



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

**held on Wednesday 13 April 2016 at 6.30pm
in Meeting Room 3 at the Richmond Town Hall**

I. ATTENDANCE

Councillor Stephen Jolly
Councillor Sam Gaylard
Councillor Simon Huggins

Danielle Connell (Co-ordinator Statutory Planning)
Vicky Grillakis (Principal Planner)
Cindi Johnston (Governance Officer)

II. APOLOGIES AND LEAVE OF ABSENCE

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

IV. CONFIRMATION OF MINUTES

Internal Development Approvals Committee Resolution:

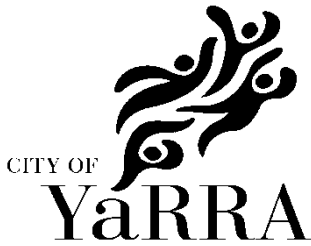
Moved: Councillor Jolly **Seconded:** Councillor Huggins

That the minutes of the meeting of the Internal Development Approvals Committee held on Wednesday 30 March 2016 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 Huggins nominated Councillor Gaylard as Chair.

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

Councillor Gaylard assumed the Chair.

1. INTERNAL DEVELOPMENT APPROVALS COMMITTEE

Item		Page	Res. Page
1.1	PLN15/0642 - 32 St Georges Road, Fitzroy North - Development of the land for part demolition, buildings and works including the construction of five dwellings and a wine bar (existing use rights), and a waiver of the loading bay requirements, and subdivision of the land into six lots.	6	14
1.2	PLN15/0637 - 88 - 92 Smith Street & 17 - 21 Little Oxford Street Collingwood - Use and development of the land for the construction of a mixed-use building (including dwellings), reduction in the car parking requirements and a waiver of loading bay requirements and demolition.	23	30
1.3	PLN13/1041.01 - 22 Parkville Street Burnley - Amendment to the permit and plans for additional demolition; reconstruction of the front portion of the existing dwelling; and modifications to the ground and first floor extension; including a reduction in the ground and first floor eastern setback and changes to external materials and finishes and glazing	31	32
1.4	Supplementary Report - PLN15/0955 - 157 Roseneath Street Clifton Hill - Development of the land for a ground floor extension and first floor addition, including demolition.	33	34

1.1 PLN15/0642 - 32 St Georges Road, Fitzroy North - Development of the land for part demolition, buildings and works including the construction of five dwellings and a wine bar (existing use rights), and a waiver of the loading bay requirements, and subdivision of the land into six lots.

Trim Record Number: D16/39797

Responsible Officer: Principal Statutory Planner

RECOMMENDATION

That having considered all objections and relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant a Planning Permit PLN15/0642 for development of the land for part demolition, buildings and works including the construction of five dwellings and a wine bar (existing use rights), and a waiver of the loading bay requirements, and subdivision of the land into six lots, at No. 32 St Georges Road, 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 but modified to show:
 - (a) Finished floor levels compliant with Melbourne Water conditions.
 - (b) Open space areas at ground level notated as being a permeable surface.
 - (c) The volume of storage units to each dwelling to be specified at a minimum of 4 cubic metres.
 - (d) Dimensioned title boundary lengths to be consistent with the certificate of title, with all works within the formal title boundaries.
 - (e) Dimensions along the east side of the development corrected to match the revised design and wall lengths of Townhouse 5.
 - (f) The roof decks of Townhouses 4 and 5 to demonstrate compliance with Standard B22 of clause 55.04-6 (Overlooking) of the Yarra Planning Scheme with regard to the adjoining secluded private open space and habitable room windows. If additional screening is required, this cannot exceed the height of the existing building on the basis of the Neighbourhood Residential Zone - Schedule 1 maximum height provision.
 - (g) That the roof decks comply with Standard B23 of clause 55.04-7 (Internal views) of the Yarra Planning Scheme. If additional screening is required, this cannot exceed the height of the existing building on the basis of the Neighbourhood Residential Zone - Schedule 1 maximum height provision.
 - (h) All stormwater management measures, consistent with an updated STORM rating which reflects the approved development, with the rating still achieving the best practice target of 100%.
 - (i) A notation that the wine bar services deck is not accessible to the public.
 - (j) Notations referencing the acoustic treatment requirements consistent with the endorsed Acoustic Report.
 - (k) Deletion of reference to 'pending engineer's approval' from the four chimneys to be retained, with details of any restoration works to be provided, including propping and support details to be employed during construction.
 - (l) Full details of any restoration works, including the specification of replacement roof tiles and type of mortar for any chimney repairs, to the satisfaction of the Responsible Authority.

- (m) The operation of the door to the car stacker system to be notated as being within the site's title boundaries.
- 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.

Sustainable Design Assessment

- 3. The provisions, recommendations and requirements of the endorsed Sustainable Design Assessment must be implemented and complied with to the satisfaction of the Responsible Authority.

