



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

**held on Wednesday 15 July 2015 at 6.30pm  
in Meeting Room 3 at the Richmond Town Hall**

**I. ATTENDANCE**

Councillor Stephen Jolly  
Councillor Sam Gaylard  
Councillor Jackie Fristacky (substituted for Cr Huggins for Items 1 – 3)  
Councillor Geoff Barbour (substituted for Cr Huggins for Items 4 – 5)

Danielle Connell (Co-ordinator Statutory Planning)  
Chris Harries (Senior Statutory Planner)  
Cindi Johnston (Governance Officer)

**II. APOLOGIES AND LEAVE OF ABSENCE**

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

**IV. CONFIRMATION OF MINUTES**

**Internal Development Approvals Committee Resolution:**

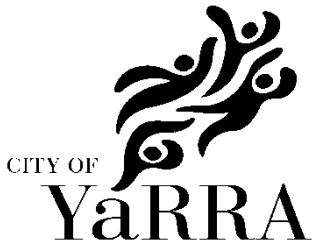
**Moved:** Councillor Jolly **Seconded:** Councillor Gaylard

That the minutes of the meeting of the Internal Development Approvals Committee held on Wednesday 24 June 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**

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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 Fristacky nominated Councillor Jolly as Chairperson.

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

Councillor Jolly assumed the Chair.

## 1. INTERNAL DEVELOPMENT APPROVALS COMMITTEE

Item		Page	Res. Page
1.1	PLN14/0826 - 250 Gore and 221 Moor Streets Fitzroy - Use and development of the land for demolition and the construction of a nine-storey residential building and a reduction in car parking requirements.	6	17
1.2	PLN14/0664 274-280 Fitzroy Street, Fitzroy - Buildings and works, including part demolition of the existing building for the construction of a new dwelling	18	19
1.3	15 Bendigo Street, Richmond - Planning Application No. PLN14/0582	20	22
1.4	PLN14/0989 - 217 - 241 Queens Parade Clifton Hill - Development of the land for the demolition of the existing building, construction of a new 12 - storey building plus 3 basement levels of car parking; use of the land for the purpose of an aged care facility (126 beds), food and drink premise, medical centre and pharmacy (permit required for medical centre only); construct and display signage; reduction in the car parking requirement; and buildings and works and alterations to access to a Road Zone (Category 1).	23	31
1.5	319 Richardson Street, Princes Hill – Planning Permit Application No. PLN14/0621	40	41

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**1.1 PLN14/0826 - 250 Gore and 221 Moor Streets Fitzroy - Use and development of the land for demolition and the construction of a nine-storey residential building and a reduction in car parking requirements.**

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Trim Record Number: D15/87618

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 PLN14/0826 for the use and development of the land for the construction of a residential building and an associated reduction in car parking requirements at 250 Gore and 221 Moor Streets Fitzroy, 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 by Hayball received by Council on 27 May 2015 but modified to show:
  - (a) The top level (Level 7 as named on the decision plans) to be setback a minimum of 3m from Hodgson Street with no structures (including balconies) within this setback and no additional built form to the west.
  - (b) The apartments directly to the north of Nos. 223 and 225 Moor Street to be setback from the shared boundary a minimum of 3.6m between the ground and fourth floors and 5m from the fifth floor and above with no structures (including balconies) within this setback and no additional built form to the west.
  - (c) The inside and outside radii of the curved ramp.
  - (d) The ramp grades along the inside and outside radii.
  - (e) A 1 in 20 scale cross sectional drawing of the existing road profile of Hodgson Street, the kerb and footpath.
  - (f) A 1 in 14 ramp section for 2m inside the subject site with vehicle ground clearance templates shown/provided, demonstrating access.
  - (g) One bike space per dwelling (in a convenient location such as lift lobby or basement) in addition to any provided inside dwellings.
  - (h) All habitable room windows as openable (except when required due to screening).
  - (i) All common area corridor and lift lobby windows on the southern ends as openable.
  - (j) The Powder coated metallic screen on the materials description to be correctly labelled.
  - (k) The material of the substation door.
  - (l) Any requirement of the endorsed ESD report (condition 3) (where relevant to show on plans).
  - (m) Any requirement of the endorsed WMP report (condition 5) (where relevant to show on plans).
  - (n) Any requirement of the endorsed acoustic report (condition 9) (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. 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 6 May 2015, but modified to include or show:

