



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

**held on Wednesday 26 August 2015 at 6.30pm
in Meeting Room 3 at the Richmond Town Hall**

I. ATTENDANCE

Councillor Misha Coleman
Councillor Jackie Fristacky
Councillor Geoff Barbour

Tarquin Leaver (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:

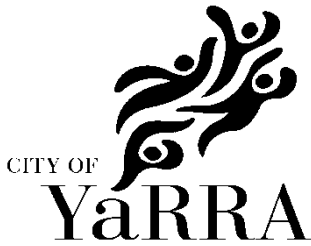
Moved: Councillor Fristacky **Seconded:** Councillor Barbour

That the minutes of the meeting of the Internal Development Approvals Committee held on Wednesday 12 August 2015 be confirmed.

CARRIED

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



Guidelines for public participation at Internal Development Approval Committee meetings

POLICY

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

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

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

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

**Governance Branch
2008**

Councillor Fristacky nominated Councillor Barbour as Chairperson.

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

Councillor Barbour assumed the Chair.

1. INTERNAL DEVELOPMENT APPROVALS COMMITTEE

Item		Page	Res. Page
1.1	PLN14/1125 - 148-150 Cecil Street, Fitzroy - Construction of a 7 storey building (plus basement) with a reduction in the car parking requirement associated with a shop and dwellings and waiver of the loading bay requirement	6	12
1.2	565 - 567 Church Street, Richmond - PLN14/0714 - Development and use of the land to construct a multi-storey building accommodating a shop (permit required use) and offices (as-of-right use), and associated reduction in car parking requirements and waiver of loading bay requirements.	18	21
1.3	PLN12/1140 - 51 Rae Street, Fitzroy North	25	27
1.4	PLN14/0943 - 44-46 Cremorne Street, Cremorne - Use of the land as a function centre and shop with a reduction of the car parking requirement and buildings and works	28	33
1.5	Heritage Victoria referral for works to the Former Foy and Gibson Complex at 111 Cambridge Street Collingwood	37	37

1.1 PLN14/1125 - 148-150 Cecil Street, Fitzroy - Construction of a 7 storey building (plus basement) with a reduction in the car parking requirement associated with a shop and dwellings and waiver of the loading bay requirement

Trim Record Number: D15/107058

Responsible Officer: Coordinator Statutory Planning

RECOMMENDATION

That a Notice of Decision (PLN14/1125) for be issued for the construction of a 7 storey building (plus basement) with a reduction in the car parking requirement associated with a shop and dwellings and waiver of the loading bay requirement at 148-150 Cecil Street, Fitzroy VIC 3065 based on the decision plans (TP1.01 and TP2.02, dated 20.11.14 and TP1.02 – TP1.09, TP2.01, TP2.03 and TP3.01-TP3.04, revision A, dated 22.07.15) and subject to the following conditions:

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the advertised plans (TP1.01 and TP2.02, dated 20.11.14 and TP1.02 – TP1.09, TP2.01, TP2.03 and TP3.01-TP3.04, revision A, dated 22.07.15) but modified to show:
 - (a) the 'retail' premises as a 'shop';
 - (b) all windows are operable, except where required to be fixed for overlooking protection as per condition 1 (f) and (g);
 - (c) the fire booster concealed in a cupboard in a material and color to respect the façade;
 - (d) the demolition of the existing crossover and reconstruction to Council standards and requirements;
 - (e) a 1 in 20 cross section of the proposed vehicle crossover, showing the actual reduced levels (not interpolated levels from the application drawings) of the road profile, the lip of the channel, the invert of the channel and the top of kerb levels. The cross section must demonstrate that vehicles can traverse the new vehicle crossing and development entrance without scraping or bottoming out;
 - (f) deletion of reference to the 2 shop visitor spaces within the front garden bed;
 - (g) the location of plant and equipment, screened from street view (from Cecil Street);
 - (h) demonstration the following meets clause 55.04-6 of the Yarra Planning Scheme:
 - (i) Level 1 south and north facing bedroom windows presenting to the west boundary light court;
 - (ii) Levels 2 and 3 – westernmost, south facing bedroom window;
 - (iii) Levels 2 and 3 – south-west corner terrace;
 - (iv) Levels 4 and 5 – north-west corner terrace;
 - (v) Levels 4 and 5 – south-west corner terrace and adjoining west facing dining and bedroom windows; and
 - (vi) Level 6 – western edge of the terraces.
 - (i) where habitable room windows and terraces could provide internal overlooking within 9m and a 45 degree radius (excluding the north-facing windows and terraces), the terraces and/or windows must be treated with:
 - (i) 1.7m sill heights;
 - (ii) minimum 1.7m high, maximum 25 per cent transparent screens; or
 - (iii) minimum 1.7m, fixed, obscure glazing.
 - (j) include external, operable screening to the west facing windows and the level 4-6 facing windows;
 - (k) a schedule of colours and materials, including samples (as relevant);
 - (l) wall and overall heights annotated in metres;
 - (m) a minimum storage cage size of 4.9m³;
 - (n) lockers a shower for shop staff;

- (o) any changes resulting from the endorsed Sustainable Management Plan (where relevant to show on plan); and
 - (p) any changes resulting from the endorsed acoustic report (where relevant to show on plan).
2. The development and uses as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.