Waste Management Plan

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

Acoustic Report

- 5. Before the development commences, an amended Acoustic Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Acoustic Report will be endorsed and will form part of this permit. The amended Acoustic Report must be generally in accordance with the Acoustic Report prepared by Marshall Day Acoustics and dated 28 October 2015, but modified to include (or show, or address):
 - (a) To determine the final construction requirements a detailed assessment, to include background noise measurements, is to be undertaken.
 - (b) Indoor noise targets be nominated for patron noise within the adjacent dwellings.
 - (c) A recommended acoustic rating be provided for walls separating the wine bar from adjacent dwellings.
 - (d) Consideration be provided of potential noise impacts due to the stair proposed to be located on the common wall with 8 Newry Street.
 - (e) Guidance should be provided in the report for ensuring that roof mounted mechanical plant associated with the venue does not exceed SEPP N-1 noise limits.
 - (f) An assessment of the operation of the car stacker and that it complies with relevant noise regulations.
- 6. The provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.

Infrastructure

- 7. 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.

8. 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 reinstated as standard footpath and kerb and channel:
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
9. Any service 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.
10. The Telstra pits along the St Georges Road frontage must be reconstructed.
11. Upon the completion of all building works and connections for underground utility services, or by such later date as approved in writing by the Responsible Authority, the footpath immediately outside the property's Percy Street, St Georges Road and Newry Street frontages must be must be stripped and re-sheeted (including road pavement as specified below):
 - (a) The footpath cross-fall must be no steeper than 1 in 40 for DDA access at the pedestrian entrance;
 - (b) The half-width road pavement of St Georges Road South (from centre line of road to east kerb line) along the property frontage must be profiled and re-sheeted to Council standard. Any isolated areas of pavement failure shall require full depth road pavement reconstruction;
 - (c) The bicycle lane and centre line markings in St Georges Road must be re-painted following the re-sheet;
 - (d) The re-sheeting to the Newry Street road frontage must be up to the joint of the property boundary;
 - (b) at the permit holder's cost; and
 - (c) 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 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.

Car parking

13. Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, the car stackers must be installed in accordance with the manufacturer's specifications by a suitably qualified person. The car stackers must be maintained thereafter to the satisfaction of the Responsible Authority.

Lighting

14. 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 central internal pedestrian walkway and dwelling entrances must be provided. Lighting must be:
 - (a) located;
 - (b) directed;

- (c) shielded; and
 - (d) of limited intensity,
- to the satisfaction of the Responsible Authority.

Subdivision

15. The subdivision as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.
16. This permit will expire if:
 - (a) the plan of subdivision is not certified within two years of the issue of the permit; or
 - (b) the subdivision is not completed within five years of the date of certification of the plan of subdivision.

The Responsible Authority may extend the time for certification of the plan of subdivision if a request is made in writing before the permit expires or within six months afterwards.

17. Before the Statement of Compliance is issued under the *Subdivision Act* 1988, a cash contribution for public open space, equivalent to four and a half per cent (4.5%) of the value of the land, must be paid to Council.

In accordance with Section 19(5) of the *Subdivision Act* 1988, if the contribution is not made within 12 months of the issue of the permit, Council may obtain a revaluation of the land, and vary the amount of the payment accordingly.

18. Before a Statement of Compliance is issued, unless the building works approved by planning permit PLN15/0642 have been completed, the owner (or another person in anticipation of becoming the owner) must enter into an agreement with the Responsible Authority under section 173 of the Planning and Environment Act 1987 which provides for development of the land in accordance with planning permit PLN15/0642 or any other permit issued by the Responsible Authority. Such agreement must also stipulate that the approved development must be completed before any of the lots are occupied.

The owner, or other person in anticipation of becoming the owner, must meet all of the expenses of the preparation and registration of the agreement, including the Responsible Authority's costs and expenses (including legal expenses) incidental to the preparation, registration and enforcement of the agreement.

19. Buildings or works, other than as authorised by planning permit PLN15/0642 or any further planning permit issued by the Responsible Authority, must not be constructed on the land.
20. Vehicle access onto road reserves must be designed and constructed in accordance with Council and Austroad standards.
21. Redundant infrastructure in the road reserve serving the land must be removed and reinstated:
 - (a) to Council's standard; and
 - (b) to the satisfaction of the Responsible Authority.
22. Any Council asset damaged resulting from works on the land must be reinstated to the satisfaction of the Responsible Authority.

Yarra Engineering conditions

23. The owner of the land must apply for a legal point of discharge Regulation 610 with Council's Building Services, located at the Richmond Town Hall.
24. Before a Statement of Compliance is issued, or by such later date as approved in writing by the Responsible Authority, stormwater drainage must be provided to the satisfaction of the Responsible Authority.
25. Before a Statement of Compliance is issued, or by such later date as approved in writing by the Responsible Authority, the owner of the land must enter into an agreement with Council's Engineering Planning Department for acceptance or upgrading of stormwater runoff directly or indirectly into Council's drainage system.

