/15*
- *Drawing No. 11 – Shadows – 12pm 22 September Revision 6 – Deck 2, 3 & garden walls revised dated 05/05/15*
- *Drawing No. 12 – Shadows – 3pm 22 September Revision 6 – Deck 2, 3 & garden walls revised dated 05/05/15*

Conditions 2 – 13 as per the original NOD to remain unchanged.

Submission

Mr Richard Umbers addressed the Committee on behalf of the Applicant.

INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION

Moved: Councillor Barbour

Seconded: Councillor Gaylard

That the Recommendation be adopted..

CARRIED UNANIMOUSLY

1.4 223 Napier Street, Fitzroy VIC 3065 - Planning Permit Application No. PLN14/0849

Trim Record Number: D15/68112

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 Planning Permit PLN14/0849 for the demolition of the existing building to allow for the development of the land with a five-storey building (for the purpose of dwellings), including a reduction in the car parking requirement of the Yarra Planning Scheme, at 223 Napier Street, Fitzroy, subject to the following conditions:

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the plans received by Council on 21 October 2014 but modified to show:
 - (a) The building shown entirely within the title boundaries;
 - (b) The provision of light courts located adjacent to the light court areas of the approved development to the south (i.e. at no. 219 Napier Street, Fitzroy – associated with planning permit PLN14/0023) and of the same dimensions and proportions;
 - (c) Any new habitable room window within the light courts as required by the above condition, screened in accordance with the objective of Clause 54.04-6 (Overlooking) of the Yarra Planning Scheme;
 - (d) The provision of 1.7m high screens between the west facing balconies to prevent any internal overlooking opportunities;
 - (e) A plan notation stating that the louvered privacy screens to the west would be no more than 25% transparent and fixed;
 - (f) All works recommended (where relevant to be shown on plans) in the professional acoustic report referred to in condition 7;
 - (g) All works recommended (where relevant to be shown on plans) in the professional Sustainable Management Plan referred to in condition 9; and
 - (h) An updated schedule of all external materials and finishes (including materials samples, colours and coloured elevations/perspectives). The schedule must show the materials (including of the ribbed privacy screen glass to be non-transparent), colour, finish and application methods (where relevant) of all external walls, roof, fascias, window frames, glazing types, cladding, doors and fences and must confirm that no reflective paint or products are proposed for the facades.

Endorsed Plans

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. Finished floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.
4. 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.

5. 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.
6. All pipes, fixtures, fittings and vents servicing any building on the land must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.

Acoustic Report

7. Before the plans are endorsed an Acoustic Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Acoustic Report will be endorsed and will form part of this permit. The report must include an assessment of how the requirements of the State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade), No. N-1 and any other relevant Australian Standards will be met and must prescribe the form of acoustic treatment to the following:
 - (a) plant and equipment;
 - (b) noise from the adjoining commercial building to the north and the Napier Hotel; and
 - (c) noise from the vehicle entry door and car stacker.
8. The provision, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.

Environmentally Sustainable Design Principles

9. Before the plans are endorsed, 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 include the details in the Sustainable Management Plan prepared by GIW Environmental Solutions Pty. Ltd. dated 5 September 2014 and must include:
 - (a) Clear glazing to all habitable room windows;
 - (b) The provision of solar thermal collectors to improve the energy efficiency of the gas hot water system;
 - (c) Shading devices to the windows across the western and eastern elevations; and
 - (d) The provision of visitor bike parking on the footpath (a minimum of 1 bicycle hoop).
10. The provisions, recommendation and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Lighting

11. 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 and ground level car parking and the main pedestrian entrance to Napier Street must be provided. Lighting must be:
 - (a) located;
 - (b) directed;
 - (c) shielded; and
 - (d) of limited intensity.

to the satisfaction of the Responsible Authority.

General Parking Areas

12. The area set aside for the parking of vehicles, together with the associated access lanes as delineated on the endorsed plan must:
 - (a) be designed, provided and completed to the satisfaction of the Responsible Authority prior to the commencement of the development hereby permitted;
 - (b) thereafter be maintained to the satisfaction of the Responsible Authority;
 - (c) be made available for such use at all times and not used for any other purpose;
 - (d) be properly formed to such levels that it can be used in accordance with the endorsed plan; and
 - (e) be drained and sealed with an all-weather seal coat.

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 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.

Council Infrastructure

14. 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 (including the full re-sheeting of the footpath at the front of the property if required by Council):
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
15. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.

