



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

**held on Wednesday 27 April 2016 at 6.30pm  
in Meeting Room 3 at the Richmond Town Hall**

**I. ATTENDANCE**

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

Tarquin Leaver (Co-ordinator Statutory Planning)  
Jacob Sickinger (Senior Statutory Planner)  
Cindi Johnston (Governance Officer)

**II. APOLOGIES AND LEAVE OF ABSENCE**

Councillor Sam Gaylard

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

**IV. CONFIRMATION OF MINUTES**

**Internal Development Approvals Committee Resolution:**

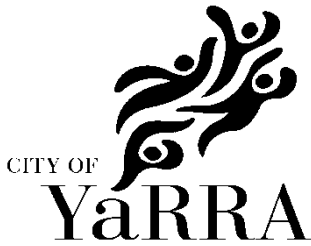
**Moved:** Councillor Huggins **Seconded:** Councillor Coleman

That the minutes of the meeting of the Internal Development Approvals Committee held on Wednesday 13 April 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**

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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 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	PLN15/1061 - 6 Reserve Street, Carlton North - Full demolition and construction of a dwelling	6	7
1.2	222 Johnston Street Collingwood VIC 3066 - Planning Permit Application No. PLN14/1218	8	10
1.3	23 Little Oxford Street Collingwood - PLN15/0640 - 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.	13	18
1.4	90-94 Rokeby Street, Collingwood. Planning Permit Application No. PLN14/0552.	19	21
1.5	PLN15/1070 - Suite 1, 391-393 Smith Street, Fitzroy - Use of the land as an indoor recreation facility (temporary fitness studio)	25	26
1.6	98 Falconer Street, Fitzroy North VIC 3068 - Planning Application No. PLN15/1159 for part demolition of the existing dwelling and construct a ground and first floor addition to the existing dwelling.	27	28
1.7	4 Gardner Street, Richmond VIC 3121 - Planning Permit Application No. PLN15/0915	31	34

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## 1.1 **PLN15/1061 - 6 Reserve Street, Carlton North - Full demolition and construction of a dwelling**

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Trim Record Number: D16/64266

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 PLN15/1061 be issued for the full demolition and construction of a dwelling at 6 Reserve Street, Carlton North VIC 3054, generally in accordance with the advertised 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 advertised plans (CD01 to CD10, revision B prepared by Andrew Maynard Architects and received by Council 18 January 2016) but modified to show:
  - (a) the rear 2m of the second floor setback a minimum 1m from the north title boundary;
  - (b) articulation of the front pedestrian door (e.g. varied material or pattern, etc.);
  - (c) confirmation the proposal would not be more than 8m above the existing NGL;
  - (d) removal of the tree in the front setback, south of the driveway;
  - (e) deletion of the north boundary windows;
  - (f) dimensions of the doorway and garage;
  - (g) the vehicle crossing widened to match the width of the garage door;
  - (h) a 1 in 20 cross sectional drawing and ground clearance check of the ramp together with the road profile of Reserve Street using the B85 design vehicle. It must be demonstrated to Council that the vehicle ramp and road profile will not result in cars scraping or bottoming out. Ramp grades must be shown on plan and must be no steeper than 1 in 20;
  - (i) the second floor, eastern kitchen window treated as per standard A15 of Clause 54.04-6 of the Yarra Planning Scheme; and
  - (j) a schedule of colours and materials, including samples. The transparency of metal mesh MC2 must be confirmed.
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. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the areas set aside on the endorsed plans for the car parking spaces, access lanes, driveways and associated works must be:
  - (a) constructed and available for use in accordance with the endorsed plans;
  - (b) formed to such levels and drained so that they can be used in accordance with the endorsed plans;
  - (c) treated with an all-weather seal or some other durable surface; and
  - (d) line-marked or provided with some adequate means of showing the car parking spaces.

to the satisfaction of the Responsible Authority.

6. 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.
7. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
  - (a) before 7 am or after 6 pm, Monday-Friday (excluding public holidays);
  - (b) before 9 am or after 3 pm, Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday); or
  - (c) at any time on Sundays, ANZAC Day, Christmas Day and Good Friday.
8. This permit will expire if:
  - (a) the development is not commenced within two years of the date of this permit; or
  - (b) the development is not completed within four years of the date of this permit.The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires or within six months afterwards for commencement or within twelve months afterwards for completion.

Notes:

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

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

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

A local law permit may be required for tree removal. Please contact Council's Compliance Branch on 9205 5063.

Submissions

*The Applicants, Mr David Song and Mr Mark Austin addressed the Committee.*

*The following people also addressed the Committee:*

*Ms Miranda Batur;  
Ms Eve Stocker;  
Mr Nick Howard; and  
Ms Laura Howard.*

**INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION**

**Moved:** Councillor Huggins

**Seconded:** Councillor Jolly

That the Recommendation be adopted.