Melbourne Water conditions

26. All dwellings must be constructed with finished floor levels a minimum of 300mm above the applicable flood level at a minimum of 26.22 metres to Australian Height Datum (AHD).
27. The proposed car stacker must be constructed with finished floor levels no lower than 350mm below the applicable flood level of 25.92m to AHD and all electrical components must be constructed a minimum of 300mm above the applicable flood level.
28. Finished surface levels of all open space areas must be constructed no less than 25.57m to AHD.
29. Prior to the issue of an Occupancy Permit, a certified survey plan showing finished floor levels (as constructed) reduced to the Australian Height Datum must be submitted to Melbourne Water. The Plan must demonstrate that the floor levels have been constructed in accordance with Melbourne Water's requirements.
30. Pollution and sediment laden runoff shall not be discharged directly or indirectly into Melbourne Water's drains or waterways.
31. Prior to Certification, the Plan of Subdivision must be referred to Melbourne Water, in accordance with Section 8 of the Subdivision Act 1988.

CitiPower conditions

32. The plan of subdivision submitted for certification under the Subdivision Act 1988 shall be referred to CitiPower in accordance with Section 8 of that Act. Please quote CitiPower Reference number.
33. The applicant shall:
 - (a) Provide an electricity supply to all lots in the subdivision in accordance with CitiPower's requirements and standards, including the extension, augmentation or re-arrangement of any existing electricity supply system, as required by CitiPower (A payment to cover the cost of such work may be required).
 - (b) Where buildings or other installations exist on the land to be subdivided and are connected to the electricity supply, they shall be brought into compliance with the Victorian Service and Installation Rules and the Distribution Code.

City West Water conditions

34. It is essential the owner of the land enters into an agreement with City West Water for the provision of water supply.

35. It is essential the owner of the land enters into an agreement with City West Water for the provision of sewerage.
36. Prior to certification, the Plan of Subdivision must be referred to City West Water in accordance with Section 8 of the Subdivision Act 1988.

Telecommunications conditions

37. The owner of the land must enter into an agreement with:
 - (a) A telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and
 - (b) A suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.
38. Before the issue of a Statement of Compliance for any stage of the subdivision under the Subdivision Act 1988, the owner of the land must provide written confirmation from:
 - (a) A telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and
 - (b) A suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

General

39. Before the building 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.
40. 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.
41. 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.

Construction management

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

Time expiry

43. This permit will expire if:

- (a) the development is not commenced within two years of the date of this permit; or
- (b) the development is not completed within four years of the date of this permit; or

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 5585 to confirm.

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

Provision must be made for drainage of the site to a legal point of discharge. Please contact Council's Building Services on 9205 5585 for further information.

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.

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.

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.

Established existing use rights as a licensed hotel, showing 15 years of continuous use on the site.

The developer needs to ensure that the building has adequate clearances from overhead power cables, transformers, substations or and other electrical assets where applicable. Energy Safe Victoria has published an information brochure, *Building Design Near Powerlines*, which can be obtained from their website: <http://www.esv.vic.gov.au/About-ESV/Reports-and-publications/Brochures-stickers-and-DVDs>

Melbourne Water Footnote(s):

Preliminary information available at Melbourne Water indicates that the above property is subject to flooding from the Alexandra Parade Main Drain (Dr4413). The applicable flood level for the property is 25.92m AHD. Please note that the property may also be subject to flooding at lower levels on a more frequent basis from smaller storms.

If further information is required in relation to Melbourne Water's permit conditions shown above, please contact Melbourne Water on 9679 7517, quoting Melbourne Water's reference 250660.

Submissions

The Applicants, Mr Luke Chamberlain and Mr Kino Holland addressed the Committee.

The following people also addressed the Committee:

*Ms Heather Dalton;
Ms Yolanda Crawley;
Ms Susan Mahar;
Ms Kate Drieseen;
Ms Alison Hart; and
Ms Janet Kelly*

INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION

Moved: Councillor Gaylard

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 PLN15/0642 for development of the land for part demolition, buildings and works including the construction of four dwellings and a wine bar (existing use rights), and a waiver of the loading bay requirements, and subdivision of the land into five lots, at No. 32 St Georges Road, 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 but modified to show:
 - (a) The deletion of Townhouse 1 from the plans, including demolition of the associated existing wall fronting St Georges Road, and any consequential changes, including continuation of a fence along the boundaries and provision of additional common property.
 - (b) Amended subdivision plans reflecting the deletion of townhouse/lot 1, common property changes, and renumbering of remaining lots.
 - (c) Finished floor levels compliant with Melbourne Water conditions.
 - (d) Open space areas at ground level notated as being a permeable surface.
 - (e) The volume of storage units to each dwelling to be specified at a minimum of 4 cubic metres.
 - (f) Dimensioned title boundary lengths to be consistent with the certificate of title, with all works within the formal title boundaries.
 - (g) Dimensions along the east side of the development corrected to match the revised design and wall lengths of Townhouse 5.
 - (h) The roof decks of Townhouses 4 and 5 to demonstrate compliance with Standard B22 of clause 55.04-6 (Overlooking) of the Yarra Planning Scheme with regard to the adjoining secluded private open space and habitable room windows.

If additional screening is required, this cannot exceed the height of the existing building on the basis of the Neighbourhood Residential Zone - Schedule 1 maximum height provision.

