



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

**held on Wednesday 9 September 2015 at 6.30pm
in Meeting Room 3 at the Richmond Town Hall**

I. ATTENDANCE

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

Danielle Connell (Co-ordinator Statutory Planning)
Patrick Sutton (Senior Statutory Planner)
Rhys Thomas (Senior Governance Advisor)

II. APOLOGIES AND LEAVE OF ABSENCE

Councillor Misha Coleman

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

IV. CONFIRMATION OF MINUTES

Internal Development Approvals Committee Resolution:

Moved: Councillor Fristacky **Seconded:** Councillor Gaylard

That the minutes of the meeting of the Internal Development Approvals Committee held on Wednesday 26 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	PLN15/0077 - 64 Johnston Street Collingwood - Develop the land by the construction of a four-storey building including part demolition, use of the ground-floor as a shop, with office above (no permit required for office use), a reduction in the car parking requirements of clause 52.06 and a waiver of the loading bay requirements of clause 52.07 of the Yarra Planning Scheme	6	10
1.2	3 / 6 Margaret Grove Alphington - PLN14/1193 - Development of the land for a ground and first floor extension to the existing dwelling, including part demolition	15	16
1.3	429-437 Swan Street and 16-26 Farmer Street, Richmond VIC 3121 - Planning Permit Application No. PLN14/1205	19	26
1.4	PLN15/0338 - 1019 Drummond Street Carlton North - Development of the land for works to the outbuilding at the rear including part demolition and a first floor addition.	34	35

1.1 PLN15/0077 - 64 Johnston Street Collingwood - Develop the land by the construction of a four-storey building including part demolition, use of the ground-floor as a shop, with office above (no permit required for office use), a reduction in the car parking requirements of clause 52.06 and a waiver of the loading bay requirements of clause 52.07 of the Yarra Planning Scheme

Trim Record Number: D15/109927
Responsible Officer: Principal Planner

RECOMMENDATION

That having considered all relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant a Planning Permit PLN15/0077 for develop the land by the construction of a four-storey building including part demolition, use of the ground-floor as a shop, with office above (no permit required for office use), a reduction in the car parking requirements of clause 52.06 and a waiver of the loading bay requirements of clause 52.07 of the Yarra Planning Scheme, at 64 Johnston Street Collingwood, 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) A demolition plan showing the demolition of the existing retaining wall an steps adjacent to the Johnston Street frontage;
 - (b) Setting back of the third-floor by 6m from the Johnston Street frontage (southern title boundary (and the removal of Level 2 of Office 4, the reconfiguration of Level 1 of Office 4 and the reconfiguration of Level 2 of Office 3);
 - (c) Removal of the dark rendered mansard roof shape from the western and eastern facades;
 - (d) The gold metal perforated panels to have a matte / non-reflective finish;
 - (e) The light to the roller door to the laneway to be baffled to ensure no light spill to adjoining properties;
 - (f) The roller door to be shown with the same dimensions on the elevations and floor plans;
 - (g) The perforated metal panels to be noted as fixed on the northern elevation.
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. Except with the prior written consent of the Responsible Authority, the shop authorised by this permit may operate as follows:
 - (a) Between the hours of 8am and 6pm, seven days a week;
 - (b) No more than four (4) staff for the shop are permitted at any one time.
4. 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).

5. 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.
6. 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.
7. Before the development commences, and concurrent with the submission of condition 1 plans, a Sustainable Design Assessment detailing all ESD measures, including:
 - (a) The provision of a rainwater tank, linked to toilet flushing;
 - (b) A Melbourne Water STORM calculation demonstration a minimum score of 100%;
8. The provisions, recommendations and requirements of the endorsed Sustainable Design Assessment must be implemented, clearly shown on plans and complied with 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 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.
10. 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.
11. Finished floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.
12. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
13. 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) If the collection of waste to be by private or Council collection.
 - (b) Location of bin collection point and where waste vehicle will park when collecting.
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.
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, any damage to Council infrastructure resulting from the development must be reinstated:

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

During the construction:

- (q) any stormwater discharged into the stormwater drainage system must be in compliance with Environment Protection Authority guidelines;
 - (r) stormwater drainage system protection measures must be installed as required to ensure that no solid waste, sediment, sand, soil, clay or stones from the land enters the stormwater drainage system;
 - (s) vehicle borne material must not accumulate on the roads abutting the land;
 - (t) the cleaning of machinery and equipment must take place on the land and not on adjacent footpaths or roads; and
 - (u) all litter (including items such as cement bags, food packaging and plastic strapping) must be disposed of responsibly.
19. 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.
20. This permit will expire if:
- (a) the development is not commenced within two years of the date of this permit; or
 - (b) the development is not completed within four years of the date of this permit.
 - (c) the dwelling uses are not commenced within five years of the date of this permit.

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

Notes:

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

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

Any storm water drainage within the property must be provided and be connected to the nearest Council pit of adequate depth and capacity (legal point of discharge), to Council's satisfaction under Section 200 of the *Local Government Act 1989* and Regulation 610.