General

3. Finished floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.
4. Before the 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.
5. 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.
6. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
7. The development must comply at all times with the State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N-1).
8. All pipes, fixtures, fittings and vents servicing any building on the land must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.
9. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating access to the basement car park, pedestrian walkway, laneway and dwelling entrances must be provided. Lighting must be:
- (a) located;
 - (b) directed;
 - (c) shielded; and
 - (d) of limited intensity,
- to the satisfaction of the Responsible Authority.

Acoustic report

10. Before the development commences, an Acoustic Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Acoustic Report will be endorsed and will form part of this permit. The Acoustic Report must include an assessment of:
- (a) adjoining commercial and warehouse uses (including loading/unloading, plant and equipment) and the impact on the proposed dwellings; and
 - (b) the ancillaries proposed as part of this application (including air conditioner units), the lift, car stackers and vehicular entrance door and the impact on existing dwellings and the proposed dwellings.

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.

Sustainable Management Plan

12. Before the 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 Wood and Grieve Engineers dated 18 November 2014, but modified to:
 - (a) a 100% storm rating, with all impervious areas correctly identified;
 - (b) reference the correct rainwater tank size;
 - (c) include high VLT glazing (minimum 0.6 across all dwellings);
 - (d) demonstrate a minimum 10 per cent improvement on the minimum NCC requirements for building envelope thermal efficiency;
 - (e) include external, operable screening to the west facing windows and the level 4-6 facing windows; and
 - (f) confirm a gas instantaneous system will be installed.
13. The provisions, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Waste Management Plan

14. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Developer contributions

15. Prior to commencement of the development the permit holder must make a one off contribution of a maximum of \$15,000 to the Responsible Authority to be used for upgrading the Cecil Street road closure to the north-west of the site (bluestone kerb and channel and landscaping).

Car parking

16. Before the building is occupied, 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; and
 - (b) formed to such levels and drained so that they can be used in accordance with the endorsed plansto 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.

Bicycle parking

18. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, 4 bike racks must be installed:
 - (a) at the permit holder's cost; and
 - (b) in a location and manner,

to the satisfaction of the Responsible Authority.

Construction Management

19. Before the development commences, a Construction Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will form part of this permit. The plan must provide for:
- (a) a pre-conditions survey (dilapidation report) of the land and all adjacent Council roads frontages and nearby road infrastructure (including Cecil Street);
 - (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; and
 - (v) other relevant considerations.
 - (q) during the construction:
 - (i) any stormwater discharged into the stormwater drainage system must be in compliance with Environment Protection Authority guidelines;
 - (ii) stormwater drainage system protection measures must be installed as required to ensure that no solid waste, sediment, sand, soil, clay or stones from the land enters the stormwater drainage system;

- (iii) vehicle borne material must not accumulate on the roads abutting the land;
 - (iv) the cleaning of machinery and equipment must take place on the land and not on adjacent footpaths or roads; and
 - (v) all litter (including items such as cement bags, food packaging and plastic strapping) must be disposed of responsibly.
20. After the connections for underground utility services and prior to the occupation of the development, the footpath immediately outside the property's Cecil Street frontage must be reconstructed (matching existing levels and materials) to Council standard and at the Permit holder's expense.
21. 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.
22. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.
23. 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.

Melbourne Water conditions

24. The ground floor lift and stairwell must be constructed with finished floor levels a minimum of 300mm above the applicable flood level.
25. The ground floor retail area must be constructed with finished floor levels a minimum of 300mm above the applicable flood level.
26. The ground floor car parking area (not including the car stacker pits) must be constructed with finished surface levels a minimum of 150mm above the applicable flood level.
27. The ground floor lobby, service area and bike store must be constructed with finished surface levels set no lower than 22.0 metres to Australian Height Datum.
28. All doors, windows, vents and openings to the basement area (except for the car stacker pits) must be a minimum of 300mm above the applicable flood level.
29. Any drainage system to the basement must be designed such that floodwater is unable to penetrate the basement area.
30. Flood resistant materials must be used for the construction of floor levels and walls below the applicable flood level.

Time expiry

31. This permit will expire if:
- (a) the development is not commenced within two years of the date of this permit;
 - (b) the development is not completed within four years of the date of this permit; or
 - (c) the uses are not commenced within five years from the date of this permit.

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

COUNCIL NOTES:

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.

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.

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

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.

Areas must be provided inside the property line and adjacent to the footpath to accommodate pits and meters. No private pits, valves or meters on Council property will be accepted.