- (i) That the roof decks comply with Standard B23 of clause 55.04-7 (Internal views) of the Yarra Planning Scheme. If additional screening is required, this cannot exceed the height of the existing building on the basis of the Neighbourhood Residential Zone - Schedule 1 maximum height provision.
 - (j) All stormwater management measures, consistent with an updated STORM rating which reflects the approved development, with the rating still achieving the best practice target of 100%.
 - (k) A notation that the wine bar services deck is not accessible to the public.
 - (l) Notations referencing the acoustic treatment requirements consistent with the endorsed Acoustic Report.
 - (m) Deletion of reference to 'pending engineer's approval' from the four chimneys to be retained, with details of any restoration works to be provided, including propping and support details to be employed during construction.
 - (n) Full details of any restoration works, including the specification of replacement roof tiles and type of mortar for any chimney repairs, to the satisfaction of the Responsible Authority.
 - (o) The operation of the door to the car stacker system to be notated as being within the site's title boundaries.
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.

Sustainable Design Assessment

3. The provisions, recommendations and requirements of the endorsed Sustainable Design Assessment must be implemented and complied with to the satisfaction of the Responsible Authority.

Waste Management Plan

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- (a) To determine the final construction requirements a detailed assessment, to include background noise measurements, is to be undertaken;
 - (b) Indoor noise targets be nominated for patron noise within the adjacent dwellings
 - (c) A recommended acoustic rating be provided for walls separating the wine bar from adjacent dwellings.

- (d) Consideration be provided of potential noise impacts due to the stair proposed to be located on the common wall with 8 Newry Street.
 - (e) Guidance should be provided in the report for ensuring that roof mounted mechanical plant associated with the venue does not exceed SEPP N-1 noise limits.
 - (f) An assessment of the operation of the car stacker and that it complies with relevant noise regulations.
6. The provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.

Infrastructure

7. 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.
8. 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
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9. Any service 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.
10. The Telstra pits along the St Georges Road frontage must be reconstructed.
11. Upon the completion of all building works and connections for underground utility services, or by such later date as approved in writing by the Responsible Authority, the footpath immediately outside the property's Percy Street, St Georges Road and Newry Street frontages must be must be stripped and re-sheeted (including road pavement as specified below):
- (a) The footpath cross-fall must be no steeper than 1 in 40 for DDA access at the pedestrian entrance;
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 - (c) The bicycle lane and centre line markings in St Georges Road must be re-painted following the re-sheet;
 - (d) The re-sheeting to the Newry Street road frontage must be up to the joint of the property boundary;
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 - (c) to the satisfaction of the Responsible Authority.

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Car parking

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 - (a) located;
 - (b) directed;
 - (c) shielded; and
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Subdivision

15. The subdivision as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.
16. This permit will expire if:
 - (a) the plan of subdivision is not certified within two years of the issue of the permit; or
 - (b) the subdivision is not completed within five years of the date of certification of the plan of subdivision.

The Responsible Authority may extend the time for certification of the plan of subdivision if a request is made in writing before the permit expires or within six months afterwards.

17. Before the Statement of Compliance is issued under the *Subdivision Act* 1988, a cash contribution for public open space, equivalent to four and a half per cent (4.5%) of the value of the land, must be paid to Council.

In accordance with Section 19(5) of the *Subdivision Act* 1988, if the contribution is not made within 12 months of the issue of the permit, Council may obtain a revaluation of the land, and vary the amount of the payment accordingly.

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Such agreement must also stipulate that the approved development must be completed before any of the lots are occupied.

The owner, or other person in anticipation of becoming the owner, must meet all of the expenses of the preparation and registration of the agreement, including the Responsible Authority's costs and expenses (including legal expenses) incidental to the preparation, registration and enforcement of the agreement.

19. Buildings or works, other than as authorised by planning permit PLN15/0642 or any further planning permit issued by the Responsible Authority, must not be constructed on the land.
20. Vehicle access onto road reserves must be designed and constructed in accordance with Council and Austroad standards.
21. Redundant infrastructure in the road reserve serving the land must be removed and reinstated:
 - (a) to Council's standard; and
 - (b) to the satisfaction of the Responsible Authority.
22. Any Council asset damaged resulting from works on the land must be reinstated to the satisfaction of the Responsible Authority.

Yarra Engineering conditions

23. The owner of the land must apply for a legal point of discharge Regulation 610 with Council's Building Services, located at the Richmond Town Hall.
24. Before a Statement of Compliance is issued, or by such later date as approved in writing by the Responsible Authority, stormwater drainage must be provided to the satisfaction of the Responsible Authority.
25. Before a Statement of Compliance is issued, or by such later date as approved in writing by the Responsible Authority, the owner of the land must enter into an agreement with Council's Engineering Planning Department for acceptance or upgrading of stormwater runoff directly or indirectly into Council's drainage system.