- (a) A high efficiency centralised mechanical ventilation system to be used.
  - (b) The use of operable timber shading as shown on the architectural plans.
  - (c) One bike space for each dwelling provided in a convenient location.
  - (d) Clarification that clear glazing is specified for all dwellings.
  - (e) The use of solar thermal collectors for the gas hot water system.
4. The provisions, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
  5. Before the plans are endorsed, an amended Waste Management Plan 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 plan must be generally in accordance with the WMP (prepared by Leigh Design dated 20 February 2015), but modified to include:
    - (a) Any changes as a result of Condition 1 requirements.
  6. The collection of waste from the site must be by private collection, unless with the prior written consent of the Responsible Authority.
  7. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
  8. Before the development commences, updated landscape plans generally in accordance with the Landscape Plan prepared by Tract (17 February 2015) to the satisfaction of the Responsible Authority must be prepared by a suitably qualified person. When approved, the landscape plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and three copies must be provided. The plan must show:
    - (a) A canopy tree (similar to those proposed for the Sixth Floor communal deck) in the central communal ground floor courtyard to replace the *Ficus hillii*.
    - (b) Spider Plant and Periwinkle as deleted from the ground floor courtyard planting.
    - (c) A lower growing clumping bamboo included in the ground floor courtyard planting instead of the *Bambusa oldhamii*.
    - (d) Details of the planter boxes on the sixth floor communal deck (including drainage, soil media, waterproof membranes, irrigation, retention cells, dimensions).
  9. 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 and completed to the satisfaction of the Responsible Authority. 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.
  10. Before the use and development commences, an amended 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 amended Acoustic Report must be generally in accordance with the Acoustic Report prepared by Marshal Day and dated 13 March 2015, but modified to include (or show, or address):

- (a) The development has protected dwellings to ensure compliance with SEPP N-1 in relation to plant and equipment on Woolworths Car Park.

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.

11. The provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with 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 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.
13. 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.
14. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, 16 bike spaces must be installed on the Gore Street footpath:
  - (a) parallel to the footpath;
  - (b) at the permit holder's cost; and
  - (c) in a location and manner,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, 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.
16. 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.



17. 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.
18. 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 car park, pedestrian and vehicular 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.

19. 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.

#### Green Travel Plan

20. Before the occupation of the development, a Green Travel Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Green Travel plan will be endorsed and will form part of this permit. The Green Travel Plan must include, but not be limited to, the following:
  - (a) describe the location in the context of alternative modes of transport;
  - (b) the provision of real time passenger information displays for nearby stops within each residential lobby;
  - (c) employee / resident welcome packs (e.g. provision of Met Cards/Myki);
  - (d) a designated 'manager' or 'champion' responsible for co-ordination and implementation;
  - (e) details of bicycle parking and bicycle routes;
  - (f) details of GTP funding and management responsibilities; and
  - (g) include provisions to be updated not less than every 5 years.
21. The provisions, recommendations and requirements of the endorsed Green Travel Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
22. 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.

23. 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.

24. 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.
25. 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.
26. 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.

27. 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 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 David Hicky addressed the Committee.*

*Ms Louise Elliot also addressed the Committee.*

## PROPOSED INTERNAL DEVELOPMENT APPROVALS COMMITTEE RECOMMENDATION

**Moved:** 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 PLN14/0826 for the use and development of the land for the construction of a residential building and an associated reduction in car parking requirements at 250 Gore and 221 Moor Streets Fitzroy, 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 by Hayball received by Council on 27 May 2015 but modified to show:
  - (a) The apartments directly to the north of Nos. 223 and 225 Moor Street to be setback from the shared boundary a minimum of 3.6m between the ground and fourth floors and 5m from the fifth floor and above with no structures (including balconies) within this setback and no additional built form to the west.
  - (b) The inside and outside radii of the curved ramp.
  - (c) The ramp grades along the inside and outside radii.
  - (d) A 1 in 20 scale cross sectional drawing of the existing road profile of Hodgson Street, the kerb and footpath.
  - (e) A 1 in 14 ramp section for 2m inside the subject site with vehicle ground clearance templates shown/provided, demonstrating access.
  - (f) One bike space per dwelling (in a convenient location such as lift lobby or basement) in addition to any provided inside dwellings.
  - (g) All habitable room windows as openable (except when required due to screening).
  - (h) All common area corridor and lift lobby windows on the southern ends as openable.
  - (i) The Powder coated metallic screen on the materials description to be correctly labelled.
  - (j) The material of the substation door.
  - (k) Any requirement of the endorsed ESD report (condition 3) (where relevant to show on plans).
  - (l) Any requirement of the endorsed WMP report (condition 5) (where relevant to show on plans).
  - (m) Any requirement of the endorsed acoustic report (condition 9) (where relevant to show on plans).
  - (n) Deletion of the two upper levels (Levels 6 and 7 as named on the decision 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. 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 6 May 2015, but modified to include or show:
  - (a) A high efficiency centralised mechanical ventilation system to be used.
  - (b) The use of operable timber shading as shown on the architectural plans.
  - (c) One bike space for each dwelling provided in a convenient location.
  - (d) Clarification that clear glazing is specified for all dwellings.
  - (e) The use of solar thermal collectors for the gas hot water system.

