



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

**held on Wednesday 25 May 2016 at 6.30pm  
in Meeting Room 3 at the Richmond Town Hall**

**I. ATTENDANCE**

Councillor Geoff Barbour (substitute for Cr Roberto Colanzi)  
Councillor Amanda Stone  
Councillor Phillip Vlahogiannis

Danielle Connell (Co-ordinator Statutory Planning)  
Chris Harries (Senior Statutory Planner)  
Cindi Johnston (Governance Officer)

**II. APOLOGIES AND LEAVE OF ABSENCE**

**III. DECLARATIONS OF CONFLICT OF INTEREST (councillors and staff)**  
Councillor Vlahogiannis – Item 1.8

**IV. CONFIRMATION OF MINUTES**

**Internal Development Approvals Committee Resolution:**

**Moved:** Councillor Vlahogiannis **Seconded:** Councillor Stone

That the minutes of the meeting of the Internal Development Approvals Committee held on Wednesday 11 May 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 Barbour nominated Councillor Stone as Chair.

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

Councillor Stone assumed the Chair.

*Order of Items*

Items 1.1, 1.2, 1.3, 1.4, 1.5, 1.6

Item 1.8 was then heard

Item 1.7 was heard last.

## 1. INTERNAL DEVELOPMENT APPROVALS COMMITTEE

Item		Page	Res. Page
1.1	316-322 Johnston Street and 25 Little Turner Street, Abbotsford VIC 3067 - Planning Permit Application No. PLN15/0644	6	11
1.2	187 Mary Street Richmond - Planning Application No. PLN14/0632 - Develop the land for the construction of a two-storey dwelling with associated roof terrace	17	19
1.3	60 Duke Street Richmond - Planning Permit Application PLN15/0528	22	23
1.4	17 Boyd Street Richmond - Planning Permit Application No. PLN15/0039 - Development of the land for two, three storey dwellings and a reduction in car parking requirements.	26	30
1.5	203-205 Johnston Street, Collingwood - PLN15/0294	31	34
1.6	Supplementary Report - 302 Mary Street, Richmond VIC 3121 - Planning Permit Application No. PLN14/0354 (Part demolition for a ground and first floor extension to the existing dwelling, including a roof terrace, and the construction of a two-storey development for five additional dwellings with a basement and a reduction in the car parking requirement of the Yarra Planning Scheme).	38	42
1.7	107 Cambridge Street, Collingwood - PL10/0231.02 [CONFIDENTIAL ITEM - VCAT COMPULSORY CONFERENCE WITHOUT PREJUDICE POSITION]	43	49
1.8	16 Dover Street, Cremorne VIC 3121 - Planning Permit Application No. PLN15/0476	50	54

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**1.1 316-322 Johnston Street and 25 Little Turner Street, Abbotsford VIC 3067 -  
Planning Permit Application No. PLN15/0644**

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Trim Record Number: D16/68357

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 PLN15/0664 for the use and development of the land for an eight (8) storey building containing dwellings and shops (permit not required for the shop use) plus a roof top terrace, a reduction in the car parking requirements and a waiver of the loading and unloading of vehicles requirement at 316-322 Johnston Street and 25 Little Turner Street, Abbotsford, subject to the following conditions:

**Amended Plans**

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 Fieldwork received by Council on 9 March 2016 but modified to show:
  - (a) The proposed eighth and ninth floors deleted and the overall height reduced to eight levels plus the roof top terrace.
  - (b) The canopy over the Johnston Street footpath with a maximum height of 3.6 metres above the footpath accurately shown on all relevant plans.
  - (c) Windows to all habitable rooms are operable.
  - (d) A shower facility for staff of the ground floor shops to encourage staff to cycle to work.
  - (e) Separate recycling facilities.
  - (f) That the model of car stacker device is able to accommodate 2.4 metre wide platforms.
  - (g) A 1 in 20 scale cross sectional drawing of the development's vehicular entrance, showing the actual reduced levels (not interpolated levels from the application drawings) of the Little Turner Street road profile, the building line, the lip of the channel and the invert of the channel. The existing road profile of Little Turner Street and the ground floor slab inside the property must be accurately drawn. The applicant must demonstrate by way of a ground clearance check that vehicles can traverse the development entrance without scraping or bottoming out. The 1 in 20 scale cross sectional drawing must be submitted to Council's Construction Management branch for assessment and approval.
  - (h) All requirements of the SMP as outlined in condition 3.
  - (i) All requirements of the Acoustic report as outlined in condition 5.
  
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. Prior to the endorsement of plans, 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 ADP Consulting and dated 26 August 2015, but modified to include or show:
  - (a) Confirmation that staff of the ground floor shops will have access to on-site bicycle parking.
  - (b) A shower facility for staff of the ground floor shops to encourage staff to cycle to work.

- (c) Separate recycling facilities.
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.

### **Acoustic Report**

5. Prior to the endorsement of plans, 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 received 22 September 2015, but modified to include (or show, or address) the following:
- (a) Detail provided with regard to options for lightweight walls (e.g. a minimum Rw rating) and ventilation treatments. As a minimum, it should be made clear in the report that any penetrations in the façade for ventilation should be reviewed by an acoustical consultant.
  - (b) Noise from the roof mounted plant at 324 Johnston Street be assessed, or an approach developed for ensuring that this issue is addressed during the detailed design phase of the project.
  - (c) Noise from the garage entrance gate and car stackers will be required to comply with SEPP N-1 at both the existing dwellings on the northern side of the laneway and at dwellings within the development.
6. The provisions, recommendations and requirements of the endorsed acoustic report must be implemented and complied with to the satisfaction of the Responsible Authority.

### **Waste Management Plan**

7. Prior to the endorsement of plans, an amended waste management plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended waste management plan will be endorsed and will form part of this permit. The amended plan must be generally in accordance with the waste management plan (prepared by Leigh Design dated 21 August 2015), but modified to include:
- (a) Residential collection must be internal by a private contractor with a suitably sized vehicle, with path of access details, turning templates and Job Safety Analysis provided.
  - (b) Commercial collection must be internal by a private contractor with a suitably sized vehicle, with path of access details, turning templates and Job Safety Analysis.
8. The collection of waste from the site must be by private collection, unless with the prior written consent of the Responsible Authority.
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.

### **Car Parking**

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, to the satisfaction of the Responsible Authority, 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.

- (d) Line-marked or provided with some adequate means of showing the car parking spaces.
10. 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.
  11. 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**

12. Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating access to the building entrance must be provided. Lighting must be:
  - (a) located;
  - (b) directed;
  - (c) shielded; and
  - (d) of limited intensity,to the satisfaction of the Responsible Authority.

### **General**

13. The amenity of the area must not, to the satisfaction of the Responsible Authority, 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.
  - (d) The presence of vermin.
14. 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.
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.
16. 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.
17. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.
18. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
  - (a) Monday to Friday (excluding public holidays) before 7:00am or after 6:00pm.
  - (b) Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday) before 9:00am or after 3:00pm.



- (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.

### **Construction Management**

19. 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; and
    - (v) other relevant considerations.
  - (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.
- (v) All litter (including items such as cement bags, food packaging and plastic strapping) must be disposed of responsibly.

### **Permit Expiry**

20. This permit will expire if:

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

The applicant must liaise with Council's open space unit for the protection of street trees in Johnston Street.

The applicant must liaise with Council's parking services unit for the relocation of the Loading Zone at the rear of the property.

The site is located within an Environmental Audit Overlay. Pursuant to Clause 45.03 of the Yarra Planning Scheme, the requirements of the Environmental Audit Overlay must be met prior to the commencement of development permitted under the permit.