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

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

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

MELBOURNE WATER NOTES:

The applicable flood level for this property that has a probability of occurrence of 1% in any one year is 22.29 metres to Australian Height Datum (AHD).

For the purpose of the Building Code of Australia - Building in Flood Hazard Areas, Melbourne Water has determined that during a flood event that has a probability of occurrence of 1% in any one year, the maximum flow rate of flood water (velocity) will be below 1.5 metres per second.

If further information is required in relation to Melbourne Water's conditions shown above, please contact Land Development on telephone 9679 7517 quoting Melbourne Water's Reference 246842.

Submissions

The Applicant, Mr Vaughn Connor addressed the Committee.

The following people also addressed the Committee:

*Mr Joel Fetter;
Mr John Downie;
Mr Nick Vrahiotis; and
Mr Rob Priest.*

INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION**Moved:** Councillor Fristacky**Seconded:** Councillor Coleman

That a Notice of Decision (PLN14/1125) for be issued for the construction of a 7 storey building (plus basement) with a reduction in the car parking requirement associated with a shop and dwellings and waiver of the loading bay requirement at 148-150 Cecil Street, Fitzroy VIC 3065 based on the decision plans (TP1.01 and TP2.02, dated 20.11.14 and TP1.02 – TP1.09, TP2.01, TP2.03 and TP3.01-TP3.04, revision A, dated 22.07.15) and subject to the following conditions:

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 - (a) the 'retail' premises as a 'shop';
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 - (c) the fire booster concealed in a cupboard in a material and color to respect the façade;
 - (d) the demolition of the existing crossover and reconstruction to Council standards and requirements;
 - (e) a 1 in 20 cross section of the proposed vehicle crossover, showing the actual reduced levels (not interpolated levels from the application drawings) of the road profile, the lip of the channel, the invert of the channel and the top of kerb levels. The cross section must demonstrate that vehicles can traverse the new vehicle crossing and development entrance without scraping or bottoming out;
 - (f) deletion of reference to the 2 shop bicycle spaces within the front garden;
 - (g) the location of plant and equipment, screened from street view (from Cecil Street);
 - (h) demonstration the following meets clause 55.04-6 of the Yarra Planning Scheme:
 - (i) Level 1 south and north facing bedroom windows presenting to the west boundary light court;
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 - (m) a minimum storage cage size of 4.9m³;
 - (n) lockers a shower for shop staff;
 - (o) any changes resulting from the endorsed Sustainable Management Plan (where relevant to show on plan);
 - (p) any changes resulting from the endorsed acoustic report (where relevant to show on plan);

- (q) the deletion of level 5 (6th storey); and
- (r) the deletion of level 3 (4th storey) of the western part of the development.

2. The development and uses as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.

General

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 - (d) demonstrate a minimum 10 per cent improvement on the minimum NCC requirements for building envelope thermal efficiency;
 - (e) include external, operable screening to the west facing windows and the level 4-6 facing windows; and
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Waste Management Plan

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Developer contributions

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Car parking

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Bicycle parking

18. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, 4 bike racks must be installed:
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Construction Management

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 - (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;
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 - (iii) dust;
 - (iv) stormwater contamination from run-off and wash-waters;
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 - (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;
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 - (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; and
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 - (q) during the construction:
 - (i) any stormwater discharged into the stormwater drainage system must be in compliance with Environment Protection Authority guidelines;
 - (ii) stormwater drainage system protection measures must be installed as required to ensure that no solid waste, sediment, sand, soil, clay or stones from the land enters the stormwater drainage system;
 - (iii) vehicle borne material must not accumulate on the roads abutting the land;

- (iv) the cleaning of machinery and equipment must take place on the land and not on adjacent footpaths or roads; and
 - (v) all litter (including items such as cement bags, food packaging and plastic strapping) must be disposed of responsibly.
20. After the connections for underground utility services and prior to the occupation of the development, the footpath immediately outside the property's Cecil Street frontage must be reconstructed (matching existing levels and materials) to Council standard and at the Permit holder's expense.
21. 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.
22. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.
23. 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.

Melbourne Water conditions

24. The ground floor lift and stairwell must be constructed with finished floor levels a minimum of 300mm above the applicable flood level.
25. The ground floor retail area must be constructed with finished floor levels a minimum of 300mm above the applicable flood level.
26. The ground floor car parking area (not including the car stacker pits) must be constructed with finished surface levels a minimum of 150mm above the applicable flood level.
27. The ground floor lobby, service area and bike store must be constructed with finished surface levels set no lower than 22.0 metres to Australian Height Datum.
28. All doors, windows, vents and openings to the basement area (except for the car stacker pits) must be a minimum of 300mm above the applicable flood level.
29. Any drainage system to the basement must be designed such that floodwater is unable to penetrate the basement area.
30. Flood resistant materials must be used for the construction of floor levels and walls below the applicable flood level.