Melbourne Water conditions

26. All dwellings must be constructed with finished floor levels a minimum of 300mm above the applicable flood level at a minimum of 26.22 metres to Australian Height Datum (AHD).
27. The proposed car stacker must be constructed with finished floor levels no lower than 350mm below the applicable flood level of 25.92m to AHD and all electrical components must be constructed a minimum of 300mm above the applicable flood level.
28. Finished surface levels of all open space areas must be constructed no less than 25.57m to AHD.
29. Prior to the issue of an Occupancy Permit, a certified survey plan showing finished floor levels (as constructed) reduced to the Australian Height Datum must be submitted to Melbourne Water. The Plan must demonstrate that the floor levels have been constructed in accordance with Melbourne Water's requirements.

30. Pollution and sediment laden runoff shall not be discharged directly or indirectly into Melbourne Water's drains or waterways.
31. Prior to Certification, the Plan of Subdivision must be referred to Melbourne Water, in accordance with Section 8 of the Subdivision Act 1988.

CitiPower conditions

32. The plan of subdivision submitted for certification under the Subdivision Act 1988 shall be referred to CitiPower in accordance with Section 8 of that Act. Please quote CitiPower Reference number.
33. The applicant shall:
 - (a) Provide an electricity supply to all lots in the subdivision in accordance with CitiPower's requirements and standards, including the extension, augmentation or re-arrangement of any existing electricity supply system, as required by CitiPower (A payment to cover the cost of such work may be required).
 - (b) Where buildings or other installations exist on the land to be subdivided and are connected to the electricity supply, they shall be brought into compliance with the Victorian Service and Installation Rules and the Distribution Code.

City West Water conditions

34. It is essential the owner of the land enters into an agreement with City West Water for the provision of water supply.
35. It is essential the owner of the land enters into an agreement with City West Water for the provision of sewerage.
36. Prior to certification, the Plan of Subdivision must be referred to City West Water in accordance with Section 8 of the Subdivision Act 1988.

Telecommunications conditions

37. The owner of the land must enter into an agreement with:
 - (a) A telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and
 - (b) A suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.
38. Before the issue of a Statement of Compliance for any stage of the subdivision under the Subdivision Act 1988, the owner of the land must provide written confirmation from:
 - (a) A telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and
 - (b) A suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

General

39. Before the building 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.
40. 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.
41. 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.

Construction management

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

- (j) preferred arrangements for trucks delivering to the land, including delivery and unloading points and expected duration and frequency;
- (k) parking facilities for construction workers;
- (l) measures to ensure that all work on the land will be carried out in accordance with the Construction Management Plan;
- (m) an outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services;
- (n) an emergency contact that is available for 24 hours per day for residents and the Responsible Authority in the event of relevant queries or problems experienced;
- (o) the provision of a traffic management plan to comply with provisions of AS 1742.3-2002 Manual of uniform traffic control devices - Part 3: Traffic control devices for works on roads;
- (p) If any existing public lighting assets require temporary disconnection, alternative lighting must be provided to maintain adequate lighting levels. A temporary lighting scheme can only be approved by Council and relevant power authority;
- (q) Existing public lighting could only be disconnected once temporary alternative lighting scheme becomes operational; and
- (r) A temporary lighting scheme must remain operational until a permanent lighting scheme is reinstated.

Time expiry

43. This permit will expire if:

- (a) the development is not commenced within two years of the date of this permit; or
- (b) the development is not completed within four years of the date of this permit; or

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 5585 to confirm.

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

Provision must be made for drainage of the site to a legal point of discharge. Please contact Council's Building Services on 9205 5585 for further information.

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.

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.

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.

Established existing use rights as a licensed hotel, showing 15 years of continuous use on the site.

The developer needs to ensure that the building has adequate clearances from overhead power cables, transformers, substations or and other electrical assets where applicable. Energy Safe Victoria has published an information brochure, *Building Design Near Powerlines*, which can be obtained from their website: <http://www.esv.vic.gov.au/About-ESV/Reports-and-publications/Brochures-stickers-and-DVDs>

Melbourne Water Footnote(s):

Preliminary information available at Melbourne Water indicates that the above property is subject to flooding from the Alexandra Parade Main Drain (Dr4413). The applicable flood level for the property is 25.92m AHD. Please note that the property may also be subject to flooding at lower levels on a more frequent basis from smaller storms.

If further information is required in relation to Melbourne Water's permit conditions shown above, please contact Melbourne Water on 9679 7517, quoting Melbourne Water's reference 250660.

CARRIED

For: Crs Gaylard and Jolly

Against: Cr Huggins

1.2 PLN15/0637 - 88 - 92 Smith Street & 17 - 21 Little Oxford Street Collingwood - Use and development of the land for the construction of a mixed-use building (including dwellings), reduction in the car parking requirements and a waiver of loading bay requirements and demolition.