### Submissions

*The Applicant, Mr Hugh Smythe addressed the Committee.*

*The following people also addressed the Committee:*

*Mr Raymond Endean;  
Ms Robyn Scanlan;  
Ms Katrina Ellis; and  
Ms Cath D'Aulizio*

## **INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION**

**Moved:** Councillor Barbour

**Seconded:** Councillor Stone

That having considered all objections and relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant a Planning Permit PLN15/0664 for the use and development of the land for a seven (7) storey building containing dwellings and two shops (permit not required for the shop use) plus a roof top terrace, a reduction in the car parking requirements and a waiver of the loading and unloading of vehicles requirement at 316-322 Johnston Street and 25 Little Turner Street, Abbotsford, subject to the following conditions:

### **Amended Plans**

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 Fieldwork received by Council on 9 March 2016 but modified to show:
  - (a) The proposed seventh, eighth and ninth floors deleted and the overall height reduced to seven levels plus the roof top terrace.
  - (b) The canopy over the Johnston Street footpath with a maximum height of 3.6 metres above the footpath accurately shown on all relevant plans.
  - (c) Windows to all habitable rooms are operable.
  - (d) A shower facility for staff of the ground floor shops to encourage staff to cycle to work.
  - (e) Separate recycling facilities.
  - (f) That the model of car stacker device is able to accommodate 2.4 metre wide platforms.
  - (g) A 1 in 20 scale cross sectional drawing of the development's vehicular entrance, showing the actual reduced levels (not interpolated levels from the application drawings) of the Little Turner Street road profile, the building line, the lip of the channel and the invert of the channel. The existing road profile of Little Turner Street and the ground floor slab inside the property must be accurately drawn. The applicant must demonstrate by way of a ground clearance check that vehicles can traverse the development entrance without scraping or bottoming out. The 1 in 20 scale cross sectional drawing must be submitted to Council's Construction Management branch for assessment and approval.
  - (h) All requirements of the SMP as outlined in condition 3.
  - (i) All requirements of the Acoustic report as outlined in condition 5.
  - (j) The midpoint of the balconies of dwellings 2.01, 2.08, 3.01, 4.01, 5.01 and 6.01 setback a minimum of 4.5 metres from the western boundary.
  - (j) The midpoint of living room windows of dwellings 2.01, 2.08, 3.01, 3.05, 4.01, 5.01 and 6.01 setback a minimum of 4.5 metres from the western boundary.

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. Prior to the endorsement of plans, 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 ADP Consulting and dated 26 August 2015, but modified to include or show:
  - (a) Confirmation that staff of the ground floor shops will have access to on-site bicycle parking.
  - (b) A shower facility for staff of the ground floor shops to encourage staff to cycle to work.
  - (c) Separate recycling facilities.
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.

### **Acoustic Report**

5. Prior to the endorsement of plans, 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 received 22 September 2015, but modified to include (or show, or address) the following:
  - (a) Detail provided with regard to options for lightweight walls (e.g. a minimum Rw rating) and ventilation treatments. As a minimum, it should be made clear in the report that any penetrations in the façade for ventilation should be reviewed by an acoustical consultant.
  - (b) Noise from the roof mounted plant at 324 Johnston Street be assessed, or an approach developed for ensuring that this issue is addressed during the detailed design phase of the project.
  - (c) Noise from the garage entrance gate and car stackers will be required to comply with SEPP N-1 at both the existing dwellings on the northern side of the laneway and at dwellings within the development.
6. The provisions, recommendations and requirements of the endorsed acoustic report must be implemented and complied with to the satisfaction of the Responsible Authority.

### **Waste Management Plan**

7. Prior to the endorsement of plans, an amended waste management plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended waste management plan will be endorsed and will form part of this permit. The amended plan must be generally in accordance with the waste management plan (prepared by Leigh Design dated 21 August 2015), but modified to include:
  - (a) Residential collection must be internal by a private contractor with a suitably sized vehicle, with path of access details, turning templates and Job Safety Analysis provided.
  - (b) Commercial collection must be internal by a private contractor with a suitably sized vehicle, with path of access details, turning templates and Job Safety Analysis.

8. The collection of waste from the site must be by private collection, unless with the prior written consent of the Responsible Authority.
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.

### **Car Parking**

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, to the satisfaction of the Responsible Authority, 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.
  - (d) Line-marked or provided with some adequate means of showing the car parking spaces.
10. 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.
  11. 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.
  12. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, 3 bicycle hoops must be installed on the footpath to the satisfaction of the Responsible Authority and at the permit holder's cost.

### **Lighting**

13. Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating access to the building entrance must be provided. Lighting must be:
  - (a) located;
  - (b) directed;
  - (c) shielded; and
  - (d) of limited intensity,to the satisfaction of the Responsible Authority.

### **General**

14. The amenity of the area must not, to the satisfaction of the Responsible Authority, 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.
  - (d) The presence of vermin.
15. 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.

16. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated:
- (a) at the permit holder's cost; and
  - (b) to the satisfaction of the Responsible Authority.
17. 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.
18. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.
19. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
- (a) Monday to Friday (excluding public holidays) before 7:00am or after 6:00pm.
  - (b) Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday) before 9:00am or after 3:00pm.
  - (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.

### **Construction Management**

20. 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; and
  - (v) other relevant considerations.
- (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.
- (v) All litter (including items such as cement bags, food packaging and plastic strapping) must be disposed of responsibly.

### **Permit Expiry**

21. 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 any 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 car 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.

The applicant must liaise with Council's open space unit for the protection of street trees in Johnston Street.

The applicant must liaise with Council's parking services unit for the relocation of the Loading Zone at the rear of the property.

The site is located within an Environmental Audit Overlay. Pursuant to Clause 45.03 of the Yarra Planning Scheme, the requirements of the Environmental Audit Overlay must be met prior to the commencement of development permitted under the permit.

**CARRIED UNANIMOUSLY**



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**1.2 187 Mary Street Richmond - Planning Application No. PLN14/0632 - Develop the land for the construction of a two-storey dwelling with associated roof terrace**

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Trim Record Number: D16/75235

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 PLN14/0632 for the construction of a two-storey dwelling with roof terrace at 187 Mary Street Richmond, subject to the following conditions:

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and two copies must be provided. The plans must be generally in accordance with the decision received by Council on 30 July, 2015 but modified to show:
  - (a) The southern wall of the rear first-floor bedroom projecting beyond the building line of the southern adjoining dwelling to be setback 1m and any built form above setback a minimum of 1.72m at roof level;
  - (b) As a result of the above, the eastern window of the southern rear bedroom to be relocated and demonstrate compliance with Standard A15 (Overlooking) of clause 54 of the Yarra Planning Scheme;
  - (c) The southern wall of the northern lightcourt to be setback a minimum of 3m along its whole height;
  - (d) The southern wall of the roof terrace balustrade to be setback a minimum of 3.2m from the southern boundary;
  - (e) The roof top staircase be changed to a metal framed glazed enclosure, with no changes to setbacks and overall height;
  - (f) Demonstration that the first-floor windows of the master bedroom en-suite and the family bathroom comply with Standard A15 (Overlooking) of clause 54 of the Yarra Planning Scheme;
  - (g) The upper wall of the first-floor master bedroom and en-suite to be angled (to match the profile of the front roof outline);
  - (h) The garage material to be changed to CR1 and the garage door to match this colour;
  - (i) The front fence to be a maximum of 1.5m in height;
  - (j) All ancillaries to be shown on plans and elevations;
  - (k) All new boundary fences to be shown and dimensioned on plans and elevations;
2. The development as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.
3. Existing kerb and channel, and road pavement surface levels must not be altered, unless with the prior written consent of the Responsible Authority.

4. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, 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.
5. 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.
6. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
7. Before the development is occupied, or by such later date as approved in writing by the Responsible Authority, all screening and other measures to prevent overlooking as shown on the endorsed plans must be installed to the satisfaction of the Responsible Authority.
8. All screening and other measures to prevent overlooking as shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority.
9. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, 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.
10. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
  - (a) before 7.00 am or after 6.00 pm, Monday-Friday (excluding public holidays);
  - (b) before 9.00 am or after 3.00 pm, Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday); or
  - (c) at any time on Sundays, ANZAC Day, Christmas Day and Good Friday.
11. This permit will expire if:
  - (a) the development is not commenced within two years of the date of this permit; or
  - (b) the development is not completed within four years of the date of this permit.
  - (c) The 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.

