



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

**held on Wednesday 16 December 2015 at 6.30pm
in the Reading Room at the Fitzroy Town Hall**

I. ATTENDANCE

Councillor Stephen Jolly
Councillor Phillip Vlahogiannis (substitute for Cr Huggins)
Councillor Misha Coleman (substitute for Cr Gaylard)

Danielle Connell (Co-ordinator Statutory Planning)
Ally Huynh (Acting Co-ordinator Statutory Planning)
Cindi Johnston (Governance Officer)

II. APOLOGIES AND LEAVE OF ABSENCE

Councillor Sam Gaylard
Councillor Simon Huggins

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

IV. CONFIRMATION OF MINUTES

Internal Development Approvals Committee Resolution:

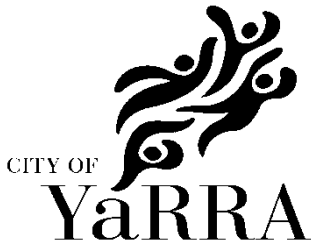
Moved: Councillor Vlahogiannis **Seconded:** Councillor Coleman

That the minutes of the meeting of the Internal Development Approvals Committee held on Wednesday 9 December 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 Jolly as Chair.

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

Councillor Jolly assumed the Chair.

1. INTERNAL DEVELOPMENT APPROVALS COMMITTEE

Item		Page	Res. Page
1.1	896 Nicholson Street, Fitzroy North - PLN15/0181	6	11
1.2	PLN15/0573 - 40 Barkly Street, Fitzroy North - Development of the land for part demolition and alterations and additions, including construction of a ground floor (plus basement) extension to the existing dwelling and construction of a two storey outbuilding, with roof terrace.	17	19

1.1 896 Nicholson Street, Fitzroy North - PLN15/0181

Trim Record Number: D15/100367

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 PLN15/0181 for development of the land for the construction of a four-storey building (plus one basement level), buildings and works within a Public Acquisition Overlay, creation of access within a Road Zone and a reduction in the car parking requirement associated with dwelling use, at 896 Nicholson Street, Fitzroy North, 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 1 September 2015 but modified to show:
 - (a) An amended southern elevation to include details of the new raked roof line as shown on the amended plans submitted on 27 November 2015;
 - (b) The ground floor balconies of Unit 3 and 4 to be setback 1.83m from the eastern boundary;
 - (c) A minimum of 13 secure resident bicycle parking spaces within the basement and 2 visitor bicycle parking spaces within the front setback;
 - (d) All habitable room windows to be double-glazed;
 - (e) All privacy screening to be composed of obscure glazing or louvres in a light-coloured material;
 - (f) All operable doors and windows to be annotated;
 - (g) The dimensions of the proposed crossover;
 - (h) Screening to a height of 1.7m with a maximum transparency of 25% to be provided for the following windows and balconies (or consistent notations to be provided on the relevant floor plans and elevations);
 - (i) East-facing balconies of Units 1.3 and 1.4 at first-floor;
 - (ii) North-facing bedroom windows of Unit 2.1, east-facing bedroom windows of Unit 2.2 and eastern perimeter of the balcony of Unit 2.3 at second-floor;
 - (iii) At least one bedroom window at first-floor, where bedrooms windows are within 9m of each other.
 - (i) Details of the fence separating the courtyards of Unit 1 and 4 at ground level, with this fence to be a minimum height of 1.7m;
 - (j) Provision of 6 cubic metres of storage space for each apartment;
 - (k) A minimum array of 10kW of solar photovoltaic panels to be provided on the roof, to contribute to common area electricity consumption;
 - (l) A notation indicating that the rainwater tank is to be connected to all toilets;
 - (m) All noise amelioration measures outlined within the Acoustic Report;
 - (n) The relocated location of the LED speed sign and the electricity/tram pole.
 - (o) A 1:20 scale cross-sectional drawing of the vehicular entrance, showing the actual reduced levels (not interpolated levels from the application drawings) of the road profile of Nicholson Street, the lip of the channel, the invert of the channel, the top of kerb and the existing building line, with this drawing demonstrating that vehicles can traverse the new vehicle crossing and ramp without scraping or bottoming out.
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 Sustainable Development Consultants and dated 23 February 2015, but modified to include or show:
 - (a) Any changes required by the reduction in apartment numbers from 14 to 13 and the subsequent redesign of the development;
 - (b) All habitable room windows to be double-glazed;
 - (c) Reference to retractable clothes drying racks to all balconies;
 - (d) An array of solar panels on the roof (minimum 10kW capacity).
4. The provisions, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
5. Before the 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 24 February 2015, but modified to include:
 - (a) Any changes required by the reduction in apartment numbers from 14 to 13 and the subsequent redesign of the development;
6. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
7. The provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.
8. Before the construction of the development authorised by this permit commences, an assessment of the land to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The assessment must be prepared by an environmental professional with suitable qualifications to the satisfaction of the Responsible Authority and must include:
 - (a) a description of previous land uses and activities on the land;
 - (b) an assessment of the level, nature and distribution of any contamination within, or in close proximity to, the land;
 - (c) details of any provisions, recommendations and requirements (including but not limited to, clean up, construction, ongoing maintenance or monitoring) required to effectively address and manage any contamination within the land; and
 - (d) recommendations as to whether the land is suitable for the use for which the land is proposed to be developed and whether an Environmental Auditor should be appointed under section 53S of the Environment Protection Act 1970 (EP Act) to undertake an Environmental Audit in accordance with the provisions of the EP Act.
9. If the assessment required by condition 8 does not result in a recommendation that an Environmental Auditor be appointed under section 53S of the EP Act to undertake an Environmental Audit in accordance with the provisions of the EP Act, all provisions, recommendations and requirements of the assessment must be implemented and complied with to the satisfaction of the Responsible Authority.

