



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

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

I. ATTENDANCE

Councillor Misha Coleman
Councillor Jackie Fristacky
Councillor Amanda Stone (substituting for Cr Barbour)

Tarquin Leaver (Co-ordinator Statutory Planning)
James Sutherland (Principal Planner)
Cindi Johnston (Governance Officer)

II. APOLOGIES AND LEAVE OF ABSENCE

Councillor Geoff Barbour

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

IV. CONFIRMATION OF MINUTES

Internal Development Approvals Committee Resolution:

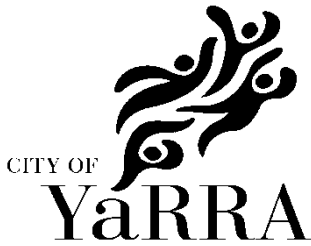
Moved: Councillor Stone **Seconded:** Councillor Fristacky

That the minutes of the meeting of the Internal Development Approvals Committee held on Wednesday 18 November 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 Coleman nominated Councillor Stone as Chair.

There being no other nominations, Councillor Stone was appointed Chair.

Councillor Stone assumed the Chair.

1. INTERNAL DEVELOPMENT APPROVALS COMMITTEE

Item		Page	Res. Page
1.1	60A Gibdon Street, Burnley - PLN15/0246 - Development of the land for a triple-storey residential building (plus basement) and a reduction in the car parking requirement.	6	10
1.2	114 Nicholson Street, Fitzroy - Planning Amendment No. 001393.01 - Amendment to planning permit No. 001393 which allows change of use to accommodation (residential building) and waiving of car parking. The amendment seeks to delete conditions 3 & 4 which require two car spaces on-site, buildings and works including partial demolition of the existing shed, construction of a new shed and rear fence and installation of air-conditioning units.	11	13
1.3	PLN15/0791 71 McIlwraith Street, Princes Hill	15	16
1.4	32-36 Newry Street & 49 Canterbury Street, Richmond - PLN14/1007	18	21
1.5	PLN14/0846 - 11-13 Spring & 14-16 Argyle Sts, Fitzroy – Partial demolition and development of the land with the construction of four buildings, with heights ranging between four and five storeys (plus basement and roof terrace) with fourteen (14) dwellings (permit not required for the dwelling use) and a reduction in the car parking requirements. [CONFIDENTIAL ITEM - VCAT COMPULSORY CONFERENCE WITHOUT PREJUDICE POSITION]	25	25
1.6	PLN14/0856 - 123-125 Bridge Road, Richmond (CONFIDENTIAL ITEM)	26	26

1.1 60A Gibdon Street, Burnley - PLN15/0246 - Development of the land for a triple-storey residential building (plus basement) and a reduction in the car parking requirement.

Trim Record Number: D15/139036

Responsible Officer: Principal Planner

RECOMMENDATION

That having considered all relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant Planning Permit PLN15/0246 for development of the land for a triple-storey residential building (plus basement) and a reduction in the car parking requirement at 60A Gibdon Street, Burnley, subject to the following conditions:

1. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions and three copies must be provided.
The plans must be generally in accordance with the decision plans dated 17 March and 17 April 2015 but modified to show:
 - (a) The location of convex mirrors adjacent to the garage entrance/exit;
 - (b) The following details in accordance with the sketch plans submitted to Council on 16 September 2015;
 - (i) The reconfiguration of the location and design of the main entrance in the south-east corner;
 - (ii) The number of bicycle parking spaces increased from 3 to 10;
 - (iii) Design changes to the southern façade.
 - (c) The following details in accordance with the basement sketch plan submitted to Council on 24 November 2015;
 - (i) No. 1 and 5 parking bays designated as 'small car spaces';
 - (ii) An increased setback of 70mm from the western boundary to bedroom 1 of apartment 2;
 - (iii) The length of the ramp adjusted by 90mm
 - (d) Reinstatement of the planter boxes at the building entrance as demonstrated in the original decision plans;
 - (e) The height of the ground level wall along the western boundary (adjacent to the SPOS of apartments 1 & 2) to be shown consistently as 1.7m high in all relevant plans and elevations;
 - (f) The following windows and decks screened to a height of 1.7m, with a notation on the drawings indicating that the screening will have a maximum transparency of 25%;
 - (i) East-facing decks and windows at first and second-floor;
 - (ii) West-facing decks at first and second-floor.
 - (g) The location of air-conditioning units;
 - (h) The location of mail boxes;
 - (i) Any alterations required by the amended SMP to be submitted as part of condition 3;
 - (j) Any alterations required by the Traffic Engineering conditions outlined in conditions 13 to 16.