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

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

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

NOTE: 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.

### Submission

*The Applicant, Mr Daniel Xuereb addressed the Committee.*

## **INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION**

**Moved:** Councillor Vlahogiannis

**Seconded:** Councillor Barbour

That having considered all objections and relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant a Planning Permit PLN14/0632 for the construction of a two-storey dwelling with root terrace at 187 Mary Street Richmond, subject to the following conditions:

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and two copies must be provided. The plans must be generally in accordance with the decision received by Council on 30 July, 2015 but modified to show:
  - (a) The southern wall of the rear first-floor bedroom projecting beyond the building line of the southern adjoining dwelling to be setback 1m and any built form above setback a minimum of 1.72m at roof level;
  - (b) As a result of the above, the eastern window of the southern rear bedroom to be relocated and demonstrate compliance with Standard A15 (Overlooking) of clause 54 of the Yarra Planning Scheme;
  - (c) The southern wall of the northern lightcourt to be setback a minimum of 2.01m from the northern boundary at this maximum height;
  - (d) The southern wall of the roof terrace balustrade to be setback from the southern boundary in accordance with the requirements of Standard A13 (North-facing Windows Objective) of Clause 54 of the Yarra Planning Scheme.
  - (e) The roof top staircase be changed to a metal framed glazed enclosure, with no changes to setbacks and overall height;
  - (f) Demonstration that the first-floor windows of the master bedroom en-suite and the family bathroom comply with Standard A15 (Overlooking) of clause 54 of the Yarra Planning Scheme;
  - (g) The upper wall of the first-floor master bedroom and en-suite to be angled (to match the profile of the front roof outline);
  - (h) The garage material to be changed to CR1 and the garage door to match this colour;
  - (i) The front fence to be a maximum of 1.5m in height;
  - (j) All ancillaries to be shown on plans and elevations;
  - (k) All new boundary fences to be shown and dimensioned on plans and elevations;

2. The development as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.
3. Existing kerb and channel, and road pavement surface levels must not be altered, unless with the prior written consent of the Responsible Authority.
4. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, 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.
5. 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.
6. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
7. Before the development is occupied, or by such later date as approved in writing by the Responsible Authority, all screening and other measures to prevent overlooking as shown on the endorsed plans must be installed to the satisfaction of the Responsible Authority.
8. All screening and other measures to prevent overlooking as shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority.
9. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, 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.
10. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
  - (a) before 7.00 am or after 6.00 pm, Monday-Friday (excluding public holidays);
  - (b) before 9.00 am or after 3.00 pm, Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday); or
  - (c) at any time on Sundays, ANZAC Day, Christmas Day and Good Friday.
11. This permit will expire if:
  - (a) the development is not commenced within two years of the date of this permit; or
  - (b) the development is not completed within four years of the date of this permit.
  - (c) The 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.

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

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

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

NOTE: Areas must be provided inside the property line and adjacent to the footpath to accommodate pits and meters. No private pits, valves or meters on Council property will be accepted.

**CARRIED UNANIMOUSLY**

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**1.3 60 Duke Street Richmond - Planning Permit Application PLN15/0528**

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Trim Record Number: D16/75792

Responsible Officer: Coordinator Statutory Planning

**RECOMMENDATION**

That having considered all relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant Planning Permit PLN15/0528 for development of the land for the construction of one, three-storey dwelling on a lot, including reduction in the car parking requirement at 60 Duke Street Richmond VIC 3121 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 decision plans, but modified to show:
  - (a) Setbacks of all proposed built form from all title boundaries;
  - (b) The canopy to the front pedestrian entry to protrude forward to identify the entry (similar to other entry projections in the street);
  - (c) Relocation of the 6m<sup>3</sup> storage unit from the rear of the site to the garage;
  - (d) Confirmation of the location of the proposed in-ground water tank and deletion of the wording "confirmed on site";
  - (e) South-facing, sliding timber fence at ground floor to demonstrate it will be fully operable within title boundaries;
  - (f) Second floor balcony setback a minimum 3.22m from the eastern boundary;
  - (g) Second floor balcony setback a minimum 5.1m from the western boundary;
  - (h) All permeable surfaces clearly delineated on the proposed floor plan, showing compliance with Standard A6 (Permeability) of Clause 54 of the Yarra Planning Scheme;
  - (i) Compliance of the first and second floor habitable room windows, including the balconies at second floor, with the objective of Standard A15 of Clause 54 of the Yarra Planning Scheme;
  - (j) The width of the proposed vehicle crossover to Duke Street to be a minimum of 3m;
  - (k) Material schedule amended to include colours and samples of all proposed finishes, including the proposed finishes for the front pedestrian entrance and a highly visually permeable material for the garage entrance.
2. The development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
3. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, all new on-boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.
4. Before the development is occupied, or by such later date as approved in writing by the Responsible Authority, all screening and other measures to prevent overlooking as shown on the endorsed plans must be installed to the satisfaction of the Responsible Authority. Once installed the screening and other measures must be maintained to the satisfaction of the Responsible Authority.
5. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated:
  - (a) at the permit holder's cost; and
  - (b) the satisfaction of the Responsible Authority.

6. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
  - (a) before 7 am or after 6 pm, Monday-Friday (excluding public holidays);
  - (b) before 9 am or after 3 pm, Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday); or
  - (c) at any time on Sundays, ANZAC Day, Christmas Day and Good Friday.
7. This permit will expire if any of the following occur;
  - (a) The development is not commenced within two (2) years from the date of this permit.
  - (b) The development is not completed within four (4) years from the date of this permit.

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

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

NOTE: 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.

### Submissions

*Mr Chris McKenzie addressed the Committee on behalf of the Applicant.*

*The following people also addressed the Committee:*

*Mr Sacha Bryning;  
Mr Simon Midgley; and  
Ms Michelle Boitho.*

## **INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION**

**Moved:** Councillor Vlahogiannis                      **Seconded:** Councillor Barbour

That having considered all relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant Planning Permit PLN15/0528 for development of the land for the construction of one, three-storey dwelling on a lot, including reduction in the car parking requirement at 60 Duke Street Richmond VIC 3121 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 decision plans, but modified to show:
  - (a) Setbacks of all proposed built form from all title boundaries;
  - (b) The canopy to the front pedestrian entry to protrude forward to identify the entry (similar to other entry projections in the street);
  - (c) Relocation of the 6m<sup>3</sup> storage unit from the rear of the site to the garage;
  - (d) Confirmation of the location of the proposed in-ground water tank and deletion of the wording "confirmed on site";

- (e) South-facing, sliding timber fence at ground floor to demonstrate it will be fully operable within title boundaries;
  - (f) Second floor balcony setback a minimum 3.22m from the eastern boundary;
  - (g) Second floor balcony setback a minimum 5.1m from the western boundary;
  - (h) All permeable surfaces clearly delineated on the proposed floor plan, showing compliance with Standard A6 (Permeability) of Clause 54 of the Yarra Planning Scheme;
  - (i) Compliance of the first and second floor habitable room windows, including the balconies at second floor, with the objective of Standard A15 of Clause 54 of the Yarra Planning Scheme;
  - (j) The width of the proposed vehicle crossover to Duke Street to be a minimum of 3m;
  - (k) Material schedule amended to include colours and samples of all proposed finishes, including the proposed finishes for the front pedestrian entrance and a highly visually permeable material for the garage entrance;
  - (l) Uppermost level redesigned to ensure no additional overshadowing to the solar panels at 62 Duke Street, Richmond from 9am to 3pm at the Equinox.
2. The development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
  3. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, all new on-boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.
  4. Before the development is occupied, or by such later date as approved in writing by the Responsible Authority, all screening and other measures to prevent overlooking as shown on the endorsed plans must be installed to the satisfaction of the Responsible Authority. Once installed the screening and other measures must be maintained to the satisfaction of the Responsible Authority.
  5. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated:
    - (a) at the permit holder's cost; and
    - (b) the satisfaction of the Responsible Authority.
  6. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
    - (a) before 7 am or after 6 pm, Monday-Friday (excluding public holidays);
    - (b) before 9 am or after 3 pm, Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday); or
    - (c) at any time on Sundays, ANZAC Day, Christmas Day and Good Friday.
  7. This permit will expire if any of the following occur:
    - (a) The development is not commenced within two (2) years from the date of this permit.
    - (b) The development is not completed within four (4) years from the date of this permit.