4. The provisions, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
5. Before the plans are endorsed, an amended Waste Management Plan 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 plan must be generally in accordance with the WMP (prepared by Leigh Design dated 20 February 2015), but modified to include:
  - (a) Any changes as a result of Condition 1 requirements.
6. The collection of waste from the site must be by private collection, unless with the prior written consent of the Responsible Authority.
7. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
8. Before the development commences, updated landscape plans generally in accordance with the Landscape Plan prepared by Tract (17 February 2015) to the satisfaction of the Responsible Authority must be prepared by a suitably qualified person. When approved, the landscape plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and three copies must be provided. The plan must show:
  - (a) A canopy tree (similar to those proposed for the Sixth Floor communal deck) in the central communal ground floor courtyard to replace the *Ficus hillii*.
  - (b) Spider Plant and Periwinkle as deleted from the ground floor courtyard planting.
  - (c) A lower growing clumping bamboo included in the ground floor courtyard planting instead of the *Bambusa oldhamii*.
  - (d) Details of the planter boxes on the sixth floor communal deck (including drainage, soil media, waterproof membranes, irrigation, retention cells, dimensions).
9. 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 and completed to the satisfaction of the Responsible Authority. 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.
10. Before the use and development commences, an amended 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 amended Acoustic Report must be generally in accordance with the Acoustic Report prepared by Marshal Day and dated 13 March 2015, but modified to include (or show, or address):
  - (a) The development has protected dwellings to ensure compliance with SEPP N-1 in relation to plant and equipment on Woolworths Car Park.

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.

11. The provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with 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 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.
13. 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.
14. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, 16 bike spaces must be installed on the Gore Street footpath:
  - (a) parallel to the footpath;
  - (b) at the permit holder's cost; and
  - (c) in a location and manner,

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, 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.
16. 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.
17. 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.

18. 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 car park, pedestrian and vehicular 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.

19. 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.

#### Green Travel Plan

20. Before the occupation of the development, a Green Travel Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Green Travel plan will be endorsed and will form part of this permit. The Green Travel Plan must include, but not be limited to, the following:

- (a) describe the location in the context of alternative modes of transport;
- (b) the provision of real time passenger information displays for nearby stops within each residential lobby;
- (c) employee / resident welcome packs (e.g. provision of Met Cards/Myki);
- (d) a designated 'manager' or 'champion' responsible for co-ordination and implementation;
- (e) details of bicycle parking and bicycle routes;
- (f) details of GTP funding and management responsibilities; and
- (g) include provisions to be updated not less than every 5 years.

21. The provisions, recommendations and requirements of the endorsed Green Travel Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

22. 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.

23. 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.

24. 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.

25. 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.

26. 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.

27. 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 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.

**CARRIED**

Motion lapsed for want of a seconder

#### **INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION**

**Moved:** Councillor Fristacky

**Seconded:** Councillor Gaylard

That the Recommendation be adopted.

**CARRIED**

**For:** Crs Fristacky and Gaylard

**Against:** Cr Jolly

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**1.2      PLN14/0664 274-280 Fitzroy Street, Fitzroy - Buildings and works, including part demolition of the existing building for the construction of a new dwelling**

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Trim Record Number: D15/88123

Responsible Officer: Coordinator Statutory Planning

**RECOMMENDATION**

That a Notice of Decision to grant Planning Permit PLN14/0664 be issued for buildings and works, including part demolition of the existing building for the construction of a new dwelling at 274-280 Fitzroy Street, Fitzroy, generally in accordance with the decision plans and 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) Floor plans for the existing building showing existing walls to be demolished;
  - (b) the second floor, east-facing balcony reduced to not extend beyond the eastern boundary;
  - (c) The rooftop level set back 3.5m from the western boundary;
  - (d) The west-facing wall being no greater than 8.7m in height; and
  - (e) the width of the garage maintained at no less than 3.0m for the length of 10.3.
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, 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.
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. 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.
7. 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.

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.

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

### Submissions

*The Applicant's Town Planner addressed the Committee.*

*The following people also addressed the Committee:*

*Ms Judith Womersley;  
Ms Kynwynn Strong;  
Mr Marcus Turner;  
Mr Raymond Kelly; and  
Ms Sally Newcombe.*

### **INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION**

**Moved:** Councillor Fristacky

**Seconded:** Councillor Gaylard

That the Recommendation be adopted.

**CARRIED**

**For:** Crs Fristacky and Gaylard

**Against:** Cr Jolly

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**1.3 15 Bendigo Street, Richmond - Planning Application No. PLN14/0582**


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Trim Record Number: D15/87911

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 PLN14/0582 for the development of the land with two, three storey dwellings (plus basement), at 15 Bendigo Street, Richmond, 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 27 March 2015 but modified to show:
  - (a) The wing walls of the front porch and the first floor balcony of the Bendigo Street dwelling, further setback from the western boundary to align with the wing walls of the front verandah associated with the dwelling at No. 13 Bendigo Street;
  - (b) The entire façade of the Bellevue Street dwelling (including balconies) setback a minimum distance of 1.5m from the southern boundary;
  - (c) The window at the north-east corner of the first floor of the Bellevue Street dwelling screened in accordance with the standard at Clause 55.04-6 (Overlooking) of the Yarra Planning Scheme;
  - (d) A plan notation stating that the timber screen to the first floor balcony of the Bellevue Street dwelling would be fixed and no more than 25% transparent (and deletion of notations referring to obscure glass screens);
  - (e) The ground floor plan amended to show a minimum permeable area of 18%;
  - (f) The storage areas shown to be no less than 6m<sup>3</sup> for each dwelling;
  - (g) The ground floor plan to show further vegetation within the front additional setback required by Conditions 1(a) and (b);
  - (h) The ground floor plan to show the location of all site services, including mail boxes and bin storage areas;
  - (i) The provision of lighting to each pedestrian entry, appropriately shielded and of limited intensity so as to avoid any light spillage into adjoining properties; and
  - (j) An updated schedule of all external materials and finishes (including materials samples and colours). The schedule must show the materials colour, finish and application methods of all external walls, roof, fascias, window frames, glazing types, cladding, doors and fences.
  