Time expiry

31. This permit will expire if:
- (a) the development is not commenced within two years of the date of this permit;
 - (b) the development is not completed within four years of the date of this permit; or
 - (c) the uses are not commenced within five years from the date of this permit.
- The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires or within six months afterwards for commencement or within twelve months afterwards for completion.

COUNCIL NOTES:

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.

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.

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

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.

Areas must be provided inside the property line and adjacent to the footpath to accommodate pits and meters. No private pits, valves or meters on Council property will be accepted.

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

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

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

MELBOURNE WATER NOTES:

The applicable flood level for this property that has a probability of occurrence of 1% in any one year is 22.29 metres to Australian Height Datum (AHD).

For the purpose of the Building Code of Australia - Building in Flood Hazard Areas, Melbourne Water has determined that during a flood event that has a probability of occurrence of 1% in any one year, the maximum flow rate of flood water (velocity) will be below 1.5 metres per second.

If further information is required in relation to Melbourne Water's conditions shown above, please contact Land Development on telephone 9679 7517 quoting Melbourne Water's Reference 246842.

CARRIED UNANIMOUSLY

1.2 565 - 567 Church Street, Richmond - PLN14/0714 - Development and use of the land to construct a multi-storey building accommodating a shop (permit required use) and offices (as-of-right use), and associated reduction in car parking requirements and waiver of loading bay requirements.

Trim Record Number: D15/105985

Responsible Officer: Coordinator Statutory Planning

RECOMMENDATION

That having considered all objections and relevant planning considerations, the Committee resolves to issue a Notice of Decision to Grant a Planning Permit (PLN14/0714) for the development and use of the land to construct a multi-storey building accommodating a shop (permit required use) and offices (as-of-right use), and associated reduction in car parking requirements and waiver of loading bay requirements. at 565 – 567 Church Street Richmond subject to the following conditions:

1. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the decision plans but modified to show:
 - (a) The canopy setback a minimum 750mm from the kerb of Church Street and Cotter Street.
 - (b) A minimum of 10 bike spaces on-site.
 - (c) Operable windows to the eastern, southern, and western elevations to all floors.
 - (d) Exterior fixed or adjustable shading measures to exposed west and east facades and/or detail adequate glazing measures to reduce solar gains and glare.
 - (e) Show the rainwater tank and detail the rainwater tank capacity consistent with the STORM rating report included in the SMP prepared by F2 Design dated January 2015.
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. No more than four (4) staff for the shop use are permitted at any one time.
4. Except with the prior written consent of the Responsible Authority, the shop use authorised by this permit may only operate between the hours of 8am and 6pm.
5. The use and development must comply at all times with the State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N-1).
6. 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.
7. Before the 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 Sustainability Management Plan (SMP) prepared by F2 Design dated January 2015, but modified to include or show:
 - (a) A minimum 10% improvement in the minimum BCA Section J requirements.

- (b) Building performance measures updated to reflect the design changes required by Condition 1 of this permit.
8. The provisions, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
 9. Before the development commences, a Waste Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. Once approved, the Waste Management Plan will be endorsed and will form part of this permit. The Waste Management Plan must (but not limited to) include:
 - (a) Collection of waste to be by private collection.
 - (b) Location of bin collection point and where waste vehicle will park when collecting.
 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. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.
 12. Upon the completion of all building works and connections for underground services, the developer must reconstruct the Right-of-Way immediately outside its eastern boundary to the satisfaction of the Responsible Authority. The cost of these works to be borne by the permit holder.
 13. Within 2 months of the completion of the development, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated:
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
 14. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the areas set aside on the endorsed plans for the car parking spaces, 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.
 15. All pipes, fixtures, fittings and vents servicing any building on the land must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.
 16. 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 walkway, and dwelling entrances must be provided. Lighting must be:
 - (a) located;
 - (b) directed;
 - (c) shielded; and
 - (d) of limited intensity.

to the satisfaction of the Responsible Authority.

17. Before the development commences, a Construction Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will form part of this permit. The plan must provide for:
- (a) a pre-conditions survey (dilapidation report) of the land and all adjacent Council roads frontages and nearby road infrastructure;
 - (b) works necessary to protect road and other infrastructure;
 - (c) remediation of any damage to road and other infrastructure;
 - (d) containment of dust, dirt and mud within the land and method and frequency of clean up procedures to prevent the accumulation of dust, dirt and mud outside the land,
 - (e) facilities for vehicle washing, which must be located on the land;
 - (f) the location of loading zones, site sheds, materials, cranes and crane/hoisting zones, gantries and any other construction related items or equipment to be located in any street;
 - (g) site security;
 - (h) management of any environmental hazards including, but not limited to,:
 - (i) contaminated soil;
 - (ii) materials and waste;
 - (iii) dust;
 - (iv) stormwater contamination from run-off and wash-waters;
 - (v) sediment from the land on roads;
 - (vi) washing of concrete trucks and other vehicles and machinery; and
 - (vii) spillage from refuelling cranes and other vehicles and machinery;
 - (i) the construction program;
 - (j) preferred arrangements for trucks delivering to the land, including delivery and unloading points and expected duration and frequency;
 - (k) parking facilities for construction workers;
 - (l) measures to ensure that all work on the land will be carried out in accordance with the Construction Management Plan;
 - (m) an outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services;
 - (n) an emergency contact that is available for 24 hours per day for residents and the Responsible Authority in the event of relevant queries or problems experienced;
 - (o) the provision of a traffic management plan to comply with provisions of AS 1742.3-2002 Manual of uniform traffic control devices - Part 3: Traffic control devices for works on roads; and
 - (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.
18. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
- (a) Monday to Friday (excluding public holidays) before 7 am or after 6 pm;