**CARRIED UNANIMOUSLY**

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**1.2 222 Johnston Street Collingwood VIC 3066 - Planning Permit Application No. PLN14/1218**

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Trim Record Number: D16/63013

Responsible Officer: Principal Statutory Planner

**RECOMMENDATION**

That having considered all relevant planning policies and objections, the Committee resolves to issue a Notice of Decision to Grant Planning Permit PLN14/1218 for partial use of the land for an art and craft centre and a place of assembly (function centre); and a reduction of the car parking requirements of the Yarra Planning Scheme at 222 Johnston Street, Collingwood VIC 3066, subject to the following conditions:

1. Before the use 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 provision of 2 bicycle parking spaces on-site.
  - (b) Notation on the plans confirming that all patrons of the function centre must enter and exit the venue via the Johnston Street entrance.
  - (c) The location of refuse storage on the site and any other changes required as a result of the waste management plan required under Condition 7.
  - (d) Notation confirming the four rear car parking spaces are for staff/tenant use only.
2. The use as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
3. Except with the prior written consent of the Responsible Authority, the art and craft centre use may only operate between the following hours:
  - (a) 9.00am – 6.00pm, Monday to Friday; and
  - (b) 9.00am – 4.00pm, Saturday and Sunday.
4. Except with the prior written consent of the Responsible Authority, the function centre use may only operate between the following hours:
  - (a) 10.00am to 1.00am (the following day), Monday to Sunday.
5. No more than 300 patrons associated with the function centre use are permitted on the land at any one time.
6. Patrons of the function centre must not exit the venue via the rear of the site. All patrons of the function centre must enter and exit via Johnston Street.
7. Before the use commences, a Waste Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. Once approved, the Waste Management Plan will be endorsed and will form part of this permit.
8. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
9. The collection of waste from the site must be by private collection, unless with the prior written consent of the Responsible Authority.



10. Before the use 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 Control and dated 17 July 2015, but modified to:
  - (a) Address how the noise limiter will be adjusted to ensure music levels are kept at the appropriate levels set out in section 8 of the Acoustic Report, at different days and times.
  - (b) Confirm that the noise limiter will be secured and accessible only by an authorised manager of the premises.
11. The provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.
12. Before the commencement of the use, the applicant must, to the satisfaction of the Responsible Authority, display a sign at the Johnston Street exit of the premises advising patrons to respect the amenity of adjacent residential areas and to leave in a quiet and orderly manner.
13. 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.
14. The use must comply at all times with the State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N-1).
15. The use must comply at all times with the State Environment Protection Policy – Control of Music Noise from Public Premises (SEPP N-2).
16. Except with the prior written consent of the Responsible Authority, speakers external to the building must not be erected or used.
17. Emptying of bottles and cans into bins may only occur between 7am and 10pm on any day.
18. Except with the prior written consent of the Responsible Authority, delivery and collection of goods to and from the land may only occur between 7am and 10pm on any day.
19. This permit will expire if the use is not commenced within two years from the date of this permit. The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires or within six months afterwards.

Notes:

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

A building permit maybe required before the use commences. Please contact Council's Building Services on 9205 5585 to confirm.

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

### Submissions

*The Applicant, Mr Michael Gill addressed the Committee.*

*The following people also addressed the Committee:*

*Ms Sharon Johnson; and  
Mr Keith Bailey.*

## **INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION**

**Moved:** Councillor Coleman

**Seconded:** Councillor Jolly

That having considered all relevant planning policies and objections, the Committee resolves to issue a Notice of Decision to Grant Planning Permit PLN14/1218 for partial use of the land for an art and craft centre and a place of assembly (function centre); and a reduction of the car parking requirements of the Yarra Planning Scheme at 222 Johnston Street, Collingwood VIC 3066, subject to the following conditions:

1. Before the use 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 provision of 2 bicycle parking spaces on-site.
  - (b) Notation on the plans confirming that all patrons of the function centre must enter and exit the venue via the Johnston Street entrance.
  - (c) The location of refuse storage on the site and any other changes required as a result of the waste management plan required under Condition 7.
  - (d) Notation confirming the four rear car parking spaces are for staff/tenant use only.
2. The use as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
3. Except with the prior written consent of the Responsible Authority, the art and craft centre use may only operate between the following hours:
  - (a) 9.00am – 6.00pm, Monday to Friday; and
  - (b) 9.00am – 4.00pm, Saturday and Sunday.
4. Except with the prior written consent of the Responsible Authority, the function centre use may only operate between the following hours:
  - (a) 10.00am to 11.00pm, Sunday to Thursday; and
  - (b) 10.00am to 1.00am (the following day), Friday and Saturday.
5. No more than 300 patrons associated with the function centre use are permitted on the land at any one time on Friday and Saturday, with no more than 200 patrons from Sunday to Thursday.
6. Patrons of the function centre must not exit the venue via the rear of the site. All patrons of the function centre must enter and exit via Johnston Street.