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

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

Submissions

Mr Kim Belfield addressed the Committee on behalf of the applicant.

Ms Shini Pararajasingham also addressed the Committee.

Note

In response to a discussion about the impact of the development on the external window on the boundary of the neighbouring building, Mr Belfield advised the Committee that the applicant is open to meeting the cost of the installation of a skylight at 66B Johnston Street as a gesture of goodwill. The Committee noted this agreement and further noted the advice of officers that such an agreement would be a matter to be resolved directly between the parties and could not form a condition on a Planning Permit for the site.

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

That having considered all relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant a Planning Permit PLN15/0077 for develop the land by the construction of a four-storey building including part demolition, use of the ground-floor as a shop, with office above (no permit required for office use), a reduction in the car parking requirements of clause 52.06 and a waiver of the loading bay requirements of clause 52.07 of the Yarra Planning Scheme, at 64 Johnston Street Collingwood, subject to the following conditions:

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 - (a) A demolition plan showing the demolition of the existing retaining wall and steps adjacent to the Johnston Street frontage;
 - (b) Setting back of the third-floor by 6m from the Johnston Street frontage (southern title boundary (and the removal of Level 2 of Office 4, the reconfiguration of Level 1 of Office 4 and the reconfiguration of Level 2 of Office 3));
 - (c) Removal of the dark rendered mansard roof shape from the western and eastern facades;
 - (d) A redesigned Johnston Street façade which respects the rhythm, fenestration, materials (including colour) and heritage character of the adjacent buildings in compliance with Clause 22.02-5.7.1 of the Yarra Planning Scheme;
 - (e) The light to the roller door to the laneway to be baffled to ensure no light spill to adjoining properties;
 - (f) The roller door to be shown with the same dimensions on the elevations and floor plans;
 - (g) The perforated metal panels to be noted as fixed on the northern elevation.
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.
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 - (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) at the permit holder's cost; and
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18. Before the development commences, a Construction Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will form part of this permit. The plan must provide for:
 - (a) a pre-conditions survey (dilapidation report) of the land and all adjacent Council roads frontages and nearby road infrastructure;
 - (b) works necessary to protect road and other infrastructure;
 - (c) remediation of any damage to road and other infrastructure;
 - (d) containment of dust, dirt and mud within the land and method and frequency of clean up procedures to prevent the accumulation of dust, dirt and mud outside the land,
 - (e) facilities for vehicle washing, which must be located on the land;
 - (f) the location of loading zones, site sheds, materials, cranes and crane/hoisting zones, gantries and any other construction related items or equipment to be located in any street;
 - (g) site security;
 - (h) management of any environmental hazards including, but not limited to,:
 - (i) contaminated soil;
 - (ii) materials and waste;
 - (iii) dust;
 - (iv) stormwater contamination from run-off and wash-waters;
 - (v) sediment from the land on roads;
 - (vi) washing of concrete trucks and other vehicles and machinery; and
 - (vii) spillage from refuelling cranes and other vehicles and machinery;
 - (i) the construction program;
 - (j) preferred arrangements for trucks delivering to the land, including delivery and unloading points and expected duration and frequency;
 - (k) parking facilities for construction workers;
 - (l) measures to ensure that all work on the land will be carried out in accordance with the Construction Management Plan;
 - (m) an outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services;
 - (n) an emergency contact that is available for 24 hours per day for residents and the Responsible Authority in the event of relevant queries or problems experienced;
 - (o) the provision of a traffic management plan to comply with provisions of AS 1742.3-2002 Manual of uniform traffic control devices - Part 3: Traffic control devices for works on roads;
 - (p) a Noise and Vibration Management Plan showing methods to minimise noise and vibration impacts on nearby properties and to demonstrate compliance with Noise Control Guideline 12 for Construction (Publication 1254) as issued by the Environment Protection Authority in October 2008. The Noise and Vibration Management Plan must be prepared to the satisfaction of the Responsible Authority. In preparing the Noise and Vibration Management Plan, consideration must be given to:
 - (i) using lower noise work practice and equipment;
 - (ii) the suitability of the land for the use of an electric crane;
 - (iii) silencing all mechanical plant by the best practical means using current

- technology;
- (iv) fitting pneumatic tools with an effective silencer;
- (v) other relevant considerations; and

During the construction:

- (q) any stormwater discharged into the stormwater drainage system must be in compliance with Environment Protection Authority guidelines;
 - (r) stormwater drainage system protection measures must be installed as required to ensure that no solid waste, sediment, sand, soil, clay or stones from the land enters the stormwater drainage system;
 - (s) vehicle borne material must not accumulate on the roads abutting the land;
 - (t) the cleaning of machinery and equipment must take place on the land and not on adjacent footpaths or roads; and
 - (u) all litter (including items such as cement bags, food packaging and plastic strapping) must be disposed of responsibly.
19. 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.
20. This permit will expire if:
- (a) the development is not commenced within two years of the date of this permit; or
 - (b) the development is not completed within four years of the date of this permit.
 - (c) the dwelling uses are not commenced within five years of the date of this permit.