- (b) Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday) before 9 am or after 3 pm; or
- (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.

19. This permit will expire if:

- (a) the development is not commenced within two years of the date of this permit;
- (b) the development is not completed within four years of the date of this permit; or
- (c) the use is 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 may be 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 employees within the development approved under this permit will not be permitted to obtain parking permits.

Submissions

The Applicant, Mr Stuart McGurn addressed the Committee.

Ms Kylie Austla also addressed the Committee.

INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION

Moved: Councillor Coleman

Seconded: Councillor Fristacky

That having considered all objections and relevant planning considerations, the Committee resolves to issue a Notice of Decision to Grant a Planning Permit (PLN14/0714) for the development and use of the land to construct a multi-storey building accommodating a shop (permit required use) and offices (as-of-right use), and associated reduction in car parking requirements and waiver of loading bay requirements. at 565 – 567 Church Street Richmond subject to the following conditions:

1. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the decision plans but modified to show:
 - (a) The canopy setback a minimum 750mm from the kerb of Church Street and Cotter Street.
 - (b) A minimum of 10 bike spaces on-site.

- (c) Operable windows to the eastern, southern, and western elevations to all floors.
 - (d) Exterior fixed or adjustable shading measures to exposed west and east facades and/or detail adequate glazing measures to reduce solar gains and glare.
 - (e) Show the rainwater tank and detail the rainwater tank capacity consistent with the STORM rating report included in the SMP prepared by F2 Design dated January 2015.
 - (f) The deletion of one level.
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. No more than four (4) staff for the shop use are permitted at any one time.
 4. Except with the prior written consent of the Responsible Authority, the shop use authorised by this permit may only operate between the hours of 8am and 6pm.
 5. The use and development must comply at all times with the State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N-1).
 6. 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.
 7. Before the 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 Sustainability Management Plan (SMP) prepared by F2 Design dated January 2015, but modified to include or show:
 - (a) A minimum 10% improvement in the minimum BCA Section J requirements.
 - (b) Building performance measures updated to reflect the design changes required by Condition 1 of this permit.
 8. The provisions, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
 9. Before the development commences, a Waste Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. Once approved, the Waste Management Plan will be endorsed and will form part of this permit. The Waste Management Plan must (but not limited to) include:
 - (a) Collection of waste to be by private collection.
 - (b) Location of bin collection point and where waste vehicle will park when collecting.
 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. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.
 12. Upon the completion of all building works and connections for underground services, the developer must reconstruct the Right-of-Way immediately outside its eastern boundary to the satisfaction of the Responsible Authority. The cost of these works to be borne by the permit holder.

13. Within 2 months of the completion of the development, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated:
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.

14. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the areas set aside on the endorsed plans for the car parking spaces, 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.

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

16. 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 walkway, and dwelling entrances must be provided. Lighting must be:
 - (a) located;
 - (b) directed;
 - (c) shielded; and
 - (d) of limited intensity.

to the satisfaction of the Responsible Authority.

17. Before the development commences, a Construction Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will form part of this permit. The plan must provide for:
 - (a) a pre-conditions survey (dilapidation report) of the land and all adjacent Council roads frontages and nearby road infrastructure;
 - (b) works necessary to protect road and other infrastructure;
 - (c) remediation of any damage to road and other infrastructure;
 - (d) containment of dust, dirt and mud within the land and method and frequency of clean up procedures to prevent the accumulation of dust, dirt and mud outside the land,
 - (e) facilities for vehicle washing, which must be located on the land;
 - (f) the location of loading zones, site sheds, materials, cranes and crane/hoisting zones, gantries and any other construction related items or equipment to be located in any street;
 - (g) site security;
 - (h) management of any environmental hazards including, but not limited to,:
 - (i) contaminated soil;
 - (ii) materials and waste;
 - (iii) dust;
 - (iv) stormwater contamination from run-off and wash-waters;
 - (v) sediment from the land on roads;
 - (vi) washing of concrete trucks and other vehicles and machinery; and
 - (vii) spillage from refuelling cranes and other vehicles and machinery;

- (i) the construction program;
- (j) preferred arrangements for trucks delivering to the land, including delivery and unloading points and expected duration and frequency;
- (k) parking facilities for construction workers;
- (l) measures to ensure that all work on the land will be carried out in accordance with the Construction Management Plan;
- (m) an outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services;
- (n) an emergency contact that is available for 24 hours per day for residents and the Responsible Authority in the event of relevant queries or problems experienced;
- (o) the provision of a traffic management plan to comply with provisions of AS 1742.3-2002 Manual of uniform traffic control devices - Part 3: Traffic control devices for works on roads; and
- (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.