7. Before the use commences, a Waste Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. Once approved, the Waste Management Plan will be endorsed and will form part of this permit.
8. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
9. The collection of waste from the site must be by private collection, unless with the prior written consent of the Responsible Authority.
10. Before the use 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 Control and dated 17 July 2015, but modified to:
  - (a) Address how the noise limiter will be adjusted to ensure music levels are kept at the appropriate levels set out in section 8 of the Acoustic Report, at different days and times.
  - (b) Confirm that the noise limiter will be secured and accessible only by an authorised manager of the premises.
11. The provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.
12. Before the commencement of the use, the applicant must, to the satisfaction of the Responsible Authority, display a sign at the Johnston Street exit of the premises advising patrons to respect the amenity of adjacent residential areas and to leave in a quiet and orderly manner.
13. 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.
14. The use must comply at all times with the State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N-1).
15. The use must comply at all times with the State Environment Protection Policy – Control of Music Noise from Public Premises (SEPP N-2).
16. Except with the prior written consent of the Responsible Authority, speakers external to the building must not be erected or used.
17. Emptying of bottles and cans into bins may only occur between 7am and 10pm on any day.
18. Except with the prior written consent of the Responsible Authority, delivery and collection of goods to and from the land may only occur between 7am and 10pm on any day.
19. This permit will expire if the use is not commenced within two years from the date of this permit. The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires or within six months afterwards.

Notes:

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

A building permit maybe required before the use commences. Please contact Council's Building Services on 9205 5585 to confirm.

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

**CARRIED UNANIMOUSLY**

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**1.3 23 Little Oxford Street Collingwood - PLN15/0640 - 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.**

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Trim Record Number: D16/54284

Responsible Officer: Acting Manager 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 PLN15/0640 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 at 23 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 10 March 2016 but modified to show:
  - (a) 'Retail' premises re-labelled as 'shop';
  - (b) The balcony balustrades facing Little Oxford Street as being constructed of black painted steel frame with a black painted mesh as per the image provided to Council on 14 April 2016;
  - (c) All habitable room windows as openable (except when required due to screening);
  - (d) A roof plan showing all plant and equipment to be screened from views from Little Oxford Street;
  - (e) A schedule of all materials and finishes including colours and samples;
  - (f) The garage door as being constructed of a patterned, visually permeable material;
  - (g) The finished floor levels along the edge of the concrete apron/setback area must be set 40 mm higher than the north edge of the Right of Way's bluestone pavement;
  - (h) Any requirement of the endorsed Sustainable Management Plan (condition 3) (where relevant to show on plans);
  - (i) Any requirement of the endorsed Waste Management Plan (condition 5) (where relevant to show on plans); and
  - (j) Any requirement of the endorsed acoustic report (condition 8) (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 30 June 2015, but modified to include or show:
  - (a) Details of the Heat Recovery Ventilation system's extent and provide details of the location of relevant in/outlets in the facade.
  
  - (b) Details of the rainwater tank and confirmation that it is connected to toilets.

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 30 June 2015), but modified to include:
  - (a) Private collection of all waste and recycling with no blocking of Little Oxford street during collections. Collection trucks are allowed to reverse into the laneway.
  - (b) An on-street loading zone may be used for waste collection (subject to approval from appropriate Council Unit). In the event that the proposed loading zone is not approved by Council, the Waste Management Plan must be amended to provide an alternative pick-up location to the satisfaction of the Responsible Authority.
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.

#### Acoustic report

8. Before the use and development commences, an Acoustic Report to the satisfaction of the Responsible Authority must be prepared by a suitably qualified acoustic engineer and must be submitted to and approved by the Responsible Authority. When approved, the Acoustic Report will be endorsed and will form part of this permit. The Acoustic Report must assess the following:
  - (a) Noise impacts from car stackers to the dwellings within and abutting the development.
  - (b) Noise impacts from the surrounding non-residential uses (vehicles and commercial premises) to the proposed use and development.

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.

9. 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

10. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any new vehicle crossing must be constructed:
  - (a) in accordance with any requirements or conditions imposed by Council;
  - (b) at the permit holder's cost; and
  - (c) to the satisfaction of the Responsible Authority.

11. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any redundant vehicular crossing must be demolished and re-instated as standard footpath and kerb and channel:
  - (a) at the permit holder's cost; and
  - (b) to the satisfaction of the Responsible Authority.
12. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the right of way abutting the southern boundary must be fully reconstructed:
  - (a) at the permit holder's cost; and
  - (b) to the satisfaction of the Responsible Authority.
13. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, all building works and connections for underground utility services, the footpath immediately outside the property's Little Oxford Street road frontage must be stripped and re-sheeted:
  - (a) at the permit holder's cost; and
  - (b) to the satisfaction of the Responsible Authority.
14. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, The full width road pavement of Little Oxford Street must be profiled and re-sheeted:
  - (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, 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

16. 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.
17. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the car stackers must be installed in accordance with the manufacturer's specifications by a suitably qualified person. The car stackers must be maintained thereafter to the satisfaction of the Responsible Authority.