Trim Record Number: D16/25380

Responsible Officer: Principal Statutory Planner

RECOMMENDATION

That having considered all objections and relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant a Planning Permit PLN15/0637 for the use and development of the land for the construction of a mixed-use building (including dwellings), reduction in the car parking requirements and a waiver of loading bay requirements and demolition at 88-92 Smith and 17-21 Little Oxford Streets, Collingwood, subject to the following conditions:

1. Before the use and development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the decision plans by CHT Architects received by Council on 25 February 2016 but modified to show:
 - (a) Operable glazing to wintergardens and screening pattern facing the central courtyard associated with Building 1 as per sketch plans dated 17 March 2016;
 - (b) Internal elevations to be correctly labelled;
 - (c) 'Retail' premises labelled as 'shops';
 - (d) The shopfronts facing Smith Street to reflect the key characteristics and proportions of Victorian and Edwardian style shopfronts including transom at the top of the windows, stall boards, and a recessed entry;
 - (e) The fire booster integrated into the front façade along Smith Street of Building 1;
 - (f) Additional glazing along the southern wall of the pedestrian entrance of Building 2;
 - (g) Deletion of the projection of the 'architectural features' from the laneways to the north and south;
 - (h) All habitable room windows as operable (except when required due to screening);
 - (i) Confirmation that all windows which face the lightcourts of Building 1 are operable above 1.7m above the finished floor level;
 - (j) Confirmation that all apartments with wintergardens will have their air conditioners on the roof;
 - (k) A roof plan showing all plant and equipment to be screened from views from Smith and Little Oxford Streets;
 - (l) A schedule of all materials and finishes including colours and samples;
 - (m) All garage doors as being constructed of a patterned, visually permeable material;
 - (n) Details confirming that vehicles will not scrape and bottom out in the Right-of-Way using a B99 design vehicle;
 - (o) A convex mirror installed at the top of the basement ramp;
 - (p) The setback area associated with the entrance to the lower ground level car parking areas constructed in a different material to the Right of Way with the northern alignment of the Right of Way to be clearly delineated/defined;
 - (q) A cross-sectional drawing with the headroom clearances for the ramp depicted at critical points along the ramp;
 - (r) Doors to service rooms, meters and cabinets able to swing 180 degrees and be latched when opened;
 - (s) The finished floor levels at the edge of the basement ramp entrance and along the edge of the setback area set 40 mm higher than the edge of the Right of Way (this lip can be chamfered to eliminate any sharp edges);
 - (t) Any requirement of the endorsed Sustainable Management Plan (condition 3) (where relevant to show on plans);

- (u) Any requirement of the endorsed Waste Management Plan (condition 5) (where relevant to show on plans); and
 - (v) Any requirement of the endorsed acoustic report (condition 11) (where relevant to show on plans).
2. The use and development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.

Sustainable Management Plan

3. Before the use and development commences, an amended Sustainable Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Sustainable Management Plan will be endorsed and will form part of this permit. The amended Sustainable Management Plan must be generally in accordance with the Sustainable Management Plan prepared by Sustainable development Consultants and dated 25 June 2015, but modified to include or show:
- (a) Wintergardens to Smith Street having a fully operable window system for the whole width, generally in accordance with the sketch plan prepared by CHT Architects received on 17 March 2016;
 - (b) West-facing winter gardens, facing Smith Street fully open for a minimum 2m section to improve access to daylight to these apartments;
 - (c) In-/outlets of the proposed heat recovery system to be inconspicuously incorporated into the façades;
 - (d) Bedroom windows to the northern light court of Building 1, to include high level clear glazing windows with an openable area of at least 50% (e.g. sliding or louver windows).
 - (e) Revised internal east elevation generally in accordance with the sketch plan prepared by CHT Architects, received on 17 March 2016, so that the living areas to each dwelling are fully open, and not covered by the brick screen (BR04), for a minimum 2m section.
 - (f) A revised FirstRate energy report, including the results of the proposed wintergardens; and
 - (g) A revised STORM report, outlining how the development meets the relevant best practice standard.
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.

Waste Management Plan

5. Before the plans are endorsed, an amended Waste Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Waste Management Plan will be endorsed and will form part of this permit. The plan must be generally in accordance with the WMP (prepared by Leigh Design dated 14 September 2015), but modified to include:
- (a) All residential waste to be collected by private contractor internally to the site.
6. The collection of waste from the site must be by private collection, unless with the prior written consent of the Responsible Authority.
7. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Landscape Plan

8. Before the use and 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 areas to be covered by lawn or other surface materials; and
- (c) provide a specification of works to be undertaken prior to planting,

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, the landscaping works shown on the endorsed Landscape Plan must be carried out and completed to the satisfaction of the Responsible Authority. The landscaping shown on the endorsed Landscape Plan must be maintained by:

- (a) implementing and complying with the provisions, recommendations and requirements of the endorsed Landscape Plan;
- (b) not using the areas set aside on the endorsed Landscape Plan for landscaping for any other purpose; and
- (c) replacing any dead, diseased, dying or damaged plants,

to the satisfaction of the Responsible Authority.

10. Before the buildings are 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

Acoustic report

11. Before the use and development commences, an amended Acoustic Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Acoustic Report will be endorsed and will form part of this permit. The amended Acoustic Report must be generally in accordance with the Acoustic Report prepared by Acoustic Logic and provided to Council on 18 March 2016, but modified to include (or show, or address):

- (a) Music noise ingress is to be controlled to dwellings through implementation of the façade upgrade treatments detailed in the acoustic report dated 17 March 2016.
- (b) Patron noise levels within apartments is not to exceed 30 dBA Leq, 1 hour in bedrooms, and 35 dBA Leq, 1 hour in living rooms with windows closed.
- (c) The car park gate and car stackers are to comply with SEPP N-1 at the nearest dwellings and not to exceed levels of 55 dBA Lmax outside openable windows of bedrooms.