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

Notes:

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

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

Any storm water drainage within the property must be provided and be connected to the nearest Council pit of adequate depth and capacity (legal point of discharge), to Council's satisfaction under Section 200 of the *Local Government Act 1989* and Regulation 610.

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

All future visitors, business owners and employees within the development approved under this permit will not be permitted to obtain employee or visitor parking permits.

CARRIED

1.2 3 / 6 Margaret Grove Alphington - PLN14/1193 - Development of the land for a ground and first floor extension to the existing dwelling, including part demolition

Trim Record Number: D15/112070

Responsible Officer: Coordinator Statutory Planning

RECOMMENDATION

That having considered all relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant Planning Permit PLN14/1193 for development of the land for a ground and first floor addition to the existing dwelling, including part demolition at 3/6 Margaret Grove, Alphington VIC 3078 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 received by Council on 06 August 2015, but modified to show:
 - (a) Demolition plans and elevations to clearly show extent of all demolition (including roof);
 - (b) Plans amended to clearly identify permeable materials within the rear courtyard;
 - (c) Proposed roof plan;
 - (d) Deletion of the 'example window' image from the schedule of materials on the proposed south elevation;
 - (e) South elevation to clearly show proposed patio door; and
 - (f) Details including samples of the proposed external colours and materials for the proposed addition.
2. The development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
3. Before the development is occupied, or by such later date as approved in writing by the Responsible Authority, all screening and other measures to prevent overlooking as shown on the endorsed plans must be installed to the satisfaction of the Responsible Authority. Once installed the screening and other measures must be maintained to the satisfaction of the Responsible Authority.
4. Before the 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) the satisfaction of the Responsible Authority.
5. Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, all new on-boundary walls must be cleaned and finished 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 any of the following occur;

- (a) The development is not commenced within two (2) years from the date of this permit.
- (b) The development is not completed within four (4) years from the date of this permit.

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

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

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

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

Submissions

The Owner, Mr Steven O'Brien addressed the Committee.

The Applicant, Mr Marc Bernstein addressed the Committee.

The following people also addressed the Committee:

*Ms Elizabeth Ridge;
Ms Saraid Banahan
Ms Aimee a'Quinta;
Mr William Spence; and
Mr Anthony Corbett.*

INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION

Moved: Councillor Barbour

Seconded: Councillor Fristacky

That having considered all relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant Planning Permit PLN14/1193 for development of the land for a ground and first floor addition to the existing dwelling, including part demolition at 3/6 Margaret Grove, Alphington VIC 3078 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 received by Council on 06 August 2015, but modified to show:
 - (a) Demolition plans and elevations to clearly show extent of all demolition (including roof);
 - (b) Plans amended to clearly identify permeable materials within the rear courtyard;
 - (c) Proposed roof plan;
 - (d) Deletion of the 'example window' image from the schedule of materials on the proposed south elevation;
 - (e) South elevation to clearly show proposed patio door; and
 - (f) Details including samples of the proposed external colours and materials for the proposed addition.
2. The development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.

3. Before the development is occupied, or by such later date as approved in writing by the Responsible Authority, all screening and other measures to prevent overlooking as shown on the endorsed plans must be installed to the satisfaction of the Responsible Authority. Once installed the screening and other measures must be maintained to the satisfaction of the Responsible Authority.
4. Before the 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) the satisfaction of the Responsible Authority.
5. Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, all new on-boundary walls must be cleaned and finished 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 any of the following occur;
 - (a) The development is not commenced within two (2) years from the date of this permit.
 - (b) The development is not completed within four (4) years from the date of this permit.

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

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

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

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

CARRIED

CALL FOR A DIVISION

For: Crs Barbour and Fristacky

Against: Cr Gaylard

CARRIED

1.3 429-437 Swan Street and 16-26 Farmer Street, Richmond VIC 3121 - Planning Permit Application No. PLN14/1205

Trim Record Number: D15/110762

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 PLN14/1205 for the development of the land for the construction of town houses and one multi-storey building with a food and drinks premises at ground floor, shops, offices (no-permit required uses) and dwellings including a reduction in the associated car parking and the waiver of the loading bay requirements of the Yarra Planning Scheme at 429 – 437 Swan Street and 16 – 26 Farmer 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 25 February 2015 but modified to show:
 - (a) The third level of the apartment building setback a minimum distance of 3m from the southern boundary (Swan Street) to the edge of the wall (with the exception of balconies that may encroach into this setback);
 - (b) The fourth and fifth levels setback a minimum distance of 3m from the southern boundary to the edge of the balconies (with walls setback a minimum 4.6m);
 - (c) The floor plans to show the second bedroom windows at the second, third and fourth levels consistently with the internal elevation – Section C;
 - (d) All balconies, roof decks and windows within a 9m radius and a 45 degree arc of an adjacent habitable room window or private open space area to be screened in accordance with Standards B22 (Overlooking objective) and B23 (Internal views objective) of Clause 55 of the Yarra Planning Scheme;
 - (e) The northern Cutter Street vehicle crossover (adjacent Farmer Street portion) to be shown on plans to be removed;
 - (f) The deletion of the second level balcony associated with Townhouse 01;
 - (g) All works recommended (where relevant to be shown on plans) in the professional acoustic report referred to in condition 9;
 - (h) All works recommended (where relevant to be shown on plans) in the professional Sustainable Management Plan referred to in condition 11;
 - (i) The provision of security and identification lighting within the entries, sensor-activated and baffled to Council's satisfaction, throughout the development;
 - (j) The west-facing, angled wall to Townhouse 09 visually broken up with two varied wall materials;
 - (k) A plan notation confirming that the storage areas on the underside of the stairwells of the townhouses are at least 6m³;
 - (l) The location of all townhouse site services including mailboxes and bin storage areas clearly shown on the plans;
 - (m) The projection of the screens to the second floor windows along the southern elevation of the townhouses to be deleted;
 - (n) The conversion of the car space no. 13 associated with Townhouse 07 into a visitor car space;
 - (o) The ramp profile including the curved section at the base of the apartment building, using the B99 design vehicle, including headroom clearances at all critical points of the ramp and basement car park;