18. 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

19. 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

20. 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.
21. 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.
22. 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.
23. 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

24. 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

25. 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:

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, Ms Jacqui Harrison addressed the Committee.*

**INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION**

**Moved:** Councillor Jolly

**Seconded:** Councillor Huggins

That the Recommendation be adopted..

**CARRIED UNANIMOUSLY**

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**1.4 90-94 Rokeby Street, Collingwood. Planning Permit Application No. PLN14/0552.**


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Trim Record Number: D16/63906

Responsible Officer: Coordinator Statutory Planning

**RECOMMENDATION**

That having considered all relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant a Planning Permit PLN14/0552 for the use of the site as a place of assembly (function centre) and associated sale and consumption of liquor and a reduction in the car parking requirements of the Yarra Planning Scheme at No.90-94 Rokeby Street, Collingwood, in accordance with the plans and reports received by Council and subject to the following conditions:

1. The use (including sale and consumption of liquor) 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.
2. Before the use 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 submitted Acoustic report received by council on 18<sup>th</sup> December 2015 and the supplementary acoustic report submitted 9<sup>th</sup> March 2016, but modified to include:
  - (a) report updated to include additional detail to demonstrate that compliance with SEPP N-1 and SEPP N-2 can also be achieved for any caretakers/residences that may be located on the first floor of the building.
 

If non-compliance with acceptable noise limits is predicted, further attenuation measures must be undertaken to bring the noise levels into compliance.
3. The provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.
4. Before the sale and consumption of liquor commences, an amended Noise and Amenity Action Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Noise and Amenity Action Plan will be endorsed and will form part of this permit. The amended Noise and Amenity and Action Plan must be generally in accordance with the Noise and Amenity Action Plan submitted with the application but modified to include any changes necessary as a result of the updated acoustic report and waste management plan.
5. The provisions recommendation and requirements of the endorsed Noise and Amenity Action Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
6. Before the use commences, a Green Travel Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Green Travel plan will be endorsed and will form part of this permit. The Green Travel Plan must include, but not be limited to, the following:
  - (a) Details of how the development will encourage staff and patrons to utilise public transport to access the site.
7. The provisions, recommendations and requirements of the endorsed Green Travel Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
8. Before the use commences, a Waste Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority.

Once approved, the Waste Management Plan will be endorsed and will form part of this permit.

9. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
10. Before the commencement of the sale and consumption of liquor, the applicant must, to the satisfaction of the Responsible Authority, display a sign at the exit of the licensed premises advising patrons to respect the amenity of adjacent residential areas and to leave in a quiet and orderly manner.
11. No more than 150 patrons are permitted on the land at any time.
12. Except with the prior written consent of the Responsible Authority, the use (including the sale and consumption of liquor) may only occur between the following hours:
  - (a) Monday to Wednesday 11.00 am to 9.00 pm
  - (b) Thursday to Saturday 11.00 am to 1.00 am
13. The use must comply at all times with the State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N-1).
14. The use must comply at all times with the State Environment Protection Policy – Control of Music Noise from Public Premises (SEPP N-2).
15. Functions with amplified music may only occur a maximum of 4 times per month.
16. All doors and windows must remain closed at all times when functions are underway (unless for access or egress).
17. Prior to the commencement of the use authorised by this permit, a Noise Limiter must be installed on the land. The Noise Limiter must:
  - (a) be set at a level specified by a qualified acoustic engineer;
  - (b) ensure the emission of noise from amplified music does not exceed the levels specified in the State Environment Protection Policy – Control of Music Noise from Public Premises (SEPP N-2); and
  - (c) be maintained and operated at all times.to the satisfaction of the Responsible Authority.
18. The provision of music and entertainment in Studio 1 must be at a background noise level.
19. Speakers external to the building must not be erected or used.
20. Except with the prior written consent of the Responsible Authority, delivery and collection of goods to and from the land may only occur between 7am and 10pm on any day.
21. The loading and unloading of vehicles and the delivery of goods to and from the land must be conducted entirely within the land to the satisfaction of the Responsible Authority.
22. Emptying of bottles and cans into bins may only occur between 7am and 10pm on any day.
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. This permit will expire if the use (including the sale and consumption of liquor) is not commenced within two 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.

#### NOTES:

A building permit maybe required before development is commenced. Please contact Council's Building Services on 9205 5585 to confirm.