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 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 Abacus Architects and dated March 2015, but modified to include or show:
 - (a) All operable windows, with the majority of habitable room windows and windows to common areas to be operable;
 - (b) A NatHERS rating to demonstrate how the project will meet Council's best practice standard of 10% improvement on the BCA/NCC (<102.6MJ/m²);
 - (c) Shading to the to the east, west and north-facing habitable room windows. Tinted glass should not be used as a shading device, with fixed or adjustable fins, louvers, blinds or shutters the preferred options;
 - (d) One bicycle space for each dwelling.
4. The provisions, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
5. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
6. Before the development commences, a Tree Management Plan to the satisfaction of the Responsible Authority must be prepared by a suitably qualified Arborist and must be submitted to and approved by the Responsible Authority. When approved the Tree Management Plan will be endorsed and will form part of this permit. The Tree Management Plan must make recommendations for:
 - (a) the protection of the Grevillea located adjacent to the southern boundary;
 - (i) pre-construction;
 - (ii) during construction; and
 - (iii) post construction
 - (b) the provision of any barriers; and
 - (c) any pruning necessary;to the satisfaction of the Responsible Authority.
7. The provisions, recommendations and requirements of the endorsed Tree Management Plan must be complied with and implemented to the satisfaction of the Responsible Authority.
8. Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, all screening and other measures to prevent overlooking as shown on the endorsed plans must be installed to the satisfaction of the Responsible Authority. Once installed the screening and other measures must be maintained to the satisfaction of the Responsible Authority.
9. Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating access to the building entrance must be provided. Lighting must be:
 - (a) located;
 - (b) directed;
 - (c) shielded; and
 - (d) of limited intensity,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, 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.

11. 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.
12. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.

Engineering conditions 13 to 16

13. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the area set aside on the endorsed plans for the car parking spaces, access lanes, driveways and associated works must be:
 - (a) constructed and available for use in accordance with the endorsed plans;
 - (b) formed to such levels and drained so that they can be used in accordance with the endorsed plans;
 - (c) treated with an all-weather seal or some other durable surface; and
 - (d) line-marked or provided with some adequate means of showing the car parking spaces.to the satisfaction of the Responsible Authority.
14. Before the building is occupied, the north-south aligned Right of Way (abutting the western boundary of the site) must be fully constructed to Council's standard and at the permit holder's expense. The works would commence from the existing east-west aligned Right of Way and extend to its southern termination – a distance of around 33 metres.
15. Before the building is occupied, the bluestone Right of Way abutting the development's eastern frontage and the bluestone Right of Way that provides primary pedestrian access to the subject site (running from Gibdon Street and abutting the southern boundary of 60 Gibdon Street) must be fully reconstructed (full width of carriageway). The bluestones are to be taken out and saw-cut/sliced and re-laid with the smooth side facing upwards. The reconstruction works are to be done after all building works and connections for underground services have been completed, and to Council's satisfaction and at the permit holder's expense.
16. Before the development commences, the developer must submit plans for all civil and road infrastructure works to Council for assessment and approval. Upon approval of detailed civil/infrastructure construction plans, a Consent for Works must be taken out by the developer for all works undertaken in the road reserve.
17. Before the building is occupied, or by such later date as is approved by the Responsible Authority in writing, a Lighting Plan must be prepared to the satisfaction of the Responsible Authority and submitted to the Responsible Authority for approval. Once approved, the plan will be endorsed and will then form part of the permit. The plan must address lighting along the east-west running laneway providing pedestrian access to the residential entrance from Gibdon Street. The lighting must be suitably located and baffled to ensure no unreasonable light impact on adjacent dwellings. The approved Lighting Plan must be implemented and maintained to the satisfaction of the Responsible Authority and at the permit holder's expense.
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.
19. 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.
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.