Waste Management

16. Before the development commences, an amended Waste Management Plan (WMP) to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Waste Management Plan will be endorsed and will form part of this permit. The amended Waste Management Plan must be generally in accordance with the Waste Management Plan prepared by Leigh Design and dated 4 September 2014 and must be modified to include:
 - (a) A 120lt MGB in lieu of the 240lt MGB at Table 2 (p.4 of the report).
17. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Construction

18. Before the development commences, a Construction Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will form part of this permit. The plan must provide for:

- (a) a pre-conditions survey (dilapidation report) of the land and all adjacent Council roads frontages and nearby road infrastructure;
- (b) works necessary to protect road and other infrastructure;
- (c) remediation of any damage to road and other infrastructure;
- (d) containment of dust, dirt and mud within the land and method and frequency of clean up procedures to prevent the accumulation of dust, dirt and mud outside the land,
- (e) facilities for vehicle washing, which must be located on the land;
- (f) the location of loading zones, site sheds, materials, cranes and crane/hoisting zones, gantries and any other construction related items or equipment to be located in any street;
- (g) site security;
- (h) management of any environmental hazards including, but not limited to:
 - (i) contaminated soil;
 - (ii) materials and waste;
 - (iii) dust;
 - (iv) stormwater contamination from run-off and wash-waters;
 - (v) sediment from the land on roads;
 - (vi) washing of concrete trucks and other vehicles and machinery; and
 - (vii) spillage from refuelling cranes and other vehicles and machinery;
- (i) the construction program;
- (j) preferred arrangements for trucks delivering to the land, including delivery and unloading points and expected duration and frequency;
- (k) parking facilities for construction workers;
- (l) measures to ensure that all work on the land will be carried out in accordance with the Construction Management Plan;
- (m) an outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services;
- (n) an emergency contact that is available for 24 hours per day for residents and the Responsible Authority in the event of relevant queries or problems experienced;
- (o) the provision of a traffic management plan to comply with provisions of AS 1742.3-2002 Manual of uniform traffic control devices - Part 3: Traffic control devices for works on roads;
- (p) a Noise and Vibration Management Plan showing methods to minimise noise and vibration impacts on nearby properties and to demonstrate compliance with Noise Control Guideline 12 for Construction (Publication 1254) as issued by the Environment Protection Authority in October 2008. The Noise and Vibration Management Plan must be prepared to the satisfaction of the Responsible Authority. In preparing the Noise and Vibration Management Plan, consideration must be given to:
 - (i) using lower noise work practice and equipment;
 - (ii) the suitability of the land for the use of an electric crane;
 - (iii) silencing all mechanical plant by the best practical means using current technology;
 - (iv) fitting pneumatic tools with an effective silencer;
 - (v) other relevant considerations; and

During the construction:

- (q) any stormwater discharged into the stormwater drainage system must be in compliance with Environment Protection Authority guidelines;
- (r) 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;
- (s) vehicle borne material must not accumulate on the roads abutting the land;
- (t) the cleaning of machinery and equipment must take place on the land and not on adjacent footpaths or roads; and
- (u) all litter (including items such as cement bags, food packaging and plastic strapping) must be disposed of responsibly.

19. The development, once commenced, must be completed to the satisfaction of the Responsible Authority.
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.

Time limits

21. This permit will expire if:
 - (a) The development is not commenced within two (2) years from the date of this permit; and
 - (b) The development is not completed within four (4) 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 for commencement or within twelve months afterwards for completion.

NOTES

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

The site is located within an Environmental Audit Overlay. Pursuant to Clause 45.03 of the Yarra Planning Scheme, the requirements of the Environmental Audit Overlay must be met prior to the commencement of development hereby permitted under the permit.

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.

A building permit may be required before development is commenced. Please contact Council's Building Services Unit on Ph. (03) 9205 5095 to confirm.

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.

The permit holder must obtain approval from the relevant authorities to remove and/or build over the easement(s).

Submissions

Ms Anna Barkley addressed the Committee on behalf of the Applicant.

The following people also addressed the Committee:

*Dr Robin Stanley; and
Ms Genevieve O'Neill.*

INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION

Moved: Councillor Barbour

Seconded: Councillor Colanzi

That the Recommendation be adopted.

CARRIED UNANIMOUSLY

The meeting closed at 8.40 pm.

Confirmed at the meeting held on Wednesday 10 June 2015

Chairperson