The acoustic report must make recommendations to limit the noise impacts in accordance with the State Environment Protection Policy (Control of noise from industry, commerce and trade) No. N-1 (SEPP N-1), State Environment Protection Policy (Control of music noise from public premises) No. N-2 (SEPP N-2) or any other requirement to the satisfaction of the Responsible Authority.

12. The provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.

Road Infrastructure

13. 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.

14. 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.

15. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the right of way abutting the southern boundary (including the north-south branch) must be fully reconstructed:
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.

16. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, all building works and connections for underground utility services, the footpath immediately outside the property's Smith Street and Little Oxford Streets road frontage must be stripped and re-sheeted:
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.

17. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, The full width road pavement must be profiled and re-sheeted:
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.

18. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, 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.

Car parking

19. 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.

20. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the car stackers must be installed in accordance with the manufacturer's specifications by a suitably qualified person. The car stackers must be maintained thereafter to the satisfaction of the Responsible Authority.
21. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, a notice showing the location of car parking must be placed in a clearly visible position near the entry to the land. The notice must be maintained thereafter to the satisfaction of the Responsible Authority.

Lighting

22. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating access to the pedestrian and vehicular entrances must be provided on the subject site. Lighting must be:
 - (a) located;
 - (b) directed;
 - (c) shielded; and
 - (d) of limited intensity,to the satisfaction of the Responsible Authority.

General

23. The amenity of the area must not be detrimentally affected by the use, including through:
 - (a) the transport of materials, goods or commodities to or from land;
 - (b) the appearance of any buildings, works or materials;
 - (c) the emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or
 - (d) the presence of vermin.to the satisfaction of the Responsible Authority.
24. 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.
25. 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.
26. 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.

Construction Management

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

During the construction:

- (r) any stormwater discharged into the stormwater drainage system must be in compliance with Environment Protection Authority guidelines;
- (s) stormwater drainage system protection measures must be installed as required to ensure that no solid waste, sediment, sand, soil, clay or stones from the land enters the stormwater drainage system;

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

Time expiry

28. This permit will expire if:

- (a) the development is not commenced within two years of the date of this permit; or
- (b) the development is not completed within four years of the date of this permit; or
- (c) the use has not commenced within five years of the date of this permit.

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

Notes:

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.

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

Provision must be made for drainage of the site to a legal point of discharge. Please contact Council's Building Services on 9205 5585 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.

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

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

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

Submission

The Applicant addressed the Committee.

INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION

Moved: Councillor Jolly

Seconded: Councillor Huggins

That the Recommendation be adopted.

CARRIED UNANIMOUSLY

1.3 PLN13/1041.01 - 22 Parkville Street Burnley - Amendment to the permit and plans for additional demolition; reconstruction of the front portion of the existing dwelling; and modifications to the ground and first floor extension; including a reduction in the ground and first floor eastern setback and changes to external materials and finishes and glazing

Trim Record Number: D16/39263
 Responsible Officer: Coordinator Statutory Planning

RECOMMENDATION

That having considered all relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant an Amended Planning Permit PLN13/1041.01 for an amendment to the permit and plans for additional demolition; reconstruction of the front portion of the existing dwelling; and modifications to the ground and first floor extension; including a reduction in the ground and first floor eastern setback and changes to external materials and finishes and glazing at 22 Parkville Street, Burnley. The following changes will be made to the planning permit preamble and conditions:

Permit preamble modified to read:

Development of the land for partial demolition, alterations and additions to the existing dwelling, including a ground and first floor extension, and reconstruction of part of the dwelling.

Deletion of existing condition 1 requirements 1(a-d) and replacement with new condition 1 requirements (a-j), as follows:

1. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the decision plans (received by Council on 8 December 2015) but modified to show:
 - (a) Deletion of all references on plans noting retention of the existing front chimney (which has already been demolished).
 - (b) Full details of the measured height, length and setback of all walls including openings to be reconstructed to be shown on proposed floor plans and elevations.
 - (c) As much as possible of the existing building fabric and architectural features (including existing bricks) must be salvaged and reinstated as part of the proposed reconstruction works. Where existing features are deemed beyond reasonable repair, evidence of their current condition, and full details of the proposed replacements must be provided, confirming they will match the original, like-for-like.
 - (d) Identification of all existing non-original building fabric or architectural features associated with the areas to be reconstructed and confirmation as to whether the identified features will be retained and re-used, or replaced. Full details of all proposed replacement features must be provided, confirming that they will be based on original details that have been lost (where evidence exists to support accuracy) or are more consistent with the architectural period of the original dwelling.
 - (e) Details of the proposed reconstructed front chimney, including plans and elevations at a scale of 1:20, must be provided, confirming that it will match the chimney at No. 20 Parkville Street; and will be constructed using original materials where it projects above the roofline.
 - (f) Deletion of section of proposed southern fence from existing/demolition plans.