- (p) A cross-section of 1 in 20 of the curved section of the accessway within the basement car park of the apartment building designed in accordance with AS/NZS 2890.1:2004 with radii and grades labelled for both inside and outside curves (the transition grade at base of ramp to be modified to take superelevation into account);
- (q) A plan notation identifying that the cross-fall of the pedestrian footpath along the northern side of the apartment building would be 1 in 40 with all entries and doorways (associated with both the apartment building and the townhouses) compliant with the Disability Discrimination Act;
- (r) 1 in 20 scale cross-sectional drawings of the vehicle crossing, ramp profile (of the apartment building and the townhouses) and existing road profile of the right-of-way with full finished floor levels shown and actual reduced levels (with the right-of-way) annotated;
- (s) Swept path diagrams for the B99 design vehicle for the vehicle entry and exit movements to the car park of the townhouses;
- (t) All details relating to the reconstruction of the right-of-way including and not limited to, the use of bluestone (with the smooth side facing upwards) and the grout (use to bind the bluestones) flush with the bluestones; and
- (u) An updated schedule of all external materials and finishes (including materials samples, colours and coloured elevations/perspectives). The schedule must show the materials (including of the ribbed privacy screen glass to be non-transparent), colour, finish and application methods (where relevant) of all external walls, roof, fascias, window frames, glazing types, cladding, doors and fences and must confirm that no reflective paint or products are proposed for the facades.

Endorsed Plans

2. The development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority
3. Finished floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.
4. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, all new on-boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.
5. Before the development is occupied, or by such later date as approved in writing by the Responsible Authority, all screening and other measures to prevent overlooking as shown on the endorsed plans must be installed to the satisfaction of the Responsible Authority. Once installed the screening and other measures must be maintained to the satisfaction of the Responsible Authority.
6. All pipes, fixtures, fittings and vents servicing any building on the land must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.
7. The owner of the land must retain McAllister Alcock Architects to complete the design and provide architectural oversight of the delivery of the detailed design as shown in the endorsed plans and endorsed schedule of materials and finishes during the construction unless with the prior written approval of the Responsible Authority.
8. All buildings must be maintained in good order and appearance to the satisfaction of the Responsible Authority.

Acoustic Report

9. Before the plans are endorsed, 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 include the details in the Acoustic Report prepared by ARUP dated 12 February 2015 and must include the following:

- (a) Internal noise levels in habitable rooms in relation to road traffic to not exceed the AS/NZS2107 'maximum' levels for any single hour; or the LAeq,15 hour and LAeq,9 hour levels to not exceed the mid-point between the AS/NZS2107 'satisfactory' and 'maximum' levels; and
 - (b) Preliminary advice must be included in the report for controlling noise from the car park entrance gates and car stackers to the apartments directly above; and between the café / commercial kitchen and the abutting apartments. The advice must include guidance for vibration isolation to minimise structure borne sound transmission, and a recommended maximum noise level for these items (e.g. Lmax at 1 m from any part of the gate or motor, to be not greater than 65 dBA) and to limit sleep disturbance to 40 dBA Lmax in the bedrooms and 45 dBA Lmax in the living rooms.
10. The provision, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.

Environmentally Sustainable Design Principles

11. Before the plans are endorsed, an amended Sustainable Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Sustainable Management Plan will be endorsed and will form part of this permit. The amended Sustainable Management Plan must include the details in the Sustainable Management Plan prepared by Urban Digestor date 10 December 2014 and must include:
- (a) reverse cycle split heating and cooling within one star of most energy efficient available;
 - (b) external shading (fixed or adjustable) such as fins, louvers, blinds or shutters to the windows across the eastern facades; and
 - (c) nine bicycle spaces to the townhouses on the Farmer Street portion.
12. The provisions, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Lighting

13. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating access to the basement and ground level car parking and the main pedestrian 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.