10. If the assessment required by condition 8 results in a recommendation that an Environmental Auditor be appointed under section 53S of the EP Act to undertake an Environmental Audit in accordance with the provisions of the EP Act, before the construction of the development authorised by this permit commences, the Environmental Auditor appointed under section 53S of the EP Act must undertake an Environmental Audit in accordance with the provisions of the EP Act and issue:
 - (a) a Certificate of Environmental Audit for the land in accordance with section 53Y of the EP Act (Certificate); or
 - (b) a Statement of Environmental Audit for the land in accordance with section 53Z of the EP Act (Statement),and the Certificate or Statement must be provided to the Responsible Authority.
11. If, pursuant to condition 10, a Statement is issued:
 - (a) The development authorised by this permit must not be undertaken unless the Statement clearly states that the land is suitable for the sensitive use for which the land is being developed;
 - (b) the development authorised by this permit must not be undertaken until compliance is achieved with the terms and conditions that the Statement states must be complied with before the development commences (pre-commencement conditions);
 - (c) before the construction of the development authorised by this permit commences, a letter prepared by the Environmental Auditor appointed under section 53S of the EP Act which states that the pre-commencement conditions have been complied with must be submitted to the responsible authority.
 - (d) if any term or condition of the Statement requires any ongoing maintenance or monitoring, the owner of the land (or another person in anticipation of becoming the owner of the land) must enter into an agreement with the Responsible Authority pursuant to section 173 of the Planning and Environment Act 1987 (Agreement). The Agreement must:
 - (i) provide for the undertaking of the ongoing maintenance and monitoring as required by the Statement; and
 - (ii) be executed before the sensitive use for which the land is being developed commences; and
 - (e) the owner of the land, or other person in anticipation of becoming the owner, must pay all costs and expenses (including legal expenses) of, and incidental to, the Agreement (including those incurred by the Responsible Authority).
12. 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.
13. 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.
14. 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.

15. 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.
16. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.
17. 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.

VicRoads Conditions (19 & 20)

18. The LED speed sign on Nicholson Street is to be relocated to the satisfaction of and at no cost to VicRoads (the Roads Corporation).
19. No compensation is payable under part 5 of the *Planning and Environment Act 1987* in respect of anything done under this permit.

Yarra Trams Condition (21)

20. Prior to the completion of the development, subject to the relevant authority's consent, the relocation of the electricity/tram pole necessary to facilitate the development must be undertaken:
 - (a) in accordance with any requirements or conditions imposed by the relevant authority;
 - (b) at the permit holder's cost; and
 - (c) to the satisfaction of the Responsible Authority.
21. Upon the completion of all building works and connections for underground utility services, the footpath immediately outside the property's Nicholson Street road frontage must be reconstructed to Council's satisfaction and at the developer's expense. The footpath must have a cross-fall of no steeper than 1 in 40.
22. Prior to the completion of the development, the kerb and channel outside the property frontage must be fully reconstructed. 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.
23. 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.
24. 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.

25. 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.

26. 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.

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

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.

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

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.

A vehicle crossing permit is required for the construction of the vehicle crossing(s). Please contact Council's Construction Management Branch on 9205 5585 for further information.