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, 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.
  
4. Before the development commences, the permit holder must make a one-off contribution of \$2,500 to the Responsible Authority to be used for new street tree plantings that are required as a result of the development.

5. Before the development 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.
6. Before the development 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.
7. Before the development 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.
8. 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.
9. Before the development 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.
10. 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.
11. 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.

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 Bellevue Street dwelling approved under this permit will not be permitted to obtain resident, employee or visitor parking permits.

Submissions

*The Applicant, Mr George Spanos addressed the Committee.*

*The following people also addressed the Committee:*

*Mr Nicholas Zaita; and  
Ms Glenis Harding.*

**INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION**

**Moved:** Councillor Jolly

**Seconded:** Councillor Fristacky

That the Recommendation be adopted.

**CARRIED UNANIMOUSLY**

- 
- 1.4 PLN14/0989 - 217 - 241 Queens Parade Clifton Hill - Development of the land for the demolition of the existing building, construction of a new 12 - storey building plus 3 basement levels of car parking; use of the land for the purpose of an aged care facility (126 beds), food and drink premise, medical centre and pharmacy (permit required for medical centre only); construct and display signage; reduction in the car parking requirement; and buildings and works and alterations to access to a Road Zone (Category 1).**
- 

Trim Record Number: D15/84833

Responsible Officer: Coordinator Statutory Planning

## RECOMMENDATION

That had Council been in a position to determine the application, it would have issued a Notice of Decision to Grant a Permit (PLN14/0989) for 217-241 Queens Parade, Clifton Hill for development and use of the land for the demolition of the existing building, construction of a mixed-use building (permit required for medical centre) plus three basement levels; construct and display signage; reduction in the car parking requirement; and buildings and works and alterations to access to a Road Zone (Category 1) 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 by Baldasso Cortese received by Council on 16 January 2015 but modified to show:
  - (a) Deletion of one floor (between the eighth and tenth floor), to a maximum of ten floors.
  - (b) Deletion of Rooms 1 and 2 from the eighth, ninth and tenth floors.
  - (c) 'Punched' windows within the Queens Parade facade of the podium.
  - (d) The first floor, corner-glass detail at the Queens Parade/Dummett Crescent corner of the podium to be deleted and replaced with a closed, solid corner.
  - (e) The façade treatment from the seventh floor and above to incorporate a larger extent of glazing and wider spaced louvers.
  - (f) Deletion of the north-facing 'wintergardens'.
  - (g) A roof plan showing all plant and equipment to be screened from views from the public realm.
  - (h) The clay louvers covering habitable room windows as openable.
  - (i) The reconfiguration of all north-facing habitable room windows to direct views to the east or west through angled bay windows, or similar.
  - (j) Car Parking Bays C17, C36, C37 and C40 as 'Small Car' bays.
  - (k) A 1 in 20 scale cross sectional drawing of the ramp at the midpoint of the entrance showing the actual reduced levels (not interpolated levels from the application drawings) of the road profile of Dummett Crescent, the lip of the channel, the invert of the channel, and a bull-nose of 40 mm.
  - (l) That vehicles can traverse the ramp without scraping or bottoming out.
  - (m) The resident's lounges as partly converted to external terrace spaces.
  - (n) The location, angulation and spacing of louvres as significantly reviewed and enhanced, to achieve:
    - (i) More defined solar control where applicable, especially to west-facing glass (while permitting winter sunlight into the building);
    - (ii) Increased natural light access (including indirect ambient light) to windows facing south (end southeast / south-west etc.);
    - (iii) Improved outlook opportunities from all windows, including potentially 'directing' outlook away from the permitted building opposite, where close proximity presents potentially unacceptable inter-looking conditions; and
    - (iv) More varied expression, modulation and visual interest as perceived from the outside.

- (o) Any requirement of the endorsed ESD report (condition 6) (where relevant to show on plans).
  - (p) Any requirement of the endorsed WMP report (condition 8) (where relevant to show on plans).
  - (q) Any requirement of the endorsed acoustic report (condition 12) (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.