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

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

#### Submissions

*The Applicant, Mr Bruce Keen addressed the Committee.*

*The following people also addressed the Committee:*

*Mr Michael Cross;  
Ms Michelle Barry; and  
Mr Barry Cahir.*

#### **INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION**

**Moved:** Councillor Jolly

**Seconded:** Councillor Coleman

That having considered all relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant a Planning Permit PLN14/0552 for the use of the site as a place of assembly (function centre) and associated sale and consumption of liquor and a reduction in the car parking requirements of the Yarra Planning Scheme at No.90-94 Rokeby Street, Collingwood, in accordance with the plans and reports received by Council and subject to the following conditions:

1. The use (including sale and consumption of liquor) 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.
2. Before the use 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 submitted Acoustic report received by council on 18<sup>th</sup> December 2015 and the supplementary acoustic report submitted 9<sup>th</sup> March 2016, but modified to include:

- (a) additional detail to demonstrate that compliance with SEPP N-1 and SEPP N-2 can also be achieved for any caretakers/residences that may be located on the north side of the building at No. 96-106 Langridge Street, including No. 2/96 Langridge Street, Collingwood.

If non-compliance with acceptable noise limits is predicted, further attenuation measures must be undertaken to bring the noise levels into compliance.

3. The provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.
4. Before the sale and consumption of liquor commences, an amended Noise and Amenity Action Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority.  
  
When approved, the amended Noise and Amenity Action Plan will be endorsed and will form part of this permit. The amended Noise and Amenity and Action Plan must be generally in accordance with the Noise and Amenity Action Plan submitted with the application but modified to include any changes necessary as a result of the updated acoustic report and waste management plan.
5. The provisions recommendation and requirements of the endorsed Noise and Amenity Action Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
6. Before the use commences, a Green Travel Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Green Travel plan will be endorsed and will form part of this permit. The Green Travel Plan must include, but not be limited to, the following:
  - (a) Details of how the development will encourage staff and patrons to utilise public transport to access the site.
7. The provisions, recommendations and requirements of the endorsed Green Travel Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
8. Before the use commences, a Waste Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. Once approved, the Waste Management Plan will be endorsed and will form part of this permit.
9. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
10. Before the commencement of the sale and consumption of liquor, the applicant must, to the satisfaction of the Responsible Authority, display a sign at the exit of the licensed premises advising patrons to respect the amenity of adjacent residential areas and to leave in a quiet and orderly manner.
11. No more than 150 patrons are permitted on the land at any time.
12. Except with the prior written consent of the Responsible Authority, the use (including the sale and consumption of liquor) may only occur between the following hours:
  - (a) Monday to Wednesday 11.00 am to 9.00 pm
  - (b) Thursday to Saturday 11.00 am to 1.00 am

13. The use must comply at all times with the State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N-1).
14. The use must comply at all times with the State Environment Protection Policy – Control of Music Noise from Public Premises (SEPP N-2).
15. Functions with amplified music may only occur a maximum of 4 times per month.
16. All doors and windows must remain closed at all times when functions are underway (unless for access or egress).
17. Prior to the commencement of the use authorised by this permit, a Noise Limiter must be installed on the land. The Noise Limiter must:
  - (a) be set at a level specified by a qualified acoustic engineer;
  - (b) ensure the emission of noise from amplified music does not exceed the levels specified in the State Environment Protection Policy – Control of Music Noise from Public Premises (SEPP N-2); and
  - (c) be maintained and operated at all times.to the satisfaction of the Responsible Authority.
18. The provision of music and entertainment in Studio 1 must be at a background noise level.
19. Speakers external to the building must not be erected or used.
20. Except with the prior written consent of the Responsible Authority, delivery and collection of goods to and from the land may only occur between 7am and 10pm on any day.
21. The loading and unloading of vehicles and the delivery of goods to and from the land must be conducted entirely within the land to the satisfaction of the Responsible Authority.
22. Emptying of bottles and cans into bins may only occur between 7am and 10pm on any day.
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. This permit will expire if the use (including the sale and consumption of liquor) is not commenced within two 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.

NOTES:

A building permit maybe required before development is commenced. Please contact Council's Building Services on 9205 5585 to confirm.

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

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

**CARRIED UNANIMOUSLY**



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**1.5 PLN15/1070 - Suite 1, 391-393 Smith Street, Fitzroy - Use of the land as an indoor recreation facility (temporary fitness studio)**

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Trim Record Number: D16/60964

Responsible Officer: Principal Statutory Planner

**RECOMMENDATION**

That having considered all relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant a Planning Permit PLN15/1070 be issued for use of the land as an indoor recreation facility (temporary fitness studio) at Suite 1, 391-393 Smith Street, Fitzroy, subject to the following conditions:

1. Within one (1) month of the date of this permit (or as otherwise agreed in writing by the Responsible Authority), 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 temporary acoustic wall to be installed detailed on the plans.
  - (b) The location of the sign/s at the exit of the premises advising patrons to respect the amenity of adjacent residential areas and to leave in a quiet and orderly manner.
  - (c) The location of two (2) bicycle spaces within the ground floor.
2. The use as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
3. No more than 45 participants and 2 personal trainers may operate from the premises at any one time.
4. Except with the prior written consent of the Responsible Authority, the use authorised by this permit may only operate during the hours specified in the endorsed Class Schedule.
5. The sign/s at the exit of the premises advising patrons to respect the amenity of adjacent residential areas must be displayed and maintained to the satisfaction of the Responsible Authority.
6. The use must comply at all times with the State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N-1).
7. Amplified music, including use of microphones, is not permitted on the premises.
8. The amenity of the area must not be detrimentally affected by the use, 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.
9. Except with the prior written consent of the Responsible Authority, this permit will expire on 1 October 2016.