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

- (a) Monday to Friday (excluding public holidays) before 7 am or after 6 pm;
- (b) Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday) before 9 am or after 3 pm; or
- (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.

19. This permit will expire if:

- (a) the development is not commenced within two years of the date of this permit;
- (b) the development is not completed within four years of the date of this permit; or
- (c) the use is 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 may be 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 owners, occupiers and employees within the development approved under this permit will not be permitted to obtain parking permits.

CARRIED UNANIMOUSLY

1.3 PLN12/1140 - 51 Rae Street, Fitzroy North

Trim Record Number: D15/106710

Responsible Officer: Coordinator Statutory Planning

RECOMMENDATION

That having considered all relevant matters the Committee resolves to advise VCAT that it supports the amended plans for PLN12/1140 for the development of the land for part demolition and ground and first floor additions at 51 Rae Street, Fitzroy North, subject to the following conditions (new components underlined):

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 6 August 2015, but modified to show:
 - (a) The northern first floor wall where it abuts the secluded private open space to be:
 - (i) No more than 3.6 metres high on the boundary;
 - (ii) Above 3.6 metres, raked so that the top of the extension is set back 1 metre from the boundary; and
 - (iii) Of a different material from the remainder of the wall.
 - (b) All plans to consistently detail the extent of demolition and works to the front verandah.
 - (c) The material of the first floor façade to Rae Street altered to weatherboard cladding to match the southern and western facades.
 - (d) Sections showing the first floor west-facing bedroom window and first floor east-facing stairwell window to confirm that they comply with standard A15 of clause 54 of the Yarra Planning Scheme.
 - (e) The plans to clearly show all existing structures relative to property boundaries (as detailed through a survey plan undertaken by a licensed surveyor), with only structures within the property boundary to be demolished.
 - (f) A schedule of all materials and colours, including a set of coloured elevations to show a lighter colour to the first floor southern elevation.

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. Within two months of the works being completed, 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.

5. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
 - (a) before 7.00 am or after 6.00 pm, Monday-Friday (excluding public holidays);

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

6. This permit will expire if one of the following circumstances applies:

- (a) The development is not started within two years of the date of this permit.
- (b) The development is not completed within four years of the date of this permit.

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

NOTES

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

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

Submissions

The following people addressed the Committee:

*Ms Irene Haas;
Ms Katrina Harris; and
Mr Andrew Talati*

Please note

The amendments that formed part of the Resolution at this meeting are in **bold and underlined**.

INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION

Moved: Councillor Fristacky

Seconded: Councillor Coleman

That having considered all relevant matters the Committee resolves to advise VCAT that it supports the amended plans for PLN12/1140 for the development of the land for part demolition and ground and first floor additions at 51 Rae Street, Fitzroy North, subject to the following conditions (new components underlined):

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 6 August 2015, but modified to show:
 - (a) The northern first floor wall where it abuts the secluded private open space to be:
 - (i) No more than 3.6 metres high on the boundary;
 - (ii) Above 3.6 metres, raked so that the top of the extension is set back 1.5 metres from the boundary; and
 - (iii) Of a different material from the remainder of the wall.

- (b) All plans to consistently detail the extent of demolition and works to the front verandah.
- (c) The material of the first floor façade to Rae Street altered to weatherboard cladding to match the southern and western facades.
- (d) Sections showing the first floor west-facing bedroom window and first floor east-facing stairwell window to confirm that they comply with standard A15 of clause 54 of the Yarra Planning Scheme.
- (e) The plans to clearly show all existing structures relative to property boundaries (as detailed through a survey plan undertaken by a licensed surveyor), with only structures within the property boundary to be demolished.
- (f) A schedule of all materials and colours, including a set of coloured elevations to show a lighter colour to the first floor southern elevation.

(g) A reduction in the overall height of the extension by 300mm.

- 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. Within two months of the works being completed, 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.
- 5. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
 - (a) before 7.00 am or after 6.00 pm, Monday-Friday (excluding public holidays);
 - (b) before 9.00 am or after 3.00 pm, Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday); or
 - (c) at any time on Sundays, ANZAC Day, Christmas Day and Good Friday.
- 6. This permit will expire if one of the following circumstances applies:
 - (a) The development is not started within two years of the date of this permit.
 - (b) The development is not completed within four years of the date of this permit.