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

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



NOTE: 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.

**CARRIED UNANIMOUSLY**

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**1.4 17 Boyd Street Richmond - Planning Permit Application No. PLN15/0039 - Development of the land for two, three storey dwellings and a reduction in car parking requirements.**

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Trim Record Number: D16/73571

Responsible Officer: Coordinator Statutory Planning

**RECOMMENDATION**

That having considered all relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant Planning Permit PLN15/0039 for development of the land for two dwellings and a reduction in car parking requirements at 17 Boyd 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 car stacker with a clear usable platform width of 2.4m.
  - (b) The west-facing, first floor kitchen window of Townhouse 1 and the second floor balconies of both dwellings to be screened to limit any views to the west, north and east in accordance with the objective of Standard B22 of Clause 55 of the Yarra Planning Scheme;
  - (c) 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.

Sustainable Management Plan

3. Before the development commences, a Sustainable Design Assessment to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Sustainable Design Assessment will be endorsed and will form part of this permit.
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.

Environmental Audit

5. Before the construction of the development authorised by this permit commences, an assessment of the land to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The assessment must be prepared by an environmental professional with suitable qualifications to the satisfaction of the Responsible Authority and must include:
  - (a) a description of previous land uses and activities on the land;
  - (b) an assessment of the level, nature and distribution of any contamination within, or in close proximity to, the land;
  - (c) details of any provisions, recommendations and requirements (including but not limited to, clean up, construction, ongoing maintenance or monitoring) required to effectively address and manage any contamination within the land; and

- (d) recommendations as to whether the land is suitable for the use for which the land is proposed to be developed and whether an Environmental Auditor should be appointed under section 53S of the *Environment Protection Act 1970 (EP Act)* to undertake an Environmental Audit in accordance with the provisions of the EP Act.
6. If the assessment required by condition 5 does not result in a recommendation that an Environmental Auditor be appointed under section 53S of the EP Act to undertake an Environmental Audit in accordance with the provisions of the EP Act, all provisions, recommendations and requirements of the assessment must be implemented and complied with to the satisfaction of the Responsible Authority.
7. If the assessment required by condition 5 results in a recommendation that an Environmental Auditor be appointed under section 53S of the EP Act to undertake an Environmental Audit in accordance with the provisions of the EP Act, before the construction of the development authorised by this permit commences, the Environmental Auditor appointed under section 53S of the EP Act must undertake an Environmental Audit in accordance with the provisions of the EP Act and issue:
- (a) a Certificate of Environmental Audit for the land in accordance with section 53Y of the EP Act (**Certificate**); or
- (b) a Statement of Environmental Audit for the land in accordance with section 53Z of the EP Act (Statement),
- and the Certificate or Statement must be provided to the Responsible Authority.

If, pursuant to condition 7, a Statement is issued:

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

### Road Infrastructure

8. 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.

9. 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) at the permit holder's cost; and
  - (b) to the satisfaction of the Responsible Authority.
10. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.

### Car Parking

11. 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.
12. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the car stacker must be installed in accordance with the manufacturer's specifications by a suitably qualified person. The car stacker must be maintained thereafter to the satisfaction of the Responsible Authority.

### General

13. The development must comply at all times with the State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N-1).
14. 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.
15. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, all new on-boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.
16. Before the 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.
17. 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.
18. Before the development commences, a Construction Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will form part of this permit. The plan must provide for:
- (a) a pre-conditions survey (dilapidation report) of the land and all adjacent Council roads frontages and nearby road infrastructure;
  - (b) works necessary to protect road and other infrastructure;
  - (c) remediation of any damage to road and other infrastructure;
  - (d) containment of dust, dirt and mud within the land and method and frequency of clean up procedures to prevent the accumulation of dust, dirt and mud outside the land,
  - (e) facilities for vehicle washing, which must be located on the land;
  - (f) the location of loading zones, site sheds, materials, cranes and crane/hoisting zones, gantries and any other construction related items or equipment to be located in any street;
  - (g) site security;
  - (h) management of any environmental hazards including, but not limited to,:
    - (i) contaminated soil;
    - (ii) materials and waste;
    - (iii) dust;
    - (iv) stormwater contamination from run-off and wash-waters;
    - (v) sediment from the land on roads;
    - (vi) washing of concrete trucks and other vehicles and machinery; and
    - (vii) spillage from refuelling cranes and other vehicles and machinery;
  - (i) the construction program;
  - (j) preferred arrangements for trucks delivering to the land, including delivery and unloading points and expected duration and frequency;
  - (k) parking facilities for construction workers;
  - (l) measures to ensure that all work on the land will be carried out in accordance with the Construction Management Plan;
  - (m) an outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services;
  - (n) an emergency contact that is available for 24 hours per day for residents and the Responsible Authority in the event of relevant queries or problems experienced;
  - (o) the provision of a traffic management plan to comply with provisions of AS 1742.3-2002 Manual of uniform traffic control devices - Part 3: Traffic control devices for works on roads;
  - (p) a Noise and Vibration Management Plan showing methods to minimise noise and vibration impacts on nearby properties and to demonstrate compliance with Noise Control Guideline 12 for Construction (Publication 1254) as issued by the Environment Protection Authority in October 2008. The Noise and Vibration Management Plan must be prepared to the satisfaction of the Responsible Authority. In preparing the Noise and Vibration Management Plan, consideration must be given to:
    - (i) using lower noise work practice and equipment;
    - (ii) the suitability of the land for the use of an electric crane;
    - (iii) silencing all mechanical plant by the best practical means using current technology;
    - (iv) fitting pneumatic tools with an effective silencer;
    - (v) other relevant considerations; and
  - (q) any site-specific requirements.
19. 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 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.

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, Mr Daniel Xuereb addressed the Committee.*

**INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION**

**Moved:** Councillor Barbour

**Seconded:** Councillor Vlahogiannis

That the Recommendation be adopted.

**CARRIED UNANIMOUSLY**

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**1.5 203-205 Johnston Street, Collingwood - PLN15/0294**


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Trim Record Number: D16/70358

Responsible Officer: Acting Manager Statutory Planning

**RECOMMENDATION**

That having considered all relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant Planning Permit PLN15/0294 for development of the land for the full demolition of the existing buildings and construction of a five-storey building, for retail/residential use (no permit required for use), reduction in the car parking requirement and waiver of the loading bay requirement at 203-205 Johnston Street, Collingwood subject to the following conditions:

1. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the decision plans dated 23 March 2016 but modified to show:
  - (a) Increased glazing within the Johnston Street façade at ground level, to be more reflective of the existing shopfront design;
  - (b) Additional finishes and/or materials incorporated into the eastern boundary wall, to provide a more visually interesting response;
  - (c) The location of the proposed solar panels, solar gas boosted hot water system and rainwater tank (all confirmed as being screened from external view) along with details of the types of services proposed within the roof top plant space;
  - (d) Notations on the plans indicating that the rainwater tank will be connected to toilets within the development;
  - (e) Appropriate bathroom and storage facilities for the retail component;
  - (f) The location of mail services for residents;
  - (g) Two bicycle parking spaces within the rear walkway to be designated for the retail use;
  - (h) Individual storage spaces for each dwelling.
2. The development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
3. Before the development commences, an amended Sustainable Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Sustainable Management Plan will be endorsed and will form part of this permit. The amended Sustainable Management Plan must be generally in accordance with the Sustainable Management Plan prepared by Efficient Energy Choices and dated 9 July 2015, but modified to include or show:
  - (a) A STORM report verifying that a rating of 118% will be achieved;
  - (b) A consistent approach to the Star Rating;
  - (c) A consistent recycling target.
4. The provisions, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
5. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

6. Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, all screening and other measures to prevent overlooking as shown on the endorsed plans must be installed to the satisfaction of the Responsible Authority. Once installed the screening and other measures must be maintained to the satisfaction of the Responsible Authority.
7. Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating access to the building entrance must be provided. Lighting must be:
  - (a) located;
  - (b) directed;
  - (c) shielded; and
  - (d) of limited intensity,to the satisfaction of the Responsible Authority.
8. 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.
9. Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, all new on-boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.
10. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.
11. 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.