Notes

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

A building permit may be required before the use is commenced. Please contact Council's Building Services on 9205 5585 to confirm.

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

*There were no submissions for this matter.*

#### **INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION**

**Moved:** Councillor Jolly

**Seconded:** Councillor Coleman

That the Recommendation be adopted.

**CARRIED UNANIMOUSLY**

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**1.6 98 Falconer Street, Fitzroy North VIC 3068 - Planning Application No. PLN15/1159 for part demolition of the existing dwelling and construct a ground and first floor addition to the existing dwelling.**

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Trim Record Number: D16/61705

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 PLN15/1159 for the partial demolition of the existing dwelling to allow for a construct a ground and first floor addition at 98 Falconer Street, North Fitzroy subject to the following conditions:

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the plans received by Council on 21 December 2015 and plans date stamped on 7 March 2016 but modified to show:
  - (a) Existing west elevation to show retained brick wall on the boundary (abutting the proposed garage).
  - (b) Proposed elevations and material schedule to show the proposed roofing material in a colour similar to natural galvanised steel, as well as the privacy screen, and side gate materials and colours.
  - (c) The first floor east-facing window to the bedroom screened to comply with clause 54.04-6 (Overlooking objective) of the Yarra Planning Scheme.
  - (d) First floor plan and overlooking diagrams A and B to correctly show the setback of the west-facing windows to the adjoining property to the east.
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, 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.
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 development is occupied, or by such later date as approved in writing by the Responsible Authority, all new on-boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.
6. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
  - (a) Monday-Friday (excluding public holidays) before 7 am or after 6 pm;
  - (b) Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday) before 9 am or after 3 pm; or
  - (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.

7. This permit will expire if:

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

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

Notes:

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

A building permit may be required before development is commenced. Please contact Council's Building Services on 9205 5585 to confirm.

### Submissions

*The Applicant, Mr Luke Rhodes, the Architect and the owner, Mr Stuart McNally addressed the Committee.*

*The following people also addressed the Committee:*

*Ms Janine King;  
Ms Mary Kelly;  
Ms Gwen Bailey; and  
Ms Wendy Hayes.*

### Adjournment

*The meeting adjourned from this matter for discussions between the Applicant, the Architect and the owner.*

*Item 1.7 was then considered.*

## **INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION**

**Moved:** Councillor Coleman

**Seconded:** Councillor Huggins

That having considered all relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant a Planning Permit PLN15/1159 for the partial demolition of the existing dwelling to allow for a construct a ground and first floor addition at 98 Falconer Street, North Fitzroy subject to the following conditions:

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the plans received by Council on 21 December 2015 and plans date stamped on 7 March 2016 but modified to show:

- (a) Existing west elevation to show retained brick wall on the boundary (abutting the proposed garage).
  - (b) Proposed elevations and material schedule to show the proposed roofing material in a colour similar to natural galvanised steel, as well as the privacy screen, and side gate materials and colours.
  - (c) The first floor east-facing window to the bedroom screened to comply with clause 54.04-6 (Overlooking objective) of the Yarra Planning Scheme.
  - (d) The western on boundary garage wall to be consistently shown in the southern and western elevations as no higher than the existing wall.
  - (e) The garage and garage door widened to allow for a garage door width of 4.1 metres.
  - (f) The garage finished floor level along the edge of the slab to be 40mm above the edge of the bluestone pavement of the right-of-way.
  - (g) Screening to the landing window and the western 1.5m of the southern side of the deck to 1.7m high with a maximum of 25% transparency.
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, 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.
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 development is occupied, or by such later date as approved in writing by the Responsible Authority, all new on-boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.
6. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
  - (a) Monday-Friday (excluding public holidays) before 7 am or after 6 pm;
  - (b) Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday) before 9 am or after 3 pm; or
  - (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.
7. This permit will expire if:
  - (a) the development is not commenced within two years of the date of this permit; or
  - (b) the development is not completed within four years of the date of this permit.

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

**Notes:**

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

A building permit may be required before development is commenced. Please contact Council's Building Services on 9205 5585 to confirm.