Parking Areas

14. The area set aside for the parking of vehicles, together with the associated access lanes as delineated on the endorsed plan must:

- (a) be designed, provided and completed to the satisfaction of the Responsible Authority prior to the commencement of the development hereby permitted;
- (b) thereafter be maintained to the satisfaction of the Responsible Authority;
- (c) be made available for such use at all times and not used for any other purpose;
- (d) be properly formed to such levels that it can be used in accordance with the endorsed plan; and
- (e) be drained and sealed with an all-weather seal coat.

all to the satisfaction of the Responsible Authority.

- 15. 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.
- 16. Unless with the prior written consent of the Responsible Authority, no fewer than 73 car parking spaces must be provided on the land at all times, to the satisfaction of the Responsible Authority.

Bicycle Areas

- 17. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, 79 bicycle spaces must be provided:
 - (a) at the permit holder's cost; and
 - (b) in a location and manner to the satisfaction of the Responsible Authority.
- 18. Bicycle access must at all times be clearly signed and marked, to the satisfaction of the Responsible Authority.

Green Travel Plan

- 19. Before the occupation of the development, a Green Travel Plan must be prepared by a suitably qualified professional and must be submitted to and approved by the Responsible Authority. When approved, the Green Travel Plan will be endorsed and form part of this permit. The Green Travel Plan must address the following:
 - (a) confirmation and mechanism to ensure that household welcome packs including tram, train and bus timetables relevant to the local area will be provided to the first purchasers and/or occupiers of each apartment that will also include an on-site bicycle parking and facilities map; and
 - (b) include a regular review mechanism for the body corporate to review vehicle and bicycle parking/usage rates to either re-allocate the spaces if demand warrants so, or provide more bicycle spaces if the opportunity arises.

Council Infrastructure

- 20. Within 2 months of the completion of the development or by such later date as approved in writing by the Responsible Authority, the footpaths at the front of the properties (i.e. Farmer, Cutter and Swan Streets) must be reinstated and re-sheeted, and the Right-of-Way (from the western boundary of the Swan Street apartment building to Cutter Street) must be reinstated and fully re-sheeted ensuring it is DDA compliant:
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
- 21. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.

22. Within 2 months of the completion of the development, the kerb extension at the corner of Farmer and Cutter Streets must be landscaped to the satisfaction of the Responsible Authority and at the developer's expense.
23. All redundant vehicle crossings along the property's road frontages must be demolished and reinstated with paving, kerb and channel to the satisfaction of the Responsible Authority and at the developer's cost.

Waste Management

24. Before the development commences, an amended Waste Management Plans (WMP) in relation to the Swan Street apartment building must be submitted to the satisfaction of the Responsible Authority. When approved, the amended Waste Management Plan will be endorsed and will form part of this permit. The amended Waste Management Plan must be generally in accordance with the Waste Management Plan prepared by Leigh Design and dated 4 December 2014 and must be modified to include:

429-437 Swan Street

- (a) Internal collection by a private contractor; and
- (b) All details on collection methodology, including (and not limited to) collection vehicle location, path of access, turning movements, plan, etc.

16-26 Farmer Street

- (a) Waste bins to be 2x240lt Mobile Garbage Bins; and
 - (b) Collection point for waste and recycling bins to be on an appropriate internal location, abutting the footpath on Cutter Street, so there is no obstruction of the footpath.
25. The provisions, recommendations and requirements of the endorsed Waste Management Plan(s) must be implemented and complied with to the satisfaction of the Responsible Authority.

General Amenity

26. The amenity of the area must not be detrimentally affected by the use or development, 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 the presence of vermin.
27. 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) and Control of Music Noise from Public Premises (SEPP N-2), to the satisfaction of the Responsible Authority.

Construction

28. Before the development commences, a Construction Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will form part of this permit. The plan must provide for:
 - (a) a pre-conditions survey (dilapidation report) of the land and all adjacent Council roads frontages and nearby road infrastructure;

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

During the construction:

- (q) any stormwater discharged into the stormwater drainage system must be in compliance with Environment Protection Authority guidelines;
- (r) stormwater drainage system protection measures must be installed as required to ensure that no solid waste, sediment, sand, soil, clay or stones from the land enters the stormwater drainage system;
- (s) vehicle borne material must not accumulate on the roads abutting the land;
- (t) the cleaning of machinery and equipment must take place on the land and not on adjacent footpaths or roads; and
- (u) all litter (including items such as cement bags, food packaging and plastic strapping) must be disposed of responsibly.

29. The development, once commenced, must be completed to the satisfaction of the Responsible Authority.
30. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
 - (a) before 7.00 am or after 6.00 pm, Monday-Friday (excluding public holidays);
 - (b) before 9.00 am or after 3.00 pm, Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday); or
 - (c) at any time on Sundays, ANZAC Day, Christmas Day and Good Friday.

Time limits

31. This permit will expire if:
 - (a) The development is not commenced within two (2) years from the date of this permit; and
 - (b) The development is not completed within four (4) years from the date of this permit.