VicRoads Condition (12)

12. Prior to the commencement of the development an agreement pursuant to the *Land Act* 1958 must be entered into with the Department of Environment, Land, Water and Planning.
13. 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.
14. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
- (a) before 7.00 am or after 6 .00 pm, Monday-Friday (excluding public holidays);
  - (b) before 9.00 am or after 3.00 pm, Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday); or
  - (c) at any time on Sundays, ANZAC Day, Christmas Day and Good Friday.
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 may be required before development 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.

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

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

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

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

Upon the completion of all building works and connections for underground utility services, the footpath and kerb and channel immediately outside the property's Johnston Street and Sydney Street frontages must be reconstructed to Council's satisfaction and at the developer's expense.

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

VicRoads Note:

Separate consent may be required from VicRoads (the Roads Corporation) under the Road Management Act 2004 for buildings and works undertaken outside the title boundary within a Road Zone Category 1 (Johnston Street). Please contact VicRoads prior to commencing any works.

### Submission

*The Applicant, Mr Chris Koulloupas addressed the Committee.*

## INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION

**Moved:** Councillor Stone

**Seconded:** Councillor Barbour

That having considered all relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant Planning Permit PLN15/0294 for development of the land for the full demolition of the existing buildings and construction of a five-storey building, for retail/residential use (no permit required for use), reduction in the car parking requirement and waiver of the loading bay requirement at 203-205 Johnston Street, Collingwood subject to the following conditions:

1. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the decision plans dated 23 March 2016 but modified to show:
  - (a) Increased glazing within the Johnston Street façade at ground level, to be more reflective of the existing shopfront design;
  - (b) Additional finishes and/or materials incorporated into the eastern boundary wall, to provide a more visually interesting response;
  - (c) The location of the proposed solar panels, solar gas boosted hot water system and rainwater tank (all confirmed as being screened from external view) along with details of the types of services proposed within the roof top plant space;
  - (d) Notations on the plans indicating that the rainwater tank will be connected to toilets within the development;
  - (e) Appropriate bathroom and storage facilities for the retail component;
  - (f) The location of mail services for residents;
  - (g) Two bicycle parking spaces within the rear walkway to be designated for the retail use;
  - (h) Individual storage spaces for each dwelling.
2. The development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
3. Before the development commences, an amended Sustainable Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Sustainable Management Plan will be endorsed and will form part of this permit. The amended Sustainable Management Plan must be generally in accordance with the Sustainable Management Plan prepared by Efficient Energy Choices and dated 9 July 2015, but modified to include or show:
  - (a) A STORM report verifying that a rating of 118% will be achieved;
  - (b) A consistent approach to the Star Rating;

- (c) A consistent recycling target.
4. The provisions, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
  5. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
  6. Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, all screening and other measures to prevent overlooking as shown on the endorsed plans must be installed to the satisfaction of the Responsible Authority. Once installed the screening and other measures must be maintained to the satisfaction of the Responsible Authority.
  7. Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating access to the building entrance must be provided. Lighting must be:
    - (a) located;
    - (b) directed;
    - (c) shielded; and
    - (d) of limited intensity,
 to the satisfaction of the Responsible Authority.
  8. 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.
  9. Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, all new on-boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.
  10. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.
  11. 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.

VicRoads Condition (12)

12. Prior to the commencement of the development an agreement pursuant to the *Land Act 1958* must be entered into with the Department of Environment, Land, Water and Planning.
13. 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.

14. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
- (a) before 7.00 am or after 6 .00 pm, Monday-Friday (excluding public holidays);
  - (b) before 9.00 am or after 3.00 pm, Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday); or
  - (c) at any time on Sundays, ANZAC Day, Christmas Day and Good Friday.

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 may be required before development 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.

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.

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.

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

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

Upon the completion of all building works and connections for underground utility services, the footpath and kerb and channel immediately outside the property's Johnston Street and Sydney Street frontages must be reconstructed to Council's satisfaction and at the developer's expense.

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

VicRoads Note:

Separate consent may be required from VicRoads (the Roads Corporation) under the Road Management Act 2004 for buildings and works undertaken outside the title boundary within a Road Zone Category 1 (Johnston Street). Please contact VicRoads prior to commencing any works.

**CARRIED UNANIMOUSLY**

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**1.6 Supplementary Report - 302 Mary Street, Richmond VIC 3121 - Planning Permit Application No. PLN14/0354 (Part demolition for a ground and first floor extension to the existing dwelling, including a roof terrace, and the construction of a two-storey development for five additional dwellings with a basement and a reduction in the car parking requirement of the Yarra Planning Scheme).**

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Trim Record Number: D16/73934

Responsible Officer: Coordinator Statutory Planning

**RECOMMENDATION**

That having considered all relevant planning policies, the Committee resolves to advise VCAT and all parties to the appeal that pending approval of the CHMP by Aboriginal Affairs Victoria, Council supports the development shown in the plans that are proposed to be substituted for the application plans at the hearing; part demolition to allow for a ground and first floor extension to the existing dwelling, including a roof terrace, and the construction of a two-storey development for five additional dwellings with a basement and a reduction in the car parking requirement of the Yarra Planning Scheme at 302 Mary Street, Richmond subject to the following conditions:

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the amended / substituted plans received by Council on 21 April 2016 but modified to show:
  - (a) A clear set of demolition plans (including elevations) clearly identifying the extent of roof of the existing dwelling intended to be removed and replaced;
  - (b) The deletion of the portion of the first floor balcony to the addition that overhangs the existing dwelling;
  - (c) All works recommended in the professional Sustainable Design Assessment (SDA) referred to in condition 7;
  - (d) All balconies and windows within a 9m radius and a 45 degree arc of an adjacent habitable room window or private open space area to be screened in accordance with Standards B22 (Overlooking objective) and B23 (Internal views objective) of Clause 55 of the Yarra Planning Scheme;
  - (e) A northern elevation of Dwellings 3, 4 and 6 and eastern elevation of Dwellings 3 and 5 that demonstrate compliance with Condition 1(d);
  - (f) The proposed site and ground floor plans revised to show the relocation of the sewer vent to Willow Lane, the width of Willow Lane and the garage doors dimensioned;
  - (g) Swept path diagrams to demonstrate access into and out of the garage to Willow Lane;
  - (h) A minimum headroom clearance of 2.1m throughout the basement and clarification that the ramp gradient 1:8 is clear of the storage area;
  - (i) An area set aside within the property boundaries for pits, meters and essential services;
  - (j) Provision of at least 6 cubic metres of storage space for each apartment;
  - (k) The provision of sensor lighting to each entry, appropriately shielded and of limited intensity so as to avoid any light spillage into adjoining properties;
  - (l) All site services including any A/C units to be shown on the plans and appropriately located so as to be concealed from surrounding streets;
  - (m) An updated schedule of all external materials and finishes (including materials samples, colours and coloured elevations/perspectives). The schedule must show the materials, colour, finish and application methods (where relevant) of all external walls, roof, fascias, window frames, glazing types, cladding, doors and fences and must confirm that no reflective paint or products are proposed for the facades.