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.

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

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 drainage works required for the Right of Way must be provided and funded by the developer.

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.

Any services poles, structures or pits that interfere with the proposal must be adjusted, removed or relocated at the owner's expense after seeking approval from the relevant authority.

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.

Submissions

The Owner, Mr Theo Darmos addressed the Committee.

The following people also addressed the Committee:

*Ms Kay Prior;
Mr Chris O'Meagher;
Ms Kristen Blundy;
Dr Stephen Kent;
Dr Lauren Gurrieri;
Mr Yuan Wang; and
Ms Dorothy James.*

INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION

Moved: Councillor Coleman

Seconded: Councillor Stone

That having considered all relevant planning policies, the Committee resolves to issue a Notice of Refusal to Grant Planning Permit PLN15/0246 for development of the land for a triple-storey residential building (plus basement) and a reduction in the car parking requirement at 60A Gibdon Street, Burnley, on the following grounds:

1. The proposed development does not complement and provide adequate integration with public open space and fails to provide adequate integration between the building entrance and the adjacent laneways and does not meet objectives of clause 15.01-2 (Urban design principles), clause 22.10-3.4 (Street and Public Space Quality) 55.02-5 (Integration with the street), clause 55.03-6 (Open Space), clause 55.03-7 (Safety) of the Yarra Planning Scheme.
2. The proposal fails to provide opportunities for landscaping and the retention of existing vegetation as set out in objectives contained in policy at clause 21.05-2 (Urban Design) and clause 55.03-8 (Landscaping) of the Yarra Planning Scheme.
3. The proposal does not provide an appropriate number of visitor car parking spaces, failing to comply with clause 52.06 (Car Parking) of the Yarra Planning Scheme.
4. The proposal does not provide appropriate access for vehicles and pedestrians, failing to comply with clause 21.06 (Transport) and clause 55.03-7 (Safety) of the Yarra Planning Scheme

CARRIED UNANIMOUSLY

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- 1.2 114 Nicholson Street, Fitzroy - Planning Amendment No. 001393.01 - Amendment to planning permit No. 001393 which allows change of use to accommodation (residential building) and waiving of car parking. The amendment seeks to delete conditions 3 & 4 which require two car spaces on-site, buildings and works including partial demolition of the existing shed, construction of a new shed and rear fence and installation of air-conditioning units.**
-

Trim Record Number: D15/144305
Responsible Officer: Principal Planner

RECOMMENDATION

That having considered all relevant planning policies and pursuant to Section 74 of the *Planning and Environment Act 1987*, the Committee resolves to issue a Notice of Decision to Amend Planning Permit No. 001393 for change of use to accommodation (residential building) and waiving of car parking at 114 Nicholson Street, Fitzroy, with the following changes to the preamble and conditions;

(All changes in bold)

Current preamble;

- *Change of use to accommodation (residential building) and waiving of car parking.*

Proposed preamble;

- **Change of use to accommodation (residential building), buildings and works, including part demolition and a reduction of the car parking requirement.**

Condition 1 to be replaced with the following;

1. **Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the decision plans dated 27 July 2015 but modified to show:**
 - (a) Six (6) rooms only;
 - (b) **The proposed cement sheeting in front of the two air-conditioning units on the first-floor balcony to be removed, with these units to be covered with perforated metal casing. The casing must be similar in colour to the façade of the building and be entirely separate from any heritage fabric.**

Condition 2 to remain as follows;

2. All development and use must accord with the endorsed plans. Any alterations must be approved by the Responsible Authority.