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

Public Transport Victoria's Conditions (32 and 33)

32. The permit holder must take all reasonable steps to ensure that disruption to tram operation along Swan Street is kept to a minimum during the construction of the development. Foreseen disruptions to tram operations during construction and mitigation measures must be communicated to YarraTrams and Public Transport Victoria fourteen days (14) prior.
33. The permit holder must ensure that all track, tram and overhead infrastructure is not damaged. Any damage to public transport infrastructure must be rectified to the satisfaction of Public Transport Victoria at the full cost of the permit holder.

NOTES

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

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

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

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

This food premises is required to comply with health and food safety regulations before commencing operation. Please contact Council's Public Health Unit on 9205 5166.

The permit holder must not commence any civil infrastructure works, repair works or upgrading works on Council land without obtaining formal consent from the Responsible Authority.

Submissions

The Applicant, Mr Vaughn Connor addressed the Committee.

Ms Judith Drill also addressed the Committee.

INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION

Moved: Councillor Fristacky

Seconded: Councillor Gaylard

That having considered all relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant a Planning Permit PLN14/1205 for the development of the land for the construction of town houses and one multi-storey building with a food and drinks premises at ground floor, shops, offices (no-permit required uses) and dwellings including a reduction in the associated car parking and the waiver of the loading bay requirements of the Yarra Planning Scheme at 429 – 437 Swan Street and 16 – 26 Farmer 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 25 February 2015 but modified to show:
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 - (b) The fourth and fifth levels setback a minimum distance of 3m from the southern boundary to the edge of the balconies (with walls setback a minimum 4.6m);
 - (c) The floor plans to show the second bedroom windows at the second, third and fourth levels consistently with the internal elevation – Section C;
 - (d) All balconies, roof decks and windows within a 9m radius and a 45 degree arc of an adjacent habitable room window or private open space area to be screened in accordance with Standards B22 (Overlooking objective) and B23 (Internal views objective) of Clause 55 of the Yarra Planning Scheme;
 - (e) The northern Cutter Street vehicle crossover (adjacent Farmer Street portion) to be shown on plans to be removed;
 - (f) The deletion of the second level balcony associated with Townhouse 01;
 - (g) All works recommended (where relevant to be shown on plans) in the professional acoustic report referred to in condition 9;
 - (h) All works recommended (where relevant to be shown on plans) in the professional Sustainable Management Plan referred to in condition 11;
 - (i) The provision of security and identification lighting within the entries, sensor-activated and baffled to Council's satisfaction, throughout the development;
 - (j) The west-facing, angled wall to Townhouse 09 visually broken up with two varied wall materials;
 - (k) A plan notation confirming that the storage areas on the underside of the stairwells of the townhouses are at least 6m³;
 - (l) The location of all townhouse site services including mailboxes and bin storage areas clearly shown on the plans;
 - (m) The projection of the screens to the second floor windows along the southern elevation of the townhouses to be deleted;
 - (n) The conversion of the car space no. 13 associated with Townhouse 07 into a visitor car space;
 - (o) The ramp profile including the curved section at the base of the apartment building, using the B99 design vehicle, including headroom clearances at all critical points of the

- ramp and basement car park;
- (p) A cross-section of 1 in 20 of the curved section of the accessway within the basement car park of the apartment building designed in accordance with AS/NZS 2890.1:2004 with radii and grades labelled for both inside and outside curves (the transition grade at base of ramp to be modified to take superelevation into account);
- (q) A plan notation identifying that the cross-fall of the pedestrian footpath along the northern side of the apartment building would be 1 in 40 with all entries and doorways (associated with both the apartment building and the townhouses) compliant with the Disability Discrimination Act;
- (r) 1 in 20 scale cross-sectional drawings of the vehicle crossing, ramp profile (of the apartment building and the townhouses) and existing road profile of the right-of-way with full finished floor levels shown and actual reduced levels (with the right-of-way) annotated;
- (s) Swept path diagrams for the B99 design vehicle for the vehicle entry and exit movements to the car park of the townhouses;
- (t) All details relating to the reconstruction of the right-of-way including and not limited to, the use of bluestone (with the smooth side facing upwards) and the grout (use to bind the bluestones) flush with the bluestones;
- (u) An updated schedule of all external materials and finishes (including materials samples, colours and coloured elevations/perspectives). The schedule must show the materials (including of the ribbed privacy screen glass to be non-transparent), colour, finish and application methods (where relevant) of all external walls, roof, fascias, window frames, glazing types, cladding, doors and fences and must confirm that no reflective paint or products are proposed for the facades;
- (v) all works recommended (where relevant to be shown on plans) in the Waste Management Plan referred to in condition 24;
- (w) graffiti-proof surfaces to be shown at ground level of the townhouses adjacent Cutter Street and the right of way; and
- (x) a minimum of at least one additional car parking space to the Swan Street basement for visitor parking.

Endorsed Plans

2. The development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority
3. Finished floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.
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7. The owner of the land must retain McAllister Alcock Architects to complete the design and provide architectural oversight of the delivery of the detailed design as shown in the endorsed plans and endorsed schedule of materials and finishes during the construction unless with the prior written approval of the Responsible Authority.