VicRoads Conditions (Nos. 3 to 5)

3. All disused or redundant vehicle crossings must be removed and the area reinstated to kerb, channel and footpath to the satisfaction of and at no cost to VicRoads prior to the occupation of the building hereby approved.
4. All signage must not be flashing and any lighting must not create glare towards motorists on Queens Parade and on the Heidelberg Road on ramp.
5. The luminance of the advertising signs must be such that it does not give a veiling luminance to the driver, of greater than  $0.25\text{cd/m}^2$ , throughout the driver's approach to the advertising sign.
6. 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 Umow Lai and dated 22 October 2014, but modified to include or show:
- (a) Amended daylight modelling to demonstrate adequate daylight to lower levels, where light is naturally restricted by the proposed adjoining development.
  - (b) An achievement of Council's best practice standard for energy efficiency which is an increase of 10% above the minimum NCC requirements.
  - (c) The volume, location and toilet connections for the 30,000L rainwater tank.
  - (d) A high efficiency centralised mechanical ventilation system to be used.
  - (e) Clarification whether solar hot water will be used for all or only part of the hot water demands of the building.
  - (f) LED and compact fluorescent for non-residential areas and to all fittings under 200W.
  - (g) Clarification regarding the lighting system which will be used for the building.
  - (h) The use of a heat pump, heat recovery or other energy efficient clothes drying and washing systems.
  - (i) A clear commitment to specifying accredited sustainable timbers by FSC.
7. The provisions, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
8. Before the plans are endorsed, an amended Waste Management Plan 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 plan must be generally in accordance with the WMP (prepared by Leigh Design dated 22 October 2014), but modified to include:
- (a) Weekly collection (if more frequent, provide a rationale).
  - (b) Garbage bin allocation meeting waste generation figures.
  - (c) The rationale on the requirement of a 240 MGB.



- (d) A plan of bin storage area, including dimensions, path of access.
  - (e) A plan of collection point, including dimensions.
  - (f) Collection to be internal from loading bay.
  - (g) Turning template for collection vehicles.
9. The collection of waste from the site must be by private collection and internally within the site, unless with the prior written consent of the Responsible Authority.
10. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
11. Before the development commences, updated landscape plans generally in accordance with the Landscape Plan prepared by Land Projects (14 January 2015) to the satisfaction of the Responsible Authority must be prepared by a suitably qualified person. When approved, the landscape plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and three copies must be provided. The plan must show:
- (a) The second floor 750mm wide gardens beds to be reconfigured.
  - (b) Details of how the fourth, six and ninth floor "Sykylounge" are to be accessed for maintenance.
  - (c) The deletion of the Arbutus unedo Irish Strawberry Tree.
  - (d) Details of the maintenance plan for all garden beds.
  - (e) Deletion of the organic mulch note.
  - (f) Loading bearing weights saturated bulk density to be confirmed by structural engineers.
12. 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 and completed to the satisfaction of the Responsible Authority. 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.
13. Before the use and development commences, an amended 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 amended Acoustic Report must be generally in accordance with the Acoustic Report prepared by WatsonMossGrowcott and dated October 2014, but modified to include (or show, or address):
- (a) That an acoustic engineer be involved during the detailed design once plant equipment has been chosen to ensure compliance with SEPP N-1.
  - (b) That commercial noise from Mosskito and the gym at No. 213 Queens Parade be addressed.
  - (c) Noise from the proposed café be addressed (airbone and impact noise).

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.

14. The provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with 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, 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.
16. 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.
17. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the service road immediately outside of title boundaries 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, 8 bike spaces must be installed on the Queens Parade footpath:
  - (a) at a 45 degree angle;
  - (b) at the permit holder's cost; and
  - (c) in a location and manner,

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 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.
20. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the existing concrete kerb along the site's Dummett Crescent frontage must be removed and replaced by one stone dressed kerb (150mm wide) with one stone pitcher channel:
  - (a) at the permit holder's cost; and
  - (b) to the satisfaction of the Responsible Authority.
21. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the asphalt footpath outside the property frontage to Dummett Crescent and the Queens Parade Service Road be reconstructed to be longitudinally straight graded with a cross-fall not exceeding 1:40 (2.5%):
  - (a) at the permit holder's cost; and
  - (b) to the satisfaction of the Responsible Authority.

22. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the road pavement outside the property frontage to Dummett Crescent be re-sheeted and the road pavement outside the property frontage to the Queens Parade Service Road be stripped and re-sheeted:
  - (a) at the permit holder's cost; and
  - (b) 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, the a pedestrian crossing is to be constructed from the Queens Parade Service Road to the tram and bus stops in the centre of Queens Parade:
  - (a) in consultation with VicRoads and Public Transport Victoria;
  - (b) at the permit holder's cost; and
  - (c) to the satisfaction of the Responsible Authority.
  
24. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, a raised asphalt and bluestone vehicle crossing at the junction of Dummett Crescent and the Queens Parade Service Road (between the subject site and No. 213 Queens Parade to the south) is to be constructed:
  - (a) to match the footpath levels of the Queens Parade Service Road;
  - (b) at the permit holder's cost; and
  - (c) to the satisfaction of the Responsible Authority.
  
25. 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.
  
26. 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.
  
27. 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 car park, pedestrian and vehicular 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.
  
28. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the developer must ensure that light from any existing lights does not spill into the windows of any new habitable rooms of the proposed aged care facility with:

- (a) any light shielding required is at the permit holder's cost; and
  - (b) to the satisfaction of the Responsible Authority.
29. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, a Public Lighting Plan to be submitted for adequate lighting in Dummett Crescent and Queens Parade Service Road :
- (a) at the permit holder's cost; and
  - (b) to the satisfaction of the Responsible Authority.
30. 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.