Separate consent will be required from VicRoads (the Roads Corporation) under the Road Management Act for all buildings and works (including the relocation of the LED speed sign and construction of a vehicle crossover) undertaken outside the title boundary within a Road Zone Category 1 (i.e. Nicholson Street). Please contact VicRoads prior to commencing any works.

Submissions

The Applicant, Mr Tim McBride-Burgess addressed the Committee.

The following people also addressed the Committee:

*Mr Murray Deerbon;
Mr Martin Batt; and
Mr Lionel Watson.*

The meeting adjourned at 6.57 pm.

The meeting resumed at 6.59 pm.

INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION

Moved: Councillor Coleman

Seconded: Councillor Vlahogiannis

That having considered all relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant Planning Permit PLN15/0181 for the use and development of the land for the construction of a four-storey building (plus one basement level), for dwellings, buildings and works within a Public Acquisition Overlay, creation of access within a Road Zone and a reduction in the car parking requirement, at 896 Nicholson Street, Fitzroy North, 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 1 September 2015 but modified to show:
 - (a) An amended southern elevation to include details of the new raked roof line as shown on the amended plans submitted on 27 November 2015;
 - (b) The ground floor balconies of Unit 3 and 4 to be setback 1.83m from the eastern boundary;

- (c) A minimum of 11 secure resident bicycle parking spaces within the basement and 2 visitor bicycle parking spaces within the front setback;
 - (d) All habitable room windows to be double-glazed;
 - (e) All privacy screening to be composed of obscure glazing or louvres in a light-coloured material;
 - (f) All operable doors and windows to be annotated;
 - (g) The dimensions of the proposed crossover;
 - (h) Screening to a height of 1.7m with a maximum transparency of 25% to be provided for the following windows and balconies (or consistent notations to be provided on the relevant floor plans and elevations);
 - (i) East-facing balconies of Units 1.3 and 1.4 at first-floor;
 - (ii) North-facing bedroom windows of Unit 2.1, east-facing bedroom windows of Unit 2.2 and eastern perimeter of the balcony of Unit 2.3 at second-floor;
 - (iii) At least one bedroom window at first-floor, where bedrooms windows are within 9m of each other.
 - (i) Details of the fence separating the courtyards of Unit 1 and 4 at ground level, with this fence to be a minimum height of 1.7m;
 - (j) Provision of 6 cubic metres of storage space for each apartment;
 - (k) A minimum array of 10kW of solar photovoltaic panels to be provided on the roof, to contribute to common area electricity consumption;
 - (l) A notation indicating that the rainwater tank is to be connected to all toilets;
 - (m) All noise amelioration measures outlined within the Acoustic Report;
 - (n) The relocated location of the LED speed sign and the electricity/tram pole.
 - (o) A 1:20 scale cross-sectional drawing of the vehicular entrance, showing the actual reduced levels (not interpolated levels from the application drawings) of the road profile of Nicholson Street, the lip of the channel, the invert of the channel, the top of kerb and the existing building line, with this drawing demonstrating that vehicles can traverse the new vehicle crossing and ramp without scraping or bottoming out.
 - (p) Deletion of level 3 and associated reconfiguration of Unit 2.3.
2. The development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
 3. Before the 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 Sustainable Development Consultants and dated 23 February 2015, but modified to include or show:
 - (a) Any changes required by the reduction in apartment numbers as a result of condition 1(p) and the subsequent redesign of the development;
 - (b) All habitable room windows to be double-glazed;
 - (c) Reference to retractable clothes drying racks to all balconies;
 - (d) An array of solar panels on the roof (minimum 10kW capacity).
 4. The provisions, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
 5. Before the 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 24 February 2015, but modified to include:

- (a) Any changes required by the reduction in apartment numbers as a result of condition 1(p) and the subsequent redesign of the development;
6. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
7. The provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.
8. Before the construction of the development authorised by this permit commences, an assessment of the land to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The assessment must be prepared by an environmental professional with suitable qualifications to the satisfaction of the Responsible Authority and must include:
- (a) a description of previous land uses and activities on the land;
 - (b) an assessment of the level, nature and distribution of any contamination within, or in close proximity to, the land;
 - (c) details of any provisions, recommendations and requirements (including but not limited to, clean up, construction, ongoing maintenance or monitoring) required to effectively address and manage any contamination within the land; and
 - (d) recommendations as to whether the land is suitable for the use for which the land is proposed to be developed and whether an Environmental Auditor should be appointed under section 53S of the Environment Protection Act 1970 (EP Act) to undertake an Environmental Audit in accordance with the provisions of the EP Act.
9. If the assessment required by condition 8 does not result in a recommendation that an Environmental Auditor be appointed under section 53S of the EP Act to undertake an Environmental Audit in accordance with the provisions of the EP Act, all provisions, recommendations and requirements of the assessment must be implemented and complied with to the satisfaction of the Responsible Authority.
10. If the assessment required by condition 8 results in a recommendation that an Environmental Auditor be appointed under section 53S of the EP Act to undertake an Environmental Audit in accordance with the provisions of the EP Act, before the construction of the development authorised by this permit commences, the Environmental Auditor appointed under section 53S of the EP Act must undertake an Environmental Audit in accordance with the provisions of the EP Act and issue:
- (a) a Certificate of Environmental Audit for the land in accordance with section 53Y of the EP Act (Certificate); or
 - (b) a Statement of Environmental Audit for the land in accordance with section 53Z of the EP Act (Statement),
- and the Certificate or Statement must be provided to the Responsible Authority.
11. If, pursuant to condition 10, a Statement is issued:
- (a) The development authorised by this permit must not be undertaken unless the Statement clearly states that the land is suitable for the sensitive use for which the land is being developed;
 - (b) the development authorised by this permit must not be undertaken until compliance is achieved with the terms and conditions that the Statement states must be complied with before the development commences (pre-commencement conditions);
 - (c) before the construction of the development authorised by this permit commences, a letter prepared by the Environmental Auditor appointed under section 53S of the EP Act which states that the pre-commencement conditions have been complied with must be submitted to the responsible authority.

- (d) if any term or condition of the Statement requires any ongoing maintenance or monitoring, the owner of the land (or another person in anticipation of becoming the owner of the land) must enter into an agreement with the Responsible Authority pursuant to section 173 of the Planning and Environment Act 1987 (Agreement). The Agreement must:
 - (i) provide for the undertaking of the ongoing maintenance and monitoring as required by the Statement; and
 - (ii) be executed before the sensitive use for which the land is being developed commences; and
 - (e) the owner of the land, or other person in anticipation of becoming the owner, must pay all costs and expenses (including legal expenses) of, and incidental to, the Agreement (including those incurred by the Responsible Authority).
12. 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.
13. 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.
14. 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.
15. 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.
16. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.
17. 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.

VicRoads Conditions (19 & 20)

18. The LED speed sign on Nicholson Street is to be relocated to the satisfaction of and at no cost to VicRoads (the Roads Corporation).

19. No compensation is payable under part 5 of the *Planning and Environment Act 1987* in respect of anything done under this permit.

Yarra Trams Condition (21)

20. Prior to the completion of the development, subject to the relevant authority's consent, the relocation of the electricity/tram pole necessary to facilitate the development must be undertaken:
- (a) in accordance with any requirements or conditions imposed by the relevant authority;
 - (b) at the permit holder's cost; and
 - (c) to the satisfaction of the Responsible Authority.
21. Upon the completion of all building works and connections for underground utility services, the footpath immediately outside the property's Nicholson Street road frontage must be reconstructed to Council's satisfaction and at the developer's expense. The footpath must have a cross-fall of no steeper than 1 in 40.
22. Prior to the completion of the development, the kerb and channel outside the property frontage must be fully reconstructed. 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.
23. 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.
24. 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.
25. 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.
26. 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 use is not commenced within five years of the date of this permit.

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

Notes:

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

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

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.

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

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.

A vehicle crossing permit is required for the construction of the vehicle crossing(s). Please contact Council's Construction Management Branch on 9205 5585 for further information.

Separate consent will be required from VicRoads (the Roads Corporation) under the Road Management Act for all buildings and works (including the relocation of the LED speed sign and construction of a vehicle crossover) undertaken outside the title boundary within a Road Zone Category 1 (i.e. Nicholson Street). Please contact VicRoads prior to commencing any works.

CARRIED UNANIMOUSLY

1.2 PLN15/0573 - 40 Barkly Street, Fitzroy North - Development of the land for part demolition and alterations and additions, including construction of a ground floor (plus basement) extension to the existing dwelling and construction of a two storey outbuilding, with roof terrace.