Conditions 3 & 4(a), (b) to be deleted and replaced with the following;

3. **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).**

4. **Within 2 months of 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.**

Condition 6 to be renumbered to Condition 5 and altered as follows;

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.**

Condition 6 to be altered as follows (as the use has already commenced and the majority of works are retrospective);

6. **This permit will expire if:**
 - (a) **the development is not commenced within six months of the date of the amended permit; or**
 - (b) **the development is not completed within one year of the date of the amended 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 to be altered as follows:

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

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

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

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.

Submissions

The Applicant addressed the Committee.

The following people also addressed the Committee:

*Mr Jeremy Hindell;
Ms Derry Nicholas;
Dr Peter Puszet; and
Mr Tom Keel.*

INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION

Moved: Councillor Stone

Seconded: Councillor Fristacky

That having considered all relevant planning policies and pursuant to Section 74 of the *Planning and Environment Act 1987*, the Committee resolves to issue a Notice of Decision to Amend Planning Permit No. 001393 for change of use to accommodation (residential building) and waiving of car parking at 114 Nicholson Street, Fitzroy, with the following changes to the preamble and conditions;

(All changes in bold)

Current preamble;

- *Change of use to accommodation (residential building) and waiving of car parking.*

Proposed preamble;

- **Change of use to accommodation (residential building), buildings and works, including part demolition and a reduction of the car parking requirement.**

Condition 1 to be replaced with the following;

1. **Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the decision plans dated 27 July 2015 but modified to show:**
 - (a) Six (6) rooms only;
 - (b) A single car parking space within the rear courtyard. The entry from the laneway to the car parking must be at least 4.2m in width.**
 - (c) The proposed cement sheeting in front of the two air-conditioning units on the first-floor balcony to be removed, with these units to be covered with perforated metal casing. The casing must be similar in colour to the façade of the building and be entirely separate from any heritage fabric.**

Condition 2 to remain as follows;

2. All development and use must accord with the endorsed plans. Any alterations must be approved by the Responsible Authority.

Conditions 3 & 4(a), (b) to be deleted and replaced with the following;

3. **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).**
4. **Within 2 months of 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.**

Condition 6 to be renumbered to Condition 5 and altered as follows;

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.

Condition 6 to be altered as follows (as the use has already commenced and the majority of works are retrospective);

6. **This permit will expire if:**
- (a) the development is not commenced within six months of the date of the amended permit; or
 - (b) the development is not completed within one year of the date of the amended 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 to be altered as follows:

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

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

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

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.

CARRIED UNANIMOUSLY

Cr Coleman left the meeting at 8.12pm to speak with residents and returned to the meeting at 8.15pm.

1.3 PLN15/0791 71 Mcllwraith Street, Princes Hill

Trim Record Number: D15/148119

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 PLN15/0791 for development of the land for a double-storey outbuilding at the rear of the lot, including associated demolition works at 71 Mcllwraith Street, Princes Hill, 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 first floor, east-facing window shown as 'fixed' up to 1.7m above FFL;
 - (b) The existing, south-facing, on-boundary wall accurately dimensioned.
2. The development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
3. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, all new on-boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.
4. Before the development is occupied, or by such later date as approved in writing by the Responsible Authority, all screening and other measures to prevent overlooking as shown on the endorsed plans must be installed to the satisfaction of the Responsible Authority. Once installed the screening and other measures must be maintained to the satisfaction of the Responsible Authority.
5. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated:
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
6. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
 - (a) Monday-Friday (excluding public holidays) before 7 am or after 6 pm,;
 - (b) Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday) before 9 am or after 3 pm; or
 - (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.
7. This permit will expire if:
 - (a) the development is not commenced within two years of the date of this permit; or
 - (b) the development is not completed within four years of the date of this permit.

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

Notes

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.

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

Submissions

The Applicant, Ms Sasha Hadjimouratis addressed the Committee.