**CARRIED UNANIMOUSLY**

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**1.7 4 Gardner Street, Richmond VIC 3121 - Planning Permit Application  
No.PLN15/0915**

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Trim Record Number: D16/60110

Responsible Officer: Principal Statutory Planner

**RECOMMENDATION**

That having considered all relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant Planning Permit PLN15/0915 for development of the land for two dwellings at 4 Gardner Street, Richmond, subject to the following conditions:

1. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions, and three copies must be provided. The plans must be generally in accordance with the decision plans but modified to show:
  - (a) The maximum height of the building being no greater than 9.0m, (ie 24.79AHD);
  - (b) The southern elevation showing screening to the first floor terrace, being 1.7m above FFL and no more than 25% visually transparent;
  - (c) The north-facing, first floor windows associated with the meals/living area and study being 'fixed' obscure glazing to 1.7m above FFL;
  - (d) The north and south-facing light courts containing visually solid boundary fencing to a height of no less than 1.8m;
  - (e) The rear courtyard provided with visually solid fencing with a height of no less than 1.8m;
  - (f) The western perimeter of the first and second floor terraces treated to avoid unreasonable overlooking opportunities to private open space to the south and habitable room windows to the north;
  - (g) The basement ramp being no less than 3.0m wide;
  - (h) A 1 in 20 section of the ramp and vehicle crossing;
  - (i) The length of tandem car parking spaces a minimum of 10.3m without encroaching upon the vehicle turntable;
  - (j) External adjustable shading to all exposed east, west and north facing glazing via shutters, retractable awnings, fins, louvers or similar.
  - (k) Details for operability of glazing on elevations.
  - (l) the length of the second floor terrace reduced to no more than 1.2m;
  - (m) Landscape planting within the sightline triangle for the vehicle access ramp being no greater than 1.5m high;
  - (n) Any recommendations contained within the sustainable design assessment pursuant to condition 3 of this permit;
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 Design Assessment to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Sustainable Design Assessment will be endorsed and will form part of this permit. The amended Sustainable Design Assessment must be generally in accordance with the Sustainable Design Assessment prepared by Sustainable Design Consultants and dated 19 October 2015, but modified to include or show:
  - (a) Dwellings achieving an average 6.1 NatHERS energy rating;
  - (b) External adjustable shading to all exposed east, west and north facing glazing via shutters, retractable awnings, fins, louvers or similar
4. The provisions, recommendations and requirements of the endorsed Sustainable Design Assessment must be implemented and complied with 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 (including the full re-sheeting of the property frontage if deemed necessary by council):
  - (a) at the permit holder's cost; and
  - (b) to the satisfaction of the Responsible Authority.
6. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, 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; andto the satisfaction of the Responsible Authority.
7. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, 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.
8. 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.
9. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.



10. 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.
11. 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.
12. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating access to the car park 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.
13. 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.
14. Before the development commences, a Construction Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will form part of this permit. The plan must provide for:
  - (a) a pre-conditions survey (dilapidation report) of the land and all adjacent Council roads frontages and nearby road infrastructure;
  - (b) works necessary to protect road and other infrastructure;
  - (c) remediation of any damage to road and other infrastructure;
  - (d) containment of dust, dirt and mud within the land and method and frequency of clean up procedures to prevent the accumulation of dust, dirt and mud outside the land,
  - (e) facilities for vehicle washing, which must be located on the land;
  - (f) the location of loading zones, site sheds, materials, cranes and crane/hoisting zones, gantries and any other construction related items or equipment to be located in any street;
  - (g) site security;
  - (h) management of any environmental hazards including, but not limited to:
    - (i) contaminated soil;
    - (ii) materials and waste;
    - (iii) dust;
    - (iv) stormwater contamination from run-off and wash-waters;
    - (v) sediment from the land on roads;
    - (vi) washing of concrete trucks and other vehicles and machinery; and
    - (vii) spillage from refuelling cranes and other vehicles and machinery;
  - (i) the construction program;
  - (j) preferred arrangements for trucks delivering to the land, including delivery and unloading points and expected duration and frequency;
  - (k) parking facilities for construction workers;

- (l) measures to ensure that all work on the land will be carried out in accordance with the Construction Management Plan;
- (m) an outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services;
- (n) an emergency contact that is available for 24 hours per day for residents and the Responsible Authority in the event of relevant queries or problems experienced;
- (o) the provision of a traffic management plan to comply with provisions of AS 1742.3-2002 Manual of uniform traffic control devices - Part 3: Traffic control devices for works on roads.
- (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 the relevant power authority;

15. 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 maybe required before development is commenced. Please contact Council's Building Services on 9205 5585 to confirm.

A local law permit (e.g. Asset Protection Permit, Road Occupation Permit) may be required before development is commenced. Please contact Council's Construction Management Branch on Ph. 9205 5585 to confirm.