### *Endorsed Plans*

2. The development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
3. Before the demolition commences, a structural report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the structural report will be endorsed and will form part of this permit. The structural report must be prepared by a suitably qualified structural engineer, or equivalent, and demonstrate the means by which the retained portions of building will be supported during demolition and construction works to ensure their retention.
4. The provisions, recommendations and requirements of the endorsed structural report 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, all new on-boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.
6. Floor levels shown on the endorsed plan(s) must not be altered or modified without the prior written consent of the Responsible Authority.

### *Environmentally Sustainable Design Principles*

7. Before the plans are endorsed, an amended Sustainable Management Plan (SMP) to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the report will then form part of this permit. The Report should provide details of the building's thermal and energy efficiency and insulation, including double glazed windows protective devices to the west facing living room and bedroom windows from adverse heat gain, including the provision of a water tank to be installed for toilet flushing purposes, in accordance with the Water Sensitive Urban Design components (e.g. rain water catchment area(s), location and capacity of rainwater tank(s), toilets connected to rainwater tanks).

### *Lighting*

8. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating access to the basement and ground level car parking and the main pedestrian entrance to Yorkshire Street must be provided. Lighting must be:
  - (a) located;
  - (b) directed;
  - (c) shielded; and
  - (d) of limited intensity.

to the satisfaction of the Responsible Authority

### *General Parking Areas*

9. Unless with the prior written consent of the Responsible Authority, no fewer than 7 car parking spaces must be provided in the basement car park, to the satisfaction of the Responsible Authority.

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

all to the satisfaction of the Responsible Authority.

*Drainage*

11. Provision must be made for the drainage of the site including communal, landscaped and roofed areas all to the satisfaction of the Responsible Authority.

*Council Infrastructure, Vehicle Crossings and Accessways*

12. 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.

13. Before the development 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 development 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.

15. The development's finished floor levels relative to the existing footpath and road levels must be such that pedestrian and vehicular access accord with the Australian/New Zealand Standard AS/NZS 2890.1:2004.

16. Existing footpath, kerb and channel, and road pavement surface levels must not be altered unless with the prior written approval of the Responsible Authority.

*Screens*

17. 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.

*Waste Management*



18. Before the plans are endorsed an amended Waste Management Plan must be submitted to the Responsible Authority for endorsement. The collection of all waste must be in accordance with the approved Waste Management Plan. Rubbish, including bottles and packaging material, must at all times be stored within the building and screened from external view and be managed to the satisfaction of the Responsible Authority in accordance with the approved Waste Management Plan.

*Construction*

19. 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.

*Time limits*

20. This permit will expire if:
- (a) the development is not commenced within two years of the date of this permit; or
  - (b) the development is not completed within four years of the date of this permit.

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

NOTES

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.

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 within the development approved under this permit will not be permitted to obtain resident 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.

The developer must liaise with the relevant water authority to have the sewer vent relocated elsewhere prior to the endorsement of plans.

Submissions

*No Applicant was present for this matter.*

*The following people addressed the Committee:*

*Ms Judy Cumming;  
Ms Dominique Lavie; and  
Mr Allan Hallpike.*

**INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION**

**Moved:** Councillor Vlahogiannis

**Seconded:** Councillor Barbour

That the Recommendation be adopted.

**CARRIED UNANIMOUSLY**

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**1.7 107 Cambridge Street, Collingwood - PL10/0231.02  
[CONFIDENTIAL ITEM - VCAT COMPULSORY CONFERENCE WITHOUT  
PREJUDICE POSITION]**

*This item is to be considered in closed session in accordance with Section 89 (2) (h) of the Local Government Act 1989, to allow consideration of:*

- (h) Matters prejudicial to Council and/or any person.
- 

Trim Record Number: D16/33697

Responsible Officer: Acting Manager Statutory Planning

**RECOMMENDATION**

That IDAC supports the mediated outcome between the applicant and objector for the Compulsory Conference on 26 May 2016, and advises all parties that if Council had been in a position to make a decision, the Committee would have resolved to issue a Notice of Decision to Grant an Amendment to Planning Permit PL10/0231 for development of the land to construct a 6 storey building and a reduction in the associated car parking requirements at 107 Cambridge Street, Collingwood, subject to the following changes to the permit preamble and conditions:

(all changes in bold)

Current preamble;

- *Development of the land to construct a 6 storey building and a reduction in the associated car parking requirements*

Proposed preamble;

- ***Development of the land to construct a 6 storey building, use of the land for two food and drink premises (cafes), sale and consumption of alcohol (one general licence and one restaurant and café licence), a reduction in the associated car parking requirements and a waiver of the loading requirements.***

1. Before the development starts, amended plans and documents 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 application plans but further modified to which show:
  - (a) installation of an internal traffic signal system regulating vehicular movements into and out of the site;
  - (b) Deleted;
  - (c) internal corridors widths to have variations between 1.4m-1.8m to allow for passing room;
  - (d) Deleted;
  - (e) Deleted;
  - (f) reinstatement of awning blinds to all west facing balconies at level 4 and 5;
  - (g) Deleted;
  - (h) use of a light coloured and/or reflective material to the northern off-boundary wall at levels 3 and upwards;
  - (i) Deleted;

- (j) provision of 6 bicycle spaces on the Cambridge Street footpath; with each space to be located either at the start or end of a parking bay and to avoid conflict with other existing structures on the footpath;
- (k) the specification and location of all proposed external plant and equipment (including roof top plant and equipment, car park ventilation and individual air conditioning and hot water units). All plant and equipment must be screened to prevent views from the street and habitable room windows of nearby dwellings;
- (l) an area set aside within the property boundaries for pits, meters and essential services;
- (m) a full schedule of all external materials and finishes showing the materials, colour and finish of all external walls, including the provision of a light coloured and/or reflective material to the northern off-boundary wall at levels 3 and upwards, roof, fascias, window frames, glazing types, doors, fences, paving (including car park surfaces) etc with one set of coloured elevations must be submitted;
- (n) ~~the reconfiguration of apartment A2.01 at Level 2 and retention of the easternmost existing decorative chimney structure generally in accordance with Drawing Nos. SK-01, SK-02, SK-04 and SK-05 dated 13.02.2013 prepared by TEN23 Architects;~~
- (o) Deleted;
- (p) the reinstatement of a plan notation confirm the 10 parking spaces located in the adjoining building to the west being part of the approved development;
- (q) the setback of balconies to the west-facing apartments at level 2 to be 8.595m from the western title boundary in accordance with the plans dated 08/04/2015;
- (r) Provision of one storage cage of at least 3 cubic metres per apartment;
- (s) Provision of a solid wall between the two terraces directly accessible off the bedrooms of apartments 2.17 and 2.18 at level 2.
- (t) **The exposed boundary wall projecting above the existing parapet wall either side of the lightcourt of 16/76 Oxford Street, Collingwood, must be finished in an exposed brick finish matching the parapet wall and to the extent visible from the lightcourt.**
- (u) **Restore and/or repair the chimney located to the west of the lightcourt of No. 16/76 Oxford Street, Collingwood.**

*Endorsed plans*

- 2. **The use and development and sale and consumption of liquor 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. Privacy screens as required in accordance with the endorsed plans must be installed prior to occupation of the building to the satisfaction of the Responsible Authority and maintained to the satisfaction of the Responsible Authority thereafter.
- 4. All new on boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.