- (g) Re-instatement of legend to ground floor plan confirming hatched areas denote permeable surfaces.
- (h) Re-instatement of notation confirming the secluded private open space / parking area to the rear of the deck is to be composed of permeable paving.
- (i) The southern elevation with all new works contained inside the western title boundary.
- (j) Front eave to the dwelling as shown on the proposed roof plan, to project over the façade to a depth consistent with the existing roof plan.

Submissions

The Applicant addressed the Committee.

The following people also addressed the Committee:

Ms Dorothy James;

Mr Ron Pinnell; and

Mr Laurence Humphries.

INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION

Moved: Councillor Huggins

Seconded: Councillor Jolly

That the Recommendation be adopted.

CARRIED UNANIMOUSLY

1.4 Supplementary Report - PLN15/0955 - 157 Roseneath Street Clifton Hill - Development of the land for a ground floor extension and first floor addition, including demolition.

Trim Record Number: D16/39902

Responsible Officer: Coordinator Statutory Planning

RECOMMENDATION

That having considered all relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant a Planning Permit PLN15/0955 for development of the land for a ground floor extension and first floor addition including part demolition at 157 Roseneath Street Clifton Hill, generally in accordance with the decision plans and subject to the following conditions:

1. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions, and three copies must be provided. The plans must be generally in accordance with the decision plans but modified to show:
 - (a) Deletion of the projecting screen to the first floor;
 - (b) Alternative screening measure, but not projecting, to the north-facing first floor window to comply with standard A15 of clause 54 of the Yarra Planning Scheme;
 - (c) Correct the western demolition plan to match the demolition floor plan;
 - (d) The additional screening to the west-facing first floor windows to be clearly notated as being obscured glazing;
 - (e) The width of the sliding gate to be dimensioned on the plans to be a minimum of 4.5m wide;
 - (f) The demolition of the front fence, brick piers supporting the front verandah roof and concrete verandah floor;
 - (g) A period appropriate front fence in the form of a 900-1200mm high timber picket fence;
 - (h) New timber posts to the verandah typical of the Edwardian era;
 - (i) The verandah floor with timber decking laid perpendicular to the building;
 - (j) The first floor to be setback from Roseneath Street 8m as shown in the sketch plans dated 29 March 2016; and
 - (k) The western on-boundary walls reduced in height to 3m as shown in the sketch plans dated 29 March 2016.
2. The development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
3. Before the development is occupied, or by such later date as approved in writing by the Responsible Authority, all screening and other measures to prevent overlooking as shown on the endorsed plans must be installed to the satisfaction of the Responsible Authority.

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

4. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, all new on-boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.
5. Within two months of the works being completed, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated:
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
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
 - (b) 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:

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

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

Submissions

The Applicant, Mr Tass Sachinidis addressed the Committee.

The following people also addressed the Committee:

Ms Jo Smale; and

Ms Janet Adams.

INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION

Moved: Councillor Jolly

Seconded: Councillor Huggins

That having considered all relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant a Planning Permit PLN15/0955 for development of the land for a ground floor extension and first floor addition including part demolition at 157 Roseneath Street Clifton Hill, generally in accordance with the decision plans and subject to the following conditions:

1. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions, and three copies must be provided. The plans must be generally in accordance with the decision plans but modified to show:
 - (a) Deletion of the projecting screen and retreat area from the first floor;
 - (b) Alternative screening measure, but not projecting, to any north-facing first floor window to comply with standard A15 of clause 54 of the Yarra Planning Scheme;
 - (c) Correct the western demolition plan to match the demolition floor plan;
 - (d) The additional screening to the west-facing first floor windows to be clearly notated as being obscured glazing;
 - (e) The width of the sliding gate to be dimensioned on the plans to be a minimum of 4.5m wide;
 - (f) The demolition of the front fence, brick piers supporting the front verandah roof and concrete verandah floor;
 - (g) A period appropriate front fence in the form of a 900-1200mm high timber picket fence;
 - (h) New timber posts to the verandah typical of the Edwardian era;
 - (i) The verandah floor with timber decking laid perpendicular to the building;
 - (j) The first floor to be setback from Roseneath Street 8m as shown in the sketch plans dated 29 March 2016; and
 - (k) The western on-boundary walls reduced in height to 3m as shown in the sketch plans dated 29 March 2016.
2. The development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
3. Before the development is occupied, or by such later date as approved in writing by the Responsible Authority, all screening and other measures to prevent overlooking as shown on the endorsed plans must be installed to the satisfaction of the Responsible Authority. Once installed the screening and other measures must be maintained to the satisfaction of the Responsible Authority.
4. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, all new on-boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.
5. Within two months of the works being completed, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated:
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.

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
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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 Department on PH 9205 5095 to confirm.

CARRIED

For: Crs Huggins and Jolly

Against: Cr Gaylard

The meeting closed at 8.53pm.

Confirmed at the meeting held on Wednesday 27 April 2016

Chair