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

NOTES

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

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

CARRIED UNANIMOUSLY

1.4 PLN14/0943 - 44-46 Cremorne Street, Cremorne - Use of the land as a function centre and shop with a reduction of the car parking requirement and buildings and works

Trim Record Number: D15/104742

Responsible Officer: Coordinator Statutory Planning

RECOMMENDATION

That a Notice of Decision to Grant a Planning Permit PLN14/0943 be issued for the use of the land as a function centre and shop with a reduction of the car parking requirement and buildings and works at 44-46 Cremorne Street, Cremorne VIC 3121 generally in accordance with the advertised plans (prepared by SASHIMI, dated October 2014 and February 2015) and subject to the following conditions:

1. Before the use or 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) acoustic works as per the endorsed acoustic report (where relevant to show on plan); and
 - (b) any changes as per the endorsed waste management plan (where relevant to show on plan).
2. The uses 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.

Waste management

3. Before the use or development commences, a Waste Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The report must be in accordance with the *Guide to Best Practice for Waste Management in Multi-unit Developments* by Sustainability Victoria 2010, relevant waste industry standards and Council's waste collection requirements. Once approved, the Waste Management Plan will be endorsed and will form part of this permit.
4. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Acoustic report

5. Before the use or 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 Watson Moss Growcott and dated July 2015, but modified to:
 - (a) correct the reference on page 3 that a permit had previously been issued for this use; and
 - (b) reflect the waste management arrangement as per the endorsed waste management plan and update any acoustic recommendations, as necessary.
6. The provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.

Shop use

7. Except with the prior written consent of the Responsible Authority, the shop use authorised by this permit may only operate between the hours of 8.00 am and 6.00 pm, seven days.
8. No more than 4 shop staff are permitted on the land at any one time.

Function centre

9. Except with the prior written consent of the Responsible Authority, the function centre use authorised by this permit may only operate between the hours of 6.00 am and midnight, seven days.
10. Except with the prior written consent of the Responsible Authority, the function centre use must not operate more than 3 times a week.
11. No more than 100 patrons are permitted on the land at any one time.
12. No more than 4 function centre staff are permitted on the land at any one time.
13. The western façade door must remain closed at all times when the function centre is in use.
14. The amenity of the area must not be detrimentally affected by the use or development, 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.
15. Prior to the commencement of the function centre use authorised by this permit, a Noise Limiter must be installed on the land. The Noise Limiter must:
 - (a) be set at a level specified by the endorsed acoustic report and certified by a qualified acoustic engineer;
 - (b) ensure the emission of noise from amplified music does not exceed the levels specified in the State Environment Protection Policy – Control of Music Noise from Public Premises (SEPP N-2); and
 - (c) be maintained and operated at all times.to the satisfaction of the Responsible Authority.
16. The provision of music and entertainment on the land must be at a background noise level.
17. Speakers external to the building must not be erected or used.
18. Emptying of bottles and cans into bins may only occur between 7am and 10pm on any day.

General

19. The uses must comply at all times with the State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N-1).
20. The uses must comply at all times with the State Environment Protection Policy – Control of Music Noise from Public Premises (SEPP N-2).
21. Except with the prior written consent of the Responsible Authority, delivery and collection of goods to and from the land may only occur between 7am and 10pm on any day.

22. All buildings and works must be maintained in good order and appearance to the satisfaction of the responsible authority.

Construction

23. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.
24. Before either use commences, 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.
25. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
- (a) Monday to Friday (excluding public holidays) before 7 am or after 6 pm;
 - (b) Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday) before 9 am or after 3 pm; or
 - (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.

Expiry

26. This permit will expire if:
- (a) the development is not commenced within two years of the date of this permit;
 - (b) the development is not completed within four years of the date of this permit; or
 - (c) the uses are not commenced within five years of the date of this permit.
- The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires or within six months afterwards for commencement or within twelve months afterwards for completion.

NOTES:

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.

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

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

Submissions

The Applicants, Mr Paul Hyland and Ms Nada Glumicic addressed the Committee:

Mr Darren McKee also addressed the Committee:

PROPOSED INTERNAL DEVELOPMENT APPROVALS COMMITTEE RECOMMENDATION

Moved: Councillor Coleman

That a Notice of Decision to Grant a Planning Permit PLN14/0943 be issued for the use of the land as a function centre and shop with a reduction of the car parking requirement and buildings and works at 44-46 Cremorne Street, Cremorne VIC 3121 generally in accordance with the advertised plans (prepared by SASHIMI, dated October 2014 and February 2015) and subject to the following conditions:

1. Before the use or 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) acoustic works as per the endorsed acoustic report (where relevant to show on plan);
 - (b) any changes as per the endorsed waste management plan (where relevant to show on plan); and
 - (c) the provision of 5 bicycle spaces.
2. The uses 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.