*General Parking Areas/ Bicycle hoops on Cambridge Street footpath*

- 5. The area set aside for the parking of vehicles, together with the associated access lanes as delineated on the endorsed plan must:
  - (a) be designed, provided and completed to the satisfaction of the Responsible Authority prior to the commencement of the development hereby permitted;
  - (b) thereafter be maintained to the satisfaction of the Responsible Authority;
  - (c) be made available for such use at all times and not used for any other purpose;

- (d) be properly formed to such levels that it can be used in accordance with the endorsed plan; and
  - (e) be drained and sealed with an all weather seal coat.
6. Bicycle access must at all times be clearly signed and marked, to the satisfaction of the Responsible Authority.
  7. Prior to the completion of the development, the permit holder must install six (6) bicycle hoops on the Cambridge Street footpath in accordance with Condition 1(j). The cost of these works must be borne by the permit holder and be undertaken to the satisfaction of the Responsible Authority.

*Landscaping*

8. Before the development is completed or by such later date as is approved by the Responsible Authority in writing, a Landscape Plan prepared by a suitably qualified person to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. Once approved, the plan will then form part of the permit. The plan must address the planter area at first floor. The plan must be drawn to scale with dimensions with three copies provided and must show:
  - (a) the location, quantity and maturity of all proposed plants;
  - (b) the botanical name of all new planting; and
  - (c) details of proposed watering and ongoing maintenance methods for all proposed planting, including use of recycled water.
9. Before the occupation of the development starts or by such later date as is approved by the Responsible Authority in writing, the landscaping works shown on the endorsed plan must be carried out and completed to the satisfaction of the Responsible Authority.
10. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority including that any dead or diseased or damaged plants are to be replaced.

*ESD*

11. 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 ADP Consulting and dated 11 February 2015, but modified to include or show:
  - (a) Provision of awning blinds to all west-facing balconies at level 4 and 5; and
  - (b) Commitment to using heating and cooling systems with an energy efficiency rating of 1 star within the best available.

*Ongoing Sustainable Design Assessment (SDA) Requirement*

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

*Ongoing Waste Management Plan Requirement*

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

*Vehicle Crossings and Accessways*

14. Any damage to road(s) and footpath(s) or other Council infrastructure as a result of the development must be reinstated prior to the completion of the development to the satisfaction of the Responsible Authority.
15. Any portions of redundant vehicle crossing must be broken out and removed and reinstated with kerbing and paving of the surrounding area. The cost of these works must be borne by the permit holder and be undertaken to the satisfaction of the Responsible Authority.
16. Existing footpath, kerb and channel, and road pavement surface levels must not be altered unless with the approval of the Responsible Authority.
17. The permit holder must not commence any civil infrastructure works, repair works or upgrading works on Council land without obtaining formal consent from the Responsible Authority.

*Construction*

18. Before any 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 as evidence of its approval. The plan must provide the following:
  - (a) a pre-conditions survey (dilapidation report) of the subject site and all adjacent Council roads frontages and nearby road infrastructure;
  - (b) protection works necessary to road and other infrastructure (limited to an area reasonably proximate to the site);
  - (c) remediation of any damage to road and other infrastructure (limited to an area reasonably proximate to the site);
  - (d) containment of dust, dirt and mud within the site and method and frequency of clean up procedures in the event of build up of matter outside the site;
  - (e) on site facilities for vehicle washing;
  - (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 that the activities on site pose including but not limited to contaminated soil, materials and waste, dust, stormwater contamination from run-off and wash-waters, sediment from the site on roads, washing of concrete trucks and other vehicles and machinery, spillage from refuelling cranes and other vehicles and machinery;
  - (i) construction program;
  - (j) preferred arrangements for trucks delivering to the site including delivery and unloading points and expected frequency;
  - (k) parking facilities for construction workers;
  - (l) measures to ensure that sub-contractors/tradespersons operate 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; and
  - (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, to the satisfaction of the Responsible Authority. In this regard, consideration (amongst other matters) must be given to:
    - (i) using lower noise work practice and equipment
    - (ii) the suitability of the site for the use of an electric crane
    - (iii) silencing all mechanical plant by the best practical means using current technology; and

- (iv) fitting all pneumatic tools operated near a residential area with an effective silencer on their air exhaust port.

19. During the construction, the following must occur:
- (a) any stormwater discharged into the stormwater drainage system to comply with EPA guidelines;
  - (b) stormwater drainage system protection measures must be installed as required to ensure that no solid waste, sediment, sand, soil, clay or stones from the premises enters the stormwater drainage system;
  - (c) vehicle borne material must not accumulate on the roads abutting the site;
  - (d) the cleaning of machinery and equipment must take place on site and not on adjacent footpaths or roads;
  - (e) All litter (including items such as cement bags, food packaging and plastic strapping) must be disposed of responsibly; and
  - (f) All site operations must comply with the EPA Publication TG302/92.

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

21. Except with the written consent of the Responsible Authority, demolition or construction works must only be carried out between: 7.00 am – 6.00 pm, Monday-Friday (excluding public holidays) and 9.00 am – 3.00 pm, Saturday and public holidays. No work is to be carried out on Sundays, ANZAC Day, Christmas Day or Good Friday without a specific permit. All site operations must comply with the relevant Environmental Protection Authority's Guidelines on Construction and Demolition Noise.

*Department of Transport Conditions 22 -24*

22. Before the use of the land commences, a Green Travel Plan must be prepared to the satisfaction of the Responsible Authority following consultation with the Department of Transport (Public Transport Division). The Plan must be prepared by a suitably qualified person and must encourage the use of non-private public transport modes by the occupiers of the land. The Plan must include, but not limited to the following:
- (a) A description of the location in the context of alternate modes of transport and objectives for the Green Travel Plan;
  - (b) Outline Green Travel Plan measures for the development including, but not limited to:
    - (i) Household welcome packs- tram, train and bus timetables relevant to the local area must be included in the pack of information provided to purchasers upon a purchaser's occupation of an apartment;
    - (ii) Include a minimum of 10 by 2 hour metcard (zone one) within the household welcome pack or a myki rail pass (of equivalent value) and registration information;
    - (iii) Bicycle parking and facilities available on the land;
    - (iv) Monitoring and review; and
  - (c) A plan showing:
    - (i) the bicycle parking areas to be provided for use by residents;
23. The Green Travel Plan must not be amended without the written consent of the Responsible Authority following consultation with the Department of Transport (Public Transport Division).
24. Once approved the Green Travel Plan must form part of the planning permit and any ongoing Management Plan for the land to ensure the Green Travel Plan continues to be implemented by residents/owners to the satisfaction of the Responsible Authority.
25. **No more than 80 patrons are permitted within tenancy 1 and no more than 80 patrons are permitted within tenancy 2 at any one time, including when liquor is being sold or consumed.**

26. **Except with the prior written consent of the Responsible Authority, the use authorised by this permit for tenancy 1 may only operate between the hours of Monday to Sunday – 7am to 10pm.**
  27. **Except with the prior written consent of the Responsible Authority, the sale and consumption of liquor on the premises of tenancy 1 may only occur between the following hours:**
    - (a) **Monday to Sunday - 10am to 10pm**
    - (b) **Anzac Day and Good Friday – 12noon to 10pm.**
  28. **Except with the prior written consent of the Responsible Authority, the sale and consumption of liquor off the premises of tenancy 1 may only occur between the following hours:**
    - (a) **Monday to Sunday – 10am to 8pm;**
    - (b) **Anzac Day and Good Friday – 12noon to 8pm.**
  29. **Except with the prior written consent of the Responsible Authority, the use authorised by this permit for tenancy 2 may only operate between the hours of Monday to Sunday – 7am to 5pm.**
  30. **Except with the prior written consent of the Responsible Authority, the sale and consumption of liquor on the premises of tenancy 2 may only occur between the hours of Monday to Sunday – 12midday to 5pm.**
  31. **The amenity of the area must not be detrimentally affected by the use or development, 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.**
  32. **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.**
  33. **The use must comply at all times with the State Environment Protection Policy – Control of Music Noise from Public Premises (SEPP N-2).**
  34. **The provision of music and entertainment on the land must be at a background noise level.**
  35. **Speakers external to the building must not be erected or used.**
  36. **Emptying of bottles and cans into bins may only occur between 7am and 10pm on any day.**
  37. **The collection of waste from the site must be by private collection, unless with the prior written consent of the Responsible Authority.**
- Condition 25 renumbered to Condition 38 and amended to read;
38. **This permit will expire if:**
    - (a) **the development is not commenced within two years of the date of this permit;**
    - (b) **the development is not completed within four years of the date of this permit; or**
    - (c) **the use is not commenced within five years of the date of this permit.**



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

NOTES:

The site is located within an Environmental Audit Overlay. Pursuant to clause 45.03 of the Yarra Planning Scheme, the requirements of the Environmental Audit Overlay must be met prior to the commencement of works permitted under the permit.