8. All buildings must be maintained in good order and appearance to the satisfaction of the Responsible Authority.

Acoustic Report

9. Before the plans are endorsed, 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 include the details in the Acoustic Report prepared by ARUP dated 12 February 2015 and must include the following:
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 - (b) Preliminary advice must be included in the report for controlling noise from the car park entrance gates and car stackers to the apartments directly above; and between the café / commercial kitchen and the abutting apartments. The advice must include guidance for vibration isolation to minimise structure borne sound transmission, and a recommended maximum noise level for these items (e.g. Lmax at 1 m from any part of the gate or motor, to be not greater than 65 dBA) and to limit sleep disturbance to 40 dBA Lmax in the bedrooms and 45 dBA Lmax in the living rooms.
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Environmentally Sustainable Design Principles

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 - (a) reverse cycle split heating and cooling within one star of most energy efficient available;
 - (b) external shading (fixed or adjustable) such as fins, louvers, blinds or shutters to the windows across the eastern facades; and
 - (c) nine bicycle spaces to the townhouses on the Farmer Street portion.
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Lighting

13. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating access to the basement and ground level car parking and the main pedestrian 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.

Parking Areas

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

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Bicycle Areas

17. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, 79 bicycle spaces must be provided:
 - (a) at the permit holder's cost; and
 - (b) in a location and manner to the satisfaction of the Responsible Authority.
18. Bicycle access must at all times be clearly signed and marked, to the satisfaction of the Responsible Authority.

Green Travel Plan

19. Before the occupation of the development, a Green Travel Plan must be prepared by a suitably qualified professional and must be submitted to and approved by the Responsible Authority. When approved, the Green Travel Plan will be endorsed and form part of this permit. The Green Travel Plan must address the following:
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 - (b) include a regular review mechanism for the body corporate to review vehicle and bicycle parking/usage rates to either re-allocate the spaces if demand warrants so, or provide more bicycle spaces if the opportunity arises.

Council Infrastructure

20. Within 2 months of the completion of the development or by such later date as approved in writing by the Responsible Authority, the footpaths at the front of the properties (i.e. Farmer, Cutter and Swan Streets) must be reinstated and re-sheeted, and the Right-of-Way (from the western boundary of the Swan Street apartment building to Cutter Street) must be reinstated

and fully re-sheeted ensuring it is DDA compliant:

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

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22. Within 2 months of the completion of the development, the kerb extension at the corner of Farmer and Cutter Streets must be landscaped to the satisfaction of the Responsible Authority and at the developer's expense.
23. All redundant vehicle crossings along the property's road frontages must be demolished and reinstated with paving, kerb and channel to the satisfaction of the Responsible Authority and at the developer's cost.

Waste Management

24. Before the development commences, an amended Waste Management Plans (WMP) in relation to the Swan Street apartment building must be submitted to the satisfaction of the Responsible Authority. When approved, the amended Waste Management Plan will be endorsed and will form part of this permit. The amended Waste Management Plan must be generally in accordance with the Waste Management Plan prepared by Leigh Design and dated 4 December 2014 and must be modified to include:

429-437 Swan Street

- (a) Internal collection by a private contractor; and
- (b) All details on collection methodology, including (and not limited to) collection vehicle location, path of access, turning movements, plan, etc.

16-26 Farmer Street

- (a) Waste bins to be 2x240lt Mobile Garbage Bins; and
 - (b) Collection point for waste and recycling bins to be on an appropriate internal location, abutting the footpath on Cutter Street, so there is no obstruction of the footpath.
25. The provisions, recommendations and requirements of the endorsed Waste Management Plan(s) must be implemented and complied with to the satisfaction of the Responsible Authority.

General Amenity

26. The amenity of the area must not be detrimentally affected by the use or development, 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 the presence of vermin.
27. 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) and Control of Music Noise from Public Premises (SEPP N-2), to the satisfaction of the Responsible Authority.

Construction

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

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

During the construction:

- (q) any stormwater discharged into the stormwater drainage system must be in compliance with Environment Protection Authority guidelines;
- (r) stormwater drainage system protection measures must be installed as required to

ensure that no solid waste, sediment, sand, soil, clay or stones from the land enters the stormwater drainage system;

- (s) vehicle borne material must not accumulate on the roads abutting the land;
- (t) the cleaning of machinery and equipment must take place on the land and not on adjacent footpaths or roads; and
- (u) all litter (including items such as cement bags, food packaging and plastic strapping) must be disposed of responsibly.

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

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

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

Time limits

31. This permit will expire if:

- (a) The development is not commenced within two (2) years from the date of this permit; and
- (b) The development is not completed within four (4) years from the date of this permit.

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

Public Transport Victoria's Conditions (32 and 33)

32. The permit holder must take all reasonable steps to ensure that disruption to tram operation along Swan Street is kept to a minimum during the construction of the development. Foreseen disruptions to tram operations during construction and mitigation measures must be communicated to YarraTrams and Public Transport Victoria fourteen days (14) prior.
33. The permit holder must ensure that all track, tram and overhead infrastructure is not damaged. Any damage to public transport infrastructure must be rectified to the satisfaction of Public Transport Victoria at the full cost of the permit holder.