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

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

#### Submissions

*The Applicant, Ms Aretha Moor addressed the Committee.*

*Mr Paul Lewis also addressed the Committee.*

### **INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION**

**Moved:** Councillor Coleman

**Seconded:** Councillor Huggins

That having considered all relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant Planning Permit PLN15/0915 for development of the land for two dwellings at 4 Gardner Street, Richmond, subject to the following conditions:

1. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions, and three copies must be provided. The plans must be generally in accordance with the decision plans but modified to show:
  - (a) The maximum height of the building being no greater than 9.0m, (ie 24.79AHD);
  - (b) The southern elevation showing screening to the first floor terrace, being 2m above FFL and no more than 10% visually transparent;
  - (c) The north-facing, first floor windows associated with the meals/living area and study being 'fixed' obscure glazing to 1.7m above FFL;
  - (d) The north and south-facing light courts containing visually solid boundary fencing to a height of no less than 1.8m;
  - (e) The rear courtyard provided with visually solid fencing with a height of no less than 1.8m;
  - (f) The western perimeter of the first and second floor terraces treated to avoid unreasonable overlooking opportunities to private open space to the south and habitable room windows to the north;
  - (g) The basement ramp being no less than 3.0m wide;
  - (h) A 1 in 20 section of the ramp and vehicle crossing;
  - (i) The length of tandem car parking spaces a minimum of 10.3m without encroaching upon the vehicle turntable;
  - (j) External adjustable shading to all exposed east, west and north facing glazing via shutters, retractable awnings, fins, louvers or similar.
  - (k) Details for operability of glazing on elevations.
  - (l) the length of the second floor terrace reduced to no more than 1.2m;
  - (m) Landscape planting within the sightline triangle for the vehicle access ramp being no greater than 1.5m high;
  - (n) Any recommendations contained within the sustainable design assessment pursuant to condition 3 of this permit;
  
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 Design Assessment to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Sustainable Design Assessment will be endorsed and will form part of this permit. The amended Sustainable Design Assessment must be generally in accordance with the Sustainable Design Assessment prepared by Sustainable Design Consultants and dated 19 October 2015, but modified to include or show:
  - (a) Dwellings achieving an average 6.1 NatHERS energy rating;
  - (b) External adjustable shading to all exposed east, west and north facing glazing via shutters, retractable awnings, fins, louvers or similar.

4. The provisions, recommendations and requirements of the endorsed Sustainable Design Assessment must be implemented and complied with to the satisfaction of the Responsible Authority.
5. Before the development commences, an Acoustic Report to the satisfaction of the Responsible Authority must be prepared by a suitably qualified acoustic engineer and must be submitted to and approved by the Responsible Authority. When approved, the Acoustic Report will be endorsed and will form part of this permit. The Acoustic Report must assess the following:
  - (a) the noise from the turntable and the lift.
6. The provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.
7. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated (including the full re-sheeting of the property frontage if deemed necessary by council):
  - (a) at the permit holder's cost; and
  - (b) 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 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

to the satisfaction of the Responsible Authority.
9. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any redundant vehicular crossing must be demolished and re-instated as standard footpath and kerb and channel:
  - (a) at the permit holder's cost; and
  - (b) to the satisfaction of the Responsible Authority.
10. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, 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.
11. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.

12. 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.
13. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, all new on-boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.
14. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating access to the car park 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.
15. 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.
16. Before the development commences, a Construction Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will form part of this permit. The plan must provide for:

  - (a) a pre-conditions survey (dilapidation report) of the land and all adjacent Council roads frontages and nearby road infrastructure;
  - (b) works necessary to protect road and other infrastructure;
  - (c) remediation of any damage to road and other infrastructure;
  - (d) containment of dust, dirt and mud within the land and method and frequency of clean up procedures to prevent the accumulation of dust, dirt and mud outside the land,
  - (e) facilities for vehicle washing, which must be located on the land;
  - (f) the location of loading zones, site sheds, materials, cranes and crane/hoisting zones, gantries and any other construction related items or equipment to be located in any street;
  - (g) site security;
  - (h) management of any environmental hazards including, but not limited to:
    - (i) contaminated soil;
    - (ii) materials and waste;
    - (iii) dust;
    - (iv) stormwater contamination from run-off and wash-waters;
    - (v) sediment from the land on roads;
    - (vi) washing of concrete trucks and other vehicles and machinery; and
    - (vii) spillage from refuelling cranes and other vehicles and machinery;
  - (i) the construction program;
  - (j) preferred arrangements for trucks delivering to the land, including delivery and unloading points and expected duration and frequency;
  - (k) parking facilities for construction workers;

- (l) measures to ensure that all work on the land will be carried out in accordance with the Construction Management Plan;
- (m) an outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services;
- (n) an emergency contact that is available for 24 hours per day for residents and the Responsible Authority in the event of relevant queries or problems experienced;
- (o) the provision of a traffic management plan to comply with provisions of AS 1742.3-2002 Manual of uniform traffic control devices - Part 3: Traffic control devices for works on roads.
- (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 the relevant power authority;

17. 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

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

**CARRIED UNANIMOUSLY**

The meeting closed at 9.04pm.

**Confirmed at the meeting held on Wednesday 11 May 2016**

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**Chair**