Trim Record Number: D15/158101

Responsible Officer: Coordinator Statutory Planning

RECOMMENDATION

That having considered all objections and relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant a Planning Permit PLN15/0573 for development of the land for part demolition and alterations and additions, including construction of a ground floor (plus basement) extension to the existing dwelling and construction of a two storey outbuilding, with roof terrace, at 40 Barkly Street, Fitzroy North VIC 3068 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) Demolition plans and elevations to consistently show all demolition, including that associated with installing new windows to the light-court along the west boundary, paving, front and side boundary fencing and all elements of the garage to be removed.
 - (b) Removal of notations referring to 'made good to accept new works' from demolition plans.
 - (c) Removal of demolition notations from proposed plans and elevations.
 - (d) The open space areas to the front and rear of the dwelling to be notated as permeable.
 - (e) Notations on the relevant floor plans to clearly identify each rain garden, consistent with the submitted stormwater rating report.
 - (f) The proposed on-boundary western wall height associated with the extension to the dwelling to be corrected as per the sketch plan received 2 December 2015, to a maximum of 3.13m high (including written notations).
 - (g) The existing adjoining wall height along the eastern boundary to be correctly and consistently shown on the relevant elevations and sections.
 - (h) Confirmation of the western boundary fence material.
 - (i) Details of the west boundary fence to comply with the objective of clause 54.04-6 (Overlooking objective) of the Yarra Planning Scheme.
 - (j) The Gro-wall material/backing, or substrate/material behind, to be a maximum of 25 percent transparent and all proposed opaque glazing to be notated as such, in accordance with the objective of clause 54.04-6 (Overlooking objective) of the Yarra Planning Scheme.
 - (k) The first floor studio plan to show windows as per the north elevation, including screening/glazing detail compliant with the objective of clause 54.04-6 (Overlooking objective) of the Yarra Planning Scheme.
 - (l) All works to be shown within title boundaries, including front fence works.
 - (m) The new parapet modified to reflect the height, style and detail of the adjoining parapet at No. 38 Barkly Street.

2. The development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.

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

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

Notes:

A building permit 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.

Submissions

The Applicant, Mr Alexander Antiamis addressed the Committee:

The following people also addressed the Committee:

*Ms Janet Campbell;
Ms Janet D'Grute; and
Mr Mark Hoare.*

INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION

Moved: Councillor Coleman

Seconded: Councillor Jolly

That having considered all objections and relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant a Planning Permit PLN15/0573 for development of the land for part demolition and alterations and additions, including construction of a ground floor (plus basement) extension to the existing dwelling and construction of a two storey outbuilding, at 40 Barkly Street, Fitzroy North VIC 3068 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) Demolition plans and elevations to consistently show all demolition, including that associated with installing new windows to the light-court along the west boundary, paving, front and side boundary fencing and all elements of the garage to be removed.
 - (b) Removal of notations referring to 'made good to accept new works' from demolition plans.
 - (c) Removal of demolition notations from proposed plans and elevations.
 - (d) The open space areas to the front and rear of the dwelling to be notated as permeable.
 - (e) Notations on the relevant floor plans to clearly identify each rain garden, consistent with the submitted stormwater rating report.
 - (f) The proposed on-boundary western wall height associated with the extension to the dwelling to be corrected as per the sketch plan received 2 December 2015, to a maximum of 3.13m high (including written notations).
 - (g) The existing adjoining wall height along the eastern boundary to be correctly and consistently shown on the relevant elevations and sections.
 - (h) Confirmation of the western boundary fence material.
 - (i) Details of the west boundary fence to comply with the objective of clause 54.04-6 (Overlooking objective) of the Yarra Planning Scheme..
 - (j) The first floor studio plan to show windows as per the north elevation, including screening/glazing detail compliant with the objective of clause 54.04-6 (Overlooking objective) of the Yarra Planning Scheme.
 - (k) All works to be shown within title boundaries, including front fence works.
 - (l) The new parapet modified to reflect the height, style and detail of the adjoining parapet at No. 38 Barkly Street.
 - (m) Deletion of the roof terrace and associated external stairwell structure from the outbuilding, with subsequent provision of a roof and changes to the north elevation of the outbuilding, with any glazing in accordance with the objective of clause 54.04-6 (Overlooking objective) of the Yarra Planning 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. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, all new on-boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.

4. Before the development is occupied, or by such later date as approved in writing by the Responsible Authority, all screening and other measures to prevent overlooking as shown on the endorsed plans must be installed to the satisfaction of the Responsible Authority. Once installed the screening and other measures must be maintained to the satisfaction of the Responsible Authority.
5. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated:
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
6. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
 - (a) before 7 am or after 6 pm, Monday-Friday (excluding public holidays);
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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.

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

Division

For: Crs Coleman and Jolly

Against: Cr Vlahogiannis

The meeting closed at 7.39 pm.

Confirmed at the meeting held on Wednesday 20 January 2016

Chair