The following people also addressed the Committee:

*Mr Neil Sambell; and
Ms Luan Sambell.*

INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION

Moved: Councillor Fristacky

Seconded: Councillor Stone

That having considered all relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant Planning Permit PLN15/0791 for development of the land for a double-storey outbuilding at the rear of the lot, including associated demolition works at 71 Mcllwraith Street, Princes Hill, 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 first floor, east-facing window shown as 'fixed' up to 1.7m above FFL;
 - (b) The existing, south-facing, on-boundary wall accurately dimensioned;
 - (c) The first floor reduced in length to be no more than 5.75m from the western boundary.
2. The development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
3. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, all new on-boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.
4. Before the development is occupied, or by such later date as approved in writing by the Responsible Authority, all screening and other measures to prevent overlooking as shown on the endorsed plans must be installed to the satisfaction of the Responsible Authority.

Once installed the screening and other measures must be maintained to the satisfaction of the Responsible Authority.

5. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated:
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
6. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
 - (a) Monday-Friday (excluding public holidays) before 7 am or after 6 pm,;
 - (b) Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday) before 9 am or after 3 pm; or
 - (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.
7. This permit will expire if:
 - (a) the development is not commenced within two years of the date of this permit; or
 - (b) the development is not completed within four years of the date of this permit.

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

Notes

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.

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

CARRIED UNANIMOUSLY

1.4 32-36 Newry Street & 49 Canterbury Street, Richmond - PLN14/1007

Trim Record Number: D15/40334

Responsible Officer: Director Planning and Place Making

RECOMMENDATION

That having considered all relevant planning policies, the Committee resolves to advise the Tribunal and all parties, that had it been in a position to do so, it would have issue a Notice of Decision to Grant Planning Permit PLN14/1007 for development of the use and development of the land for 12 dwellings within a three and four storey building, including a reduction of car parking requirements at 32-36 Newry Street and 49 Canterbury 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) Sightline to the car parking area to comply with the requirements of Clause 52.06-8 of the Scheme.
2. The development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
3. The provisions, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
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.
5. Before the development commences, a Landscape Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Landscape Plan will be endorsed and will form part of this permit. The Landscape Plan must:
 - (a) show the type, location, quantity, height at maturity and botanical names of all proposed plants;
 - (b) indicate the location of all green walls and mechanisms to ensure their long term viability; and
 - (c) provide a specification of works to be undertaken prior to planting,
 to the satisfaction of the Responsible Authority.
6. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the landscaping works shown on the endorsed Landscape Plan must be carried out and completed to the satisfaction of the Responsible Authority. The landscaping shown on the endorsed Landscape Plan must be maintained by:
 - (a) implementing and complying with the provisions, recommendations and requirements of the endorsed Landscape Plan;
 - (b) not using the areas set aside on the endorsed Landscape Plan for landscaping for any other purpose; and
 - (c) replacing any dead, diseased, dying or damaged plants,

to the satisfaction of the Responsible Authority.

7. 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.
8. Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating access to the dwelling entrances must be provided. Lighting must be:
 - (a) located;
 - (b) directed;
 - (c) shielded; and
 - (d) of limited intensity,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, any redundant vehicular crossing must be demolished and re-instated as standard footpath and kerb and channel:
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
10. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any new vehicle crossing must be constructed:
 - (a) in accordance with any requirements or conditions imposed by Council;
 - (b) at the permit holder's cost; and
 - (c) to the satisfaction of the Responsible Authority.
11. 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.
12. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.
13. 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.
14. Before the development commences, a Construction Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will form part of this permit. The plan must provide for:
 - (a) a pre-conditions survey (dilapidation report) of the land and all adjacent Council roads frontages and nearby road infrastructure;
 - (b) works necessary to protect road and other infrastructure;
 - (c) remediation of any damage to road and other infrastructure;
 - (d) containment of dust, dirt and mud within the land and method and frequency of clean up procedures to prevent the accumulation of dust, dirt and mud outside the land,
 - (e) facilities for vehicle washing, which must be located on the land;
 - (f) the location of loading zones, site sheds, materials, cranes and crane/hoisting zones, gantries and any other construction related items or equipment to be located in any street;