The site is subject to a Heritage Overlay pursuant to the Yarra Planning Scheme. Unless hereby approved, a planning permit is required for any demolition, re-painting or other external alterations, sandblasting, exterior works (including the installation of external airconditioning units, solar panels and any other heating/cooling units) to an existing building or buildings, construction of a building or fence, changes to the natural topography of the land or the subdivision or consolidation of land.

A building permit may be required before development is commenced. Please contact Council's Building Services Unit on Ph. (03) 9205 5351 to confirm.

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

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

A copy of this permit and the endorsed plan (and any subsequent variation) must form part of the document to any Contract of Sale or Lease for any part of the site after the date of the permit.

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.

**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.**

Submission

*The Applicant, Ms Eliza Minney addressed the Committee.*

**INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION**

**Moved:** Councillor Stone

**Seconded:** Councillor Barbour

That the Recommendation be adopted.

**CARRIED UNANIMOUSLY**

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**1.8 16 Dover Street, Cremorne VIC 3121 - Planning Permit Application No.PLN15/0476**


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Trim Record Number: D16/67370

Responsible Officer: Coordinator Statutory Planning

### RECOMMENDATION

That having considered all relevant matters, the Committee resolve to advise VCAT that were it in a position to, it would have issued Planning Permit PLN15/0476 for development of the land for a five-storey office building plus roof terrace and associated reduction in car parking requirements at 16 Dover Street, Cremorne 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 car parking area adjacent to Dover Street to be replaced with a lobby or office space area;
  - (b) The development modified to ensure no additional shadows are cast to the footpath on the eastern side of Dover Street up to 2:00pm on the September equinox.
  - (c) Screening to the north and southern perimeter of the west-facing terraces and rooftop area to a height of 1.7m above FFL with material that provides no more than 25% visual transparency;
  - (d) Screening to demonstrate no direct line of sight from windows within the north-facing lightcourt to the habitable room windows associated with the dwelling to the north;
  - (e) convex mirrors to the Dove Street vehicle entrance;
  - (f) A rainwater storage tank of no less than 4,500 litres;
  - (g) Provision of a rooftop solar PV array;
  - (h) Any built form changes required in association with the outcomes sought under 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 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 TekNova Consult and dated 9 December 2014, but modified to include or show:
  - (a) A STORM report to including a minimum 100% STORM;
  - (b) A balcony door switch to control the Heating, Ventilation and Air-conditioning (HVAC) systems; and
  - (c) A roof mounted solar PV array to contribute to energy consumption of the building.
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. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

6. 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. Finished floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.
8. 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. 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
  - (b) 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 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.
10. 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.
11. 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 must be provided. Lighting must be:
  - (a) located;
  - (b) directed;
  - (c) shielded; and
  - (d) of limited intensity,

to the satisfaction of the Responsible Authority.

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

VicRoads Conditions (condition 16 only)

17. Prior to the endorsement of any development plans, excluding demolition works, an Engineering report from a suitably qualified Engineer outlining the design, management and construction techniques to be implemented prior, during and following excavation to prevent any impact on the City Link / Burnley Tunnel is to be submitted to VicRoads for approval. Once approved, the Engineering Report will form part of the planning permit. Without limiting the scope of the report, it must considered all relevant structural and geotechnical issues including, but not limited to, demonstrating:
- (a) That the building will not compromise the structural integrity of the City Link/Burnley Tunnel;
  - (b) That the method of excavation and construction of the proposed basement and footings does not cause the ground-water table to be drawn down during construction;
  - (c) The load applied to the ground by the development;
  - (d) That the basement will not cause permanent draw down impacting the ground water table;
  - (e) That the basement will be suitably protected from any ground water ingress; and
  - (f) Any hold points requiring VicRoads inspection and approval prior to releasing the hold points.
18. 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.

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 employees within the development approved under this permit will not be permitted to obtain employee or visitor parking permits.

Councillor Vlahogiannis left the meeting for this matter due to conflict of interest.

Submissions

*The Applicants, Mr Russell Varcoe and Mr Robert Blair addressed the Committee.*

**INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION****Moved:** Councillor Stone**Seconded:** Councillor Barbour

That having considered all relevant matters, the Committee resolve to advise VCAT that were it in a position to, it would have issued Planning Permit PLN15/0476 for development of the land for a five-storey office building plus roof terrace and associated reduction in car parking requirements at 16 Dover Street, Cremorne 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 car parking area adjacent to Dover Street to be replaced with a lobby or office space area;
  - (b) The development modified to ensure no additional shadows are cast to the footpath on the eastern side of Dover Street up to 2:00pm on the September equinox.
  - (c) Screening to the north and southern perimeter of the west-facing terraces and rooftop area to a height of 1.7m above FFL with material that provides no more than 25% visual transparency;
  - (d) Screening to demonstrate no direct line of sight from windows within the north-facing lightcourt to the habitable room windows associated with the dwelling to the north;
  - (e) convex mirrors to the Dove Street vehicle entrance;
  - (f) A rainwater storage tank of no less than 4,500 litres;
  - (g) Provision of a rooftop solar PV array;
  - (h) Any built form changes required in association with the outcomes sought under condition 3 of this permit;
  - (i) Provision of 10 bicycle spaces on site with end-of-journey facilities.
2. The development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
3. Before the development commences, an amended Sustainable Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Sustainable Management Plan will be endorsed and will form part of this permit. The amended Sustainable Management Plan must be generally in accordance with the Sustainable Management Plan prepared by TekNova Consult and dated 9 December 2014, but modified to include or show:
  - (a) A STORM report to including a minimum 100% STORM;
  - (b) A balcony door switch to control the Heating, Ventilation and Air-conditioning (HVAC) systems; and
  - (c) A roof mounted solar PV array to contribute to energy consumption of the building.
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. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
6. 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. Finished floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.
8. 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. 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
  - (b) 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 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.
10. 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.
11. 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 must be provided. Lighting must be:
  - (a) located;
  - (b) directed;
  - (c) shielded; and
  - (d) of limited intensity,

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

VicRoads Conditions (condition 16 only)



17. Prior to the endorsement of any development plans, excluding demolition works, an Engineering report from a suitably qualified Engineer outlining the design, management and construction techniques to be implemented prior, during and following excavation to prevent any impact on the City Link / Burnley Tunnel is to be submitted to VicRoads for approval. Once approved, the Engineering Report will form part of the planning permit. Without limiting the scope of the report, it must considered all relevant structural and geotechnical issues including, but not limited to, demonstrating:
- (a) That the building will not compromise the structural integrity of the City Link/Burnley Tunnel;
  - (b) That the method of excavation and construction of the proposed basement and footings does not cause the ground-water table to be drawn down during construction;
  - (c) The load applied to the ground by the development;
  - (d) That the basement will not cause permanent draw down impacting the ground water table;
  - (e) That the basement will be suitably protected from any ground water ingress; and
  - (f) Any hold points requiring VicRoads inspection and approval prior to releasing the hold points.
18. 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.

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 employees within the development approved under this permit will not be permitted to obtain employee or visitor parking permits.

**CARRIED UNANIMOUSLY**

The meeting closed at 9.47pm.

**Confirmed at the meeting held on Wednesday 15 June 2016**

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**Chair**