Waste management

3. Before the use or development commences, a Waste Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The report must be in accordance with the *Guide to Best Practice for Waste Management in Multi-unit Developments* by Sustainability Victoria 2010, relevant waste industry standards and Council's waste collection requirements. Once approved, the Waste Management Plan will be endorsed and will form part of this permit.
4. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Acoustic report

5. Before the use or 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 Watson Moss Growcott and dated July 2015, but modified to:
 - (a) correct the reference on page 3 that a permit had previously been issued for this use; and
 - (b) reflect the waste management arrangement as per the endorsed waste management plan and update any acoustic recommendations, as necessary.
6. The provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.

Shop use

7. Except with the prior written consent of the Responsible Authority, the shop use authorised by this permit may only operate between the hours of 8.00 am and 6.00 pm, seven days.

8. No more than 4 shop staff are permitted on the land at any one time.

Function centre

9. Except with the prior written consent of the Responsible Authority, the function centre use authorised by this permit may only operate between the hours of 6.00 pm and midnight, seven days.
10. Except with the prior written consent of the Responsible Authority, the function centre use must not operate more than 3 times a week.
11. No more than 75 patrons are permitted on the land at any one time.
12. No more than 4 function centre staff are permitted on the land at any one time.
13. The western façade door must remain closed at all times when the function centre is in use.
14. The amenity of the area must not be detrimentally affected by the use or development, 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.
15. Prior to the commencement of the function centre use authorised by this permit, a Noise Limiter must be installed on the land. The Noise Limiter must:
- (a) be set at a level specified by the endorsed acoustic report and certified by a qualified acoustic engineer;
 - (b) ensure the emission of noise from amplified music does not exceed the levels specified in the State Environment Protection Policy – Control of Music Noise from Public Premises (SEPP N-2); and
 - (c) be maintained and operated at all times.
- to the satisfaction of the Responsible Authority.
16. The provision of music and entertainment on the land must be at a background noise level.
17. Speakers external to the building must not be erected or used.
18. Emptying of bottles and cans into bins may only occur between 7am and 10pm on any day.

General

19. Prior to the commencement of the use, a notice must be displayed in a prominent location requesting that patrons leave the premises in an orderly manner and respect the amenity of neighbours.
20. The uses must comply at all times with the State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N-1).
21. The uses must comply at all times with the State Environment Protection Policy – Control of Music Noise from Public Premises (SEPP N-2).
22. Except with the prior written consent of the Responsible Authority, delivery and collection of goods to and from the land may only occur between 7am and 10pm on any day.

23. All buildings and works must be maintained in good order and appearance to the satisfaction of the responsible authority.

Construction

24. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.
25. Before either use commences, 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
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Expiry

27. This permit will expire if:
- (a) the development is not commenced within two years of the date of this permit;
 - (b) the development is not completed within four years of the date of this permit; or
 - (c) the uses are not commenced within five years of the date of this permit.
- The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires or within six months afterwards for commencement or within twelve months afterwards for completion.

NOTES:

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.

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

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

Motion lapsed for want of a seconder.

INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION

Moved: Councillor Barbour

Seconded: Councillor Fristacky

That a Notice of Decision to Grant a Planning Permit PLN14/0943 be issued for the use of the land as a function centre and shop with a reduction of the car parking requirement and buildings and works at 44-46 Cremorne Street, Cremorne VIC 3121 generally in accordance with the advertised plans (prepared by SASHIMI, dated October 2014 and February 2015) and subject to the following conditions:

1. Before the use or 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:
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8. No more than 4 shop staff are permitted on the land at any one time.

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10. Except with the prior written consent of the Responsible Authority, the function centre use must not operate more than 3 times a week.

11. No more than 100 patrons are permitted on the land at any one time.
12. No more than 4 function centre staff are permitted on the land at any one time.
13. The western façade door must remain closed at all times when the function centre is in use.
14. The amenity of the area must not be detrimentally affected by the use or development, 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
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 - (a) be set at a level specified by the endorsed acoustic report and certified by a qualified acoustic engineer;
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NOTES:

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

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

CARRIED

For: Crs Barbour and Fristacky

Against: Cr Coleman

1.5 Heritage Victoria referral for works to the Former Foy and Gibson Complex at 111 Cambridge Street Collingwood

Trim Record Number: D15/108260
Responsible Officer: Principal Planner

RECOMMENDATION

Based on the above advice, officers intend to issue a letter to Heritage Victoria outlining no objection to the proposed works at 111 Cambridge Street Collingwood.

No submissions were made on this matter.

INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION

Moved: Councillor Fristacky **Seconded:** Councillor Barbour

That the Recommendation be adopted.

CARRIED

For: Crs Barbour and Fristacky

Against: Nil

Abstained: Cr Councillor Coleman

The meeting closed at 9.11 pm.

Confirmed at the meeting held on Wednesday 9 September 2015

Chairperson