NOTES

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

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

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

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

This food premises is required to comply with health and food safety regulations before commencing operation. Please contact Council's Public Health Unit on 9205 5166.

The permit holder must not commence any civil infrastructure works, repair works or upgrading works on Council land without obtaining formal consent from the Responsible Authority.

CARRIED UNANIMOUSLY

1.4 PLN15/0338 - 1019 Drummond Street Carlton North - Development of the land for works to the outbuilding at the rear including part demolition and a first floor addition.

Trim Record Number: D15/110708

Responsible Officer: Coordinator Statutory Planning

RECOMMENDATION

That having considered all relevant planning policies, the Committee resolves to issue a that a Notice of Decision to Grant a Planning Permit PLN15/0338 for development of the land for works to the outbuilding at the rear including part demolition and first floor addition (not a second dwelling) at 1019 Drummond Street Carlton North, 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) The south-facing first floor windows to be screened in accordance with Standard A15 of clause 54 of the Yarra Planning Scheme.
 - (b) Deletion of the overlooking screen from the southern boundary fence.
 - (c) Deletion of the pedestrian entry from the ROW.
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.

Melbourne Water conditions (3 and 4)
3. Pollution and sediment laden runoff shall not be discharged directly or indirectly into Melbourne Water's drains or waterways.
4. The open space areas within the property must be constructed at natural surface levels and no new fill or retaining walls should be used in the development of this land.
5. Before the development is occupied, or by such later date as approved in writing by the Responsible Authority, all screening and other measures to prevent overlooking as shown on the endorsed plans must be installed to the satisfaction of the Responsible Authority.

Once installed the screening and other measures must be maintained to the satisfaction of the Responsible Authority.
6. 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.
7. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:

- (a) before 7 am or after 6 pm, Monday-Friday (excluding public holidays);
 - (b) before 9 am or after 3 pm, Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday); or
 - (c) at any time on Sundays, ANZAC Day, Christmas Day and Good Friday.
8. This permit will expire if:
- (a) the development is not commenced within two years of the date of this permit; or
 - (b) the development is not completed within four years of the date of this permit.

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

Notes:

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 Department on PH 9205 5095 to confirm.

Unless with further planning permission, the proposed outbuilding/studio must not be used as a separate dwelling.

Melbourne Water Notes

The applicable flood level for this property that has a probability of occurrence of 1% in any one year is 36.20 metres to Australian Height Datum (AHD).

If further information is required in relation to Melbourne Water's conditions shown above, please contact the Land Development team on 9679 7517 quoting Melbourne Water's Reference 251895.

Submissions

The Applicant, Ms Claire Scorpo addressed the committee.

The following people also addressed the Committee:

*Ms Catheryne Collett; and
Mr Andre Ferretto*

INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION

Moved: Councillor Fristacky

Seconded: Councillor Gaylard

That having considered all relevant planning policies, the Committee resolves to issue a that a Notice of Decision to Grant a Planning Permit PLN15/0338 for development of the land for works to the outbuilding at the rear including part demolition and first floor addition (not a second dwelling) at 1019 Drummond Street Carlton North, 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) The south-facing first floor windows to be screened in accordance with Standard A15 of clause 54 of the Yarra Planning Scheme.
- (b) Deletion of the overlooking screen from the southern boundary fence.
- (c) Deletion of the pedestrian entry from the ROW.
- (d) First floor metal cladding to be of a light grey (or similar) colour.

- 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.

Melbourne Water conditions (3 and 4)

- 3. Pollution and sediment laden runoff shall not be discharged directly or indirectly into Melbourne Water's drains or waterways.
- 4. The open space areas within the property must be constructed at natural surface levels and no new fill or retaining walls should be used in the development of this land.
- 5. Before the development is occupied, or by such later date as approved in writing by the Responsible Authority, all screening and other measures to prevent overlooking as shown on the endorsed plans must be installed to the satisfaction of the Responsible Authority.

Once installed the screening and other measures must be maintained to the satisfaction of the Responsible Authority.
- 6. 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.
- 7. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
 - (a) before 7 am or after 6 pm, Monday-Friday (excluding public holidays);
 - (b) before 9 am or after 3 pm, Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday); or
 - (c) at any time on Sundays, ANZAC Day, Christmas Day and Good Friday.
- 8. This permit will expire if:
 - (a) the development is not commenced within two years of the date of this permit; or
 - (b) the development is not completed within four years of the date of this permit.

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

Notes:

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 Department on PH 9205 5095 to confirm.

Unless with further planning permission, the proposed outbuilding/studio must not be used as a separate dwelling.

Melbourne Water Notes

The applicable flood level for this property that has a probability of occurrence of 1% in any one year is 36.20 metres to Australian Height Datum (AHD).

If further information is required in relation to Melbourne Water's conditions shown above, please contact the Land Development team on 9679 7517 quoting Melbourne Water's Reference 251895.

CARRIED UNANIMOUSLY

The meeting closed at 10.13pm.

Confirmed at the meeting held on Wednesday 23 September 2015

Chairperson