- (g) site security;
 - (h) management of any environmental hazards including, but not limited to:
 - (i) contaminated soil;
 - (ii) materials and waste;
 - (iii) dust;
 - (iv) stormwater contamination from run-off and wash-waters;
 - (v) sediment from the land on roads;
 - (vi) washing of concrete trucks and other vehicles and machinery; and
 - (vii) spillage from refuelling cranes and other vehicles and machinery.
 - (i) the construction program;
 - (j) preferred arrangements for trucks delivering to the land, including delivery and unloading points and expected duration and frequency;
 - (k) parking facilities for construction workers;
 - (l) measures to ensure that all work on the land will be carried out in accordance with the Construction Management Plan;
 - (m) an outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services;
 - (n) an emergency contact that is available for 24 hours per day for residents and the Responsible Authority in the event of relevant queries or problems experienced;
 - (o) the provision of a traffic management plan to comply with provisions of AS 1742.3-2002 Manual of uniform traffic control devices - Part 3: Traffic control devices for works on roads.
15. 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.
16. This permit will expire if:
- (a) the development is not commenced within two years of the date of this permit;
 - (b) the development is not completed within four years of the date of this permit; or
 - (c) the 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 maybe required before development is commenced. Please contact Council's Building Department on PH 9205 5095 to confirm.

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

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

The applicant must apply for a Legal Point of Discharge under Regulation 610 – Stormwater Drainage of the Building Regulations 2006 from Yarra Building Services Unit.

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

Submissions

*Ms Edwina Laidlaw addressed the Committee on behalf of the Applicant.
The Architect also addressed the Committee.*

The following people also addressed the Committee:

*Mr Michael O'Brien; and
Ms Kay Trainer.*

INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION

Moved: Councillor Coleman

Seconded: Councillor Fristacky

That having considered all relevant planning policies, the Committee resolves to advise the Tribunal and all parties, that had it been in a position to do so, it would have issue a Notice of Decision to Grant Planning Permit PLN14/1007 for development of the use and development of the land for 12 dwellings within a three and four storey building, including a reduction of car parking requirements at 32-36 Newry Street and 49 Canterbury 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) Sightline to the car parking area to comply with the requirements of Clause 52.06-8 of the Scheme.
 - (b) The provision of two visitor car parking spaces (in lieu of two resident car parking spaces already provided).
 - (c) Ground level walls with a graffiti proof finish.
2. The development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
3. The provisions, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
4. Before the use or development commences, an amended Waste Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Waste Management Plan will be endorsed and will form part of this permit. The amended Waste Management Plan must be generally in accordance with the Waste Management Plan prepared by Leigh Design and dated 29 October 2014, but modified to include:
 - (a) Private waste collection.
5. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

6. Before the development commences, a Landscape Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Landscape Plan will be endorsed and will form part of this permit. The Landscape Plan must:
- (a) show the type, location, quantity, height at maturity and botanical names of all proposed plants;
 - (b) indicate the location of all green walls and mechanisms to ensure their long term viability; and
 - (c) provide a specification of works to be undertaken prior to planting,
- to the satisfaction of the Responsible Authority.
7. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the landscaping works shown on the endorsed Landscape Plan must be carried out and completed to the satisfaction of the Responsible Authority. The landscaping shown on the endorsed Landscape Plan must be maintained by:
- (a) implementing and complying with the provisions, recommendations and requirements of the endorsed Landscape Plan;
 - (b) not using the areas set aside on the endorsed Landscape Plan for landscaping for any other purpose; and
 - (c) replacing any dead, diseased, dying or damaged plants,
- to the satisfaction of the Responsible Authority.
8. Before the development is occupied, or by such later date as approved in writing by the Responsible Authority, all screening and other measures to prevent overlooking as shown on the endorsed plans must be installed to the satisfaction of the Responsible Authority. Once installed the screening and other measures must be maintained to the satisfaction of the Responsible Authority.
9. Before the building is occupied, or by such later date as approved in writing by the Responsible authority, a public lighting plan for the eastern right of way to the satisfaction of Council must be prepared and submitted for approval. The developer must supply and fund any new and upgraded public lighting where existing lighting levels are insufficient for pedestrian access and do not satisfy minimum Australian Standards.
10. Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating access to the dwelling entrances must be provided. Lighting must be:
- (a) located;
 - (b) directed;
 - (c) shielded; and
 - (d) of limited intensity,
- to the satisfaction of the Responsible Authority.
11. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any redundant vehicular crossing must be demolished and re-instated as standard footpath and kerb and channel:
- (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
12. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any new vehicle crossing must be constructed:
- (a) in accordance with any requirements or conditions imposed by Council;
 - (b) at the permit holder's cost; and
 - (c) to the satisfaction of the Responsible Authority.

13. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any 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. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.
15. 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.
16. 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.
17. 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.

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

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

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

The applicant must apply for a Legal Point of Discharge under Regulation 610 – Stormwater Drainage of the Building Regulations 2006 from Yarra Building Services Unit.

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

CARRIED UNANIMOUSLY

-
- 1.5 PLN14/0846 - 11-13 Spring & 14-16 Argyle Sts, Fitzroy – Partial demolition and development of the land with the construction of four buildings, with heights ranging between four and five storeys (plus basement and roof terrace) with fourteen (14) dwellings (permit not required for the dwelling use) and a reduction in the car parking requirements. [CONFIDENTIAL ITEM - VCAT COMPULSORY CONFERENCE WITHOUT PREJUDICE POSITION]**
-

Trim Record Number: D15/153262
Responsible Officer: Principal Planner

This item is to be considered in closed session in accordance with Section 89 (2) of the Local Government Act 1989, to allow consideration of a matter which the special committee considers would prejudice the Council.

RECOMMENDATION

1. That Council advise VCAT and the parties to the proceeding:

- (a) Council agrees to condition 1(l) being reworded as:

At least one area of secluded private open space for each two bedroom dwelling to have at least 8sqm in area with a width of at least 1.6m within the approved building envelope.

- (b) Council agrees to condition 5 being reworded as:

The provisions, recommendations and requirements of the endorsed Waste Management Plan (dated 30 April 2015 prepared by WasteTech Services Pty Ltd) including on-site waste collection must be implemented and complied with to the satisfaction of The Responsible Authority.

- (c) Council agrees to a new condition 1(s) being added to read:

Measures to assist pedestrian sightlines at the vehicular entry may include convex mirrors or the like in accordance with the Traffic report prepared by Traffix Group Pty Ltd dated August 2014.

INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION

Moved: Councillor Fristacky

Seconded: Councillor Stone

That the Recommendation be adopted.

CARRIED UNANIMOUSLY

**1.6 PLN14/0856 - 123-125 Bridge Road, Richmond
(CONFIDENTIAL ITEM)**

Trim Record Number: D15/155172

Responsible Officer: Coordinator Statutory Planning

This item is to be considered in closed session in accordance with Section 89 (2) of the Local Government Act 1989, to allow consideration of a matter which the special committee considers would prejudice the Council.

RECOMMENDATION

1. That Council advise VCAT and the parties to the proceeding:

(a) Council agrees to condition 27 being reworded as:

Before the building is occupied, or by such later date as is approved by the Responsible Authority in writing, a Lighting Plan must be prepared to the satisfaction of the Responsible Authority and submitted to the Responsible Authority for approval. Once approved, the plan will be endorsed and will then form part of the permit. The plan must address lighting along part of the northern boundary adjacent to the residential entrance. The lighting must be suitably located and baffled to ensure no unreasonable light impact on the hospital to the north. The approved Lighting Plan must be implemented and maintained to the satisfaction of the Responsible Authority.

INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION

Moved: Councillor Coleman

Seconded: Councillor Fristacky

That the Recommendation be adopted.

CARRIED UNANIMOUSLY

The meeting closed at 9.31pm.

Confirmed at the meeting held on Wednesday 16 December 2015

Chair