### Green Travel Plan

31. Before the occupation of the development, a Green Travel Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Green Travel plan will be endorsed and will form part of this permit. The Green Travel Plan must include, but not be limited to, the following:
- (a) describe the location in the context of alternative modes of transport;
  - (b) the provision of real time passenger information displays for nearby stops within each residential lobby;
  - (c) employee / resident welcome packs (e.g. provision of Met Cards/Myki);
  - (d) a designated 'manager' or 'champion' responsible for co-ordination and implementation;
  - (e) details of bicycle parking and bicycle routes;
  - (f) details of GTP funding and management responsibilities; and
  - (g) include provisions to be updated not less than every 5 years.
32. The provisions, recommendations and requirements of the endorsed Green Travel Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
33. 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.
34. 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.
35. 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.
36. 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.

37. 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) detailed drawings of all road infrastructure works associated with this development;
- (b) a pre-conditions survey (dilapidation report) of the land and all adjacent Council roads frontages and nearby road infrastructure;
- (c) works necessary to protect road and other infrastructure;
- (d) remediation of any damage to road and other infrastructure;
- (e) 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,
- (f) facilities for vehicle washing, which must be located on the land;
- (g) 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;
- (h) site security;
- (i) 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;
- (j) the construction program;
- (k) preferred arrangements for trucks delivering to the land, including delivery and unloading points and expected duration and frequency;
- (l) parking facilities for construction workers;
- (m) measures to ensure that all work on the land will be carried out in accordance with the Construction Management Plan;
- (n) an outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services;
- (o) 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;
- (p) 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.
- (q) 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
- (r) any site-specific requirements.

During the construction:

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

38. 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.

31. The signage component of this permit expires 15 years from the date of the permit.

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.

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.

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 check and ensure that the building and any balconies or architectural features 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.

Separate consent or approval may be required for the relocation of power lines.

VicRoads Notes

The proposed development requires reinstatement of disused crossovers to kerb and channel. Separate approval under the Road Management Act for this activity may be required from VicRoads (the Roads Corporation). Please contact VicRoads prior to commencing any works.

Separate Consent shall be required from VicRoads under the Road Management Act 2004 for all buildings and works undertaken outside the title boundary within a Road Zone Category 1.

### Submissions

*The Applicants, Mr William Bromhead and Mr Steve Cortasi addressed the Committee.*

*The following people also addressed the Committee:*

*Ms Susan Zeitz; and  
Ms Rosemarie Speidel.*

## **INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION**

**Moved:** Councillor Gaylard

**Seconded:** Councillor Barbour

That had Council been in a position to determine the application, it would have issued a Notice of Decision to Grant a Permit (PLN14/0989) for 217-241 Queens Parade, Clifton Hill for Development and use of the land for the demolition of the existing building, construction of a mixed-use building (permit required for medical centre) plus three basement levels; construct and display signage; and buildings and works and alterations to access to a Road Zone (Category 1) 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 by Baldasso Cortese received by Council on 16 January 2015 but modified to show:
  - (a) Deletion of four floors (eighth, ninth, tenth and eleventh floors), to a maximum height of eight floors.
  - (b) Deletion of Rooms 1 and 2 from the sixth and seventh floors.
  - (c) 'Punched' windows within the Queens Parade facade of the podium.
  - (d) The first floor, corner-glass detail at the Queens Parade/Dummett Crescent corner of the podium to be deleted and replaced with a closed, solid corner.
  - (e) The façade treatment from the seventh floor and above to incorporate a larger extent of glazing and wider spaced louvers.
  - (f) Deletion of the north-facing 'wintergardens'.
  - (g) A roof plan showing all plant and equipment to be screened from views from the public realm.
  - (h) The clay louvers covering habitable room windows as openable.
  - (i) The reconfiguration of all north-facing habitable room windows to direct views to the east or west through angled bay windows, or similar.
  - (j) Car Parking Bays C17, C36, C37 and C40 as 'Small Car' bays.
  - (k) A 1 in 20 scale cross sectional drawing of the ramp at the midpoint of the entrance showing the actual reduced levels (not interpolated levels from the application drawings) of the road profile of Dummett Crescent, the lip of the channel, the invert of the channel, and a bull-nose of 40 mm.
  - (l) That vehicles can traverse the ramp without scraping or bottoming out.
  - (m) The resident's lounges as partly converted to external terrace spaces.

- (n) The location, angulation and spacing of louvres as significantly reviewed and enhanced, to achieve:
    - (i) More defined solar control where applicable, especially to west-facing glass (while permitting winter sunlight into the building);
    - (ii) Increased natural light access (including indirect ambient light) to windows facing south (end southeast / south-west etc.);
    - (iii) Improved outlook opportunities from all windows, including potentially 'directing' outlook away from the permitted building opposite, where close proximity presents potentially unacceptable inter-looking conditions; and
    - (iv) More varied expression, modulation and visual interest as perceived from the outside.
  - (o) Any requirement of the endorsed ESD report (condition 6) (where relevant to show on plans).
  - (p) Any requirement of the endorsed WMP report (condition 8) (where relevant to show on plans).
  - (q) Any requirement of the endorsed acoustic report (condition 12) (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.

VicRoads Conditions (Nos. 3 to 5)

- 3. All disused or redundant vehicle crossings must be removed and the area reinstated to kerb, channel and footpath to the satisfaction of and at no cost to VicRoads prior to the occupation of the building hereby approved.
- 4. All signage must not be flashing and any lighting must not create glare towards motorists on Queens Parade and on the Heidelberg Road on ramp.
- 5. The luminance of the advertising signs must be such that it does not give a veiling luminance to the driver, of greater than  $0.25\text{cd/m}^2$ , throughout the driver's approach to the advertising sign.
- 6. 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 Umow Lai and dated 22 October 2014, but modified to include or show:
  - (a) Amended daylight modelling to demonstrate adequate daylight to lower levels, where light is naturally restricted by the proposed adjoining development.
  - (b) An achievement of Council's best practice standard for energy efficiency which is an increase of 10% above the minimum NCC requirements.
  - (c) The volume, location and toilet connections for the 30,000L rainwater tank.
  - (d) A high efficiency centralised mechanical ventilation system to be used.
  - (e) Clarification whether solar hot water will be used for all or only part of the hot water demands of the building.
  - (f) LED and compact fluorescent for non-residential areas and to all fittings under 200W.
  - (g) Clarification regarding the lighting system which will be used for the building.
  - (h) The use of a heat pump, heat recovery or other energy efficient clothes drying and washing systems.
  - (i) A clear commitment to specifying accredited sustainable timbers by FSC.



7. The provisions, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
8. Before the plans are endorsed, an amended Waste Management Plan 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 plan must be generally in accordance with the WMP (prepared by Leigh Design dated 22 October 2014), but modified to include:
  - (a) Weekly collection (if more frequent, provide a rationale).
  - (b) Garbage bin allocation meeting waste generation figures.
  - (c) The rationale on the requirement of a 240 MGB.
  - (d) A plan of bin storage area, including dimensions, path of access.
  - (e) A plan of collection point, including dimensions.
  - (f) Collection to be internal from loading bay.
  - (g) Turning template for collection vehicles.
9. The collection of waste from the site must be by private collection and internally within the site, unless with the prior written consent of the Responsible Authority.
10. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
11. Before the development commences, updated landscape plans generally in accordance with the Landscape Plan prepared by Land Projects (14 January 2015) to the satisfaction of the Responsible Authority must be prepared by a suitably qualified person. When approved, the landscape plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and three copies must be provided. The plan must show:
  - (a) The second floor 750mm wide gardens beds to be reconfigured.
  - (b) The deletion of the Arbutus Unedo Irish Strawberry Tree.
  - (c) Details of the maintenance plan for all garden beds.
  - (d) Deletion of the organic mulch note.
  - (e) Loading bearing weights saturated bulk density to be confirmed by structural engineers.
12. 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 and completed to the satisfaction of the Responsible Authority. 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.
13. Before the use and development commences, an amended 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 amended Acoustic Report must be generally in accordance with the Acoustic Report prepared by WatsonMossGrowcott and dated October 2014, but modified to include (or show, or address):

- (a) That an acoustic engineer be involved during the detailed design once plant equipment has been chosen to ensure compliance with SEPP N-1.
- (b) That commercial noise from Mosskito and the gym at No. 213 Queens Parade be addressed.
- (c) Noise from the proposed café be addressed (airbone and impact noise).

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.

14. The provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with 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, 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.
16. 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.
17. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the service road immediately outside of title boundaries 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, 8 bike spaces must be installed on the Queens Parade footpath:
  - (a) at a 45 degree angle;
  - (b) at the permit holder's cost; and
  - (c) in a location and manner,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 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.
20. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the existing concrete kerb along the site's Dummett Crescent frontage must be removed and replaced by one stone dressed kerb (150mm wide) with one stone pitcher channel:

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

21. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the asphalt footpath outside the property frontage to the Queens Parade Service Road be reconstructed to be longitudinally straight graded with a cross-fall not exceeding 1:40 (2.5%):

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

22. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the road pavement outside the property frontage to Dummett Crescent be re-sheeted and the road pavement outside the property frontage to the Queens Parade Service Road be stripped and re-sheeted:

- (a) at the permit holder's cost; and
- (b) 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, the a pedestrian crossing is to be constructed from the Queens Parade Service Road to the tram and bus stops in the centre of Queens Parade:

- (a) in consultation with VicRoads and Public Transport Victoria;
- (b) at the permit holder's cost; and
- (c) to the satisfaction of the Responsible Authority.

24. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, a raised asphalt and bluestone vehicle crossing at the junction of Dummett Crescent and the Queens Parade Service Road (between the subject site and No. 213 Queens Parade to the south) is to be constructed:

- (a) to match the footpath levels of the Queens Parade Service Road;
- (b) at the permit holder's cost; and
- (c) to the satisfaction of the Responsible Authority.

25. 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.

26. Before the use commences, a Car Park Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Car Park Management Plan will be endorsed and will form part of this permit. The Car Park Management Plan must address, but not be limited to, the following:

- (a) the number and location of car parking spaces allocated to each tenancy to be a minimum of:

- (i) 27 car spaces to Residential Aged Care Facility;
- (ii) 3 car spaces to Food and Drink Premises;
- (iii) 2 car spaces to Shop (Pharmacy);
- (iv) 17 car spaces to Medical Centre;
- (b) the management of car parking spaces and security arrangements for occupants and visitors to access car parking;
- (c) details of way-finding, cleaning and security of end of trip bicycle facilities;
- (d) policing arrangements and formal agreements; and
- (e) a schedule of all proposed signage including directional arrows and signage, informative signs indicating location of disabled bays and bicycle parking, exits, restrictions, pay parking system etc

27. 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.

28. 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 car park, pedestrian and vehicular 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.

29. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the developer must ensure that light from any existing lights does not spill into the windows of any new habitable rooms of the proposed aged care facility with:

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

30. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, a Public Lighting Plan to be submitted for adequate lighting in Dummett Crescent and Queens Parade Service Road :

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

31. 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.

#### Green Travel Plan

32. Before the occupation of the development, a Green Travel Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Green Travel plan will be endorsed and will form part of this permit. The Green Travel Plan must include, but not be limited to, the following:

- (a) describe the location in the context of alternative modes of transport;
- (b) the provision of real time passenger information displays for nearby stops within each residential lobby;
- (c) employee / resident welcome packs (e.g. provision of Met Cards/Myki);

- (d) a designated 'manager' or 'champion' responsible for co-ordination and implementation;
- (e) details of bicycle parking and bicycle routes;
- (f) details of GTP funding and management responsibilities; and
- (g) include provisions to be updated not less than every 5 years.

33. The provisions, recommendations and requirements of the endorsed Green Travel Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

34. 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.

35. 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.

36. 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.

37. 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.

38. 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) detailed drawings of all road infrastructure works associated with this development;
- (b) a pre-conditions survey (dilapidation report) of the land and all adjacent Council roads frontages and nearby road infrastructure;
- (c) works necessary to protect road and other infrastructure;
- (d) remediation of any damage to road and other infrastructure;
- (e) 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,
- (f) facilities for vehicle washing, which must be located on the land;
- (g) 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;
- (h) site security;
- (i) 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;
- (j) the construction program;
- (k) preferred arrangements for trucks delivering to the land, including delivery and unloading points and expected duration and frequency;
- (l) parking facilities for construction workers;
- (m) measures to ensure that all work on the land will be carried out in accordance with the Construction Management Plan;
- (n) an outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services;
- (o) 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;
- (p) 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.
- (q) 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
- (r) any site-specific requirements.

During the construction:

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

39. 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.

40. The signage component of this permit expires 15 years from the date of the permit.

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.

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.

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 check and ensure that the building and any balconies or architectural features 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.

Separate consent or approval may be required for the relocation of power lines.

#### VicRoads Notes

The proposed development requires reinstatement of disused crossovers to kerb and channel. Separate approval under the Road Management Act for this activity may be required from VicRoads (the Roads Corporation). Please contact VicRoads prior to commencing any works.

Separate Consent shall be required from VicRoads under the Road Management Act 2004 for all buildings and works undertaken outside the title boundary within a Road Zone Category 1.

**CARRIED UNANIMOUSLY**

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**1.5 319 Richardson Street, Princes Hill – Planning Permit Application No. PLN14/0621**

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Trim Record Number: D15/88545

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 PLN14/0621 for development of the land for partial demolition, alterations and additions to the existing dwelling, including a ground and first floor extension at 319 Richardson Street, Princes Hill VIC 3054 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 (dated 25 March 2015 and 14 May 2015) but modified to show:
  - (a) The proposed corner window to the upper level bathroom to be more consistent with the fenestration and positioning of the window openings in the original house.
  - (b) The exterior cladding of the proposed upper level addition (specifically, the front façade, western boundary wall and eastern wall with a setback 0.65m from the laneway) must be finished to generally match the colour of the existing roof cladding of the retained portion of the heritage dwelling.
  - (c) The extent of existing roof demolition to be consistent between existing elevations and the demolition roof plan.
2. The development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
3. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, all new on-boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.
4. Before the development is occupied, or by such later date as approved in writing by the Responsible Authority, all screening and other measures to prevent overlooking as shown on the endorsed plans must be installed to the satisfaction of the Responsible Authority. Once installed the screening and other measures must be maintained to the satisfaction of the Responsible Authority.
5. Before the 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.
6. 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.
7. 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.

Submissions

*The Applicant, Mr Mark Ciavarella addressed the Committee:*

*The following people also addressed the Committee:*

*Mr Joe Moretti; and  
Ms Angela Pricoli.*

**INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION**

**Moved:** Councillor Gaylard

**Seconded:** Councillor Barbour

That the Recommendation be adopted.

**CARRIED UNANIMOUSLY**

The meeting closed at 9.13 pm.

**Confirmed at the meeting held on Wednesday 29 July 2015**

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**Chairperson**