

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

**held on Wednesday 29 March 2017 at 6.30pm  
in Meeting Room 3 at the Richmond Town Hall**

**I. ATTENDANCE**

Councillor Stephen Jolly  
Councillor James Searle  
Councillor Mike McEvoy

Danielle Connell (Coordinator Statutory Planning)  
Gary O'Reilly (Senior Statutory Planner)  
Cindi Johnston (Governance Officer)

**II. APOLOGIES AND LEAVE OF ABSENCE**

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

**IV. CONFIRMATION OF MINUTES**

**Internal Development Approvals Committee Resolution:**

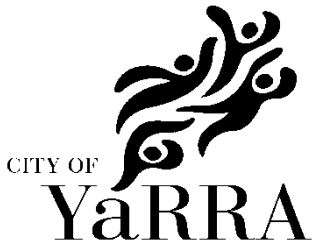
**Moved:** Councillor Jolly **Seconded:** Councillor Searle

That the minutes of the meeting of the Internal Development Approvals Committee held on Wednesday 15 March 2017 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 Jolly nominated Councillor McEvoy as Chair.

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

Councillor McEvoy assumed the Chair.

## 1. INTERNAL DEVELOPMENT APPROVALS COMMITTEE

Item		Page	Res. Page
1.1	PLN16/0913 - 47 Coppin Street, Richmond - Use of the land for a Restricted Recreation Facility (gymnasium) and associated buildings and works.	6	8
1.2	PLN16/0471 - 344 Johnston Street, Abbotsford - Construction of an eight storey building plus a basement containing a shop, office space and six dwellings, use of the land as dwellings, a reduction in the car parking requirement and a waiver of the loading bay requirement	11	15
1.3	7 / 68 Easey Street, Collingwood VIC 3066 - Planning Permit Application No. PLN16/0627	21	22

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**1.1 PLN16/0913 - 47 Coppin Street, Richmond - Use of the land for a Restricted Recreation Facility (gymnasium) and associated buildings and works.**

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Trim Record Number: D17/30751

Responsible Officer: Principal Statutory Planner

**RECOMMENDATION**

That having considered all relevant planning controls and policies, it is recommended that a Notice of Decision to Grant a Planning Permit (PLN16/0913) be issued for use of the land for a Restricted Recreation Facility (gymnasium) and associated buildings and works at 47 Coppin Street, Richmond, generally in accordance with the decision plans received 10 October and 10 November 2016 and subject to the following conditions:

1. Before the use or development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions, and three copies must be provided. The plans must be generally in accordance with the decision plans received 10 October and 10 November 2016 but modified to show:
  - (a) All acoustic measures outlined under headings 5.1 and 5.2 in the amended acoustic report required under Condition 3 of the permit.
  - (b) A minimum of four bicycle parking spaces accessible from the Coppin Street entrance.
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.
3. Before the use or development commences, an amended Acoustic Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Acoustic Report will be endorsed and will form part of this permit. The amended Acoustic Report must be generally in accordance with the Acoustic Report prepared by Resonate Acoustics and dated 25 January 2017, but modified to include (or show, or address):
  - (a) further information regarding sensitive receivers, specifically noting or considering distances of habitable room windows from 2-6 Lord Street; and 53-59 Coppin Street (Cubo);
  - (b) A review of calculations relating to the proposed roof-upgrade in relation to the nearest receptor locations, and proposed upgrades to the roof if necessary to meet SEPP N-2 'night' noise limits.
  - (c) Nomination of allowable music levels within the venue. The levels are to be presented in octave bands, or as both 'C' and 'A' weighted levels.
4. The provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.

Use conditions (5 -15)

5. Between the hours of 5.30am and 9.30pm:
  - (a) No more than 50 patrons are permitted on the land at any one time.
  - (b) No more than 5 staff are permitted on the land at any one time.
6. Between the hours of 9.30pm and 5.30am:
  - (a) No more than 15 patrons are permitted on the land at any one time.
  - (b) No more than 1 staff member is permitted on the land at any one time.
7. Except with the prior written consent of the Responsible Authority, the rear roller-door to the right-of-way must not be operated between 10pm and 7am.

8. Except with the prior written consent of the Responsible Authority, no more than (1) group class, is permitted on the land at any one time between 7.00am and 9.30pm. During group classes, microphones must not be used by instructors. No group classes are to be held outside of the aforementioned hours.
9. Except with the prior written consent of the Responsible Authority, group classes must not exceed a maximum of 15 patrons.
10. The provision of music on the land must be internal and at a background noise level.
11. Speakers external to the building must not be erected or used.
12. The amenity of the area must not be detrimentally affected by the use, including through:
  - (a) the transport of materials, goods or commodities to or from land;
  - (b) the appearance of any buildings, works or materials;
  - (c) the emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or
  - (d) the presence of vermin.to the satisfaction of the Responsible Authority.
13. The use must comply at all times with the State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N-1).
14. The use must comply at all times with the State Environment Protection Policy – Control of Music Noise from Public Premises (SEPP N-2).
15. The collection of waste from the site must be by private collection, unless with the prior written consent of the Responsible Authority.

Development Conditions (13 - 14)

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. 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.

Permit Expiry

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

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

### Submissions

The Applicant, Ms Blanche Manuel addressed the Committee.

Ms Gina Kyriacopoulos also addressed the Committee.

## **INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION**

**Moved:** Councillor Searle

**Seconded:** Councillor Jolly

That having considered all relevant planning controls and policies, it is recommended that a Notice of Decision to Grant a Planning Permit (PLN16/0913) be issued for use of the land for a Restricted Recreation Facility (gymnasium) and associated buildings and works at 47 Coppin Street, Richmond, generally in accordance with the decision plans received 10 October and 10 November 2016 and subject to the following conditions:

1. Before the use or development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions, and three copies must be provided. The plans must be generally in accordance with the decision plans received 10 October and 10 November 2016 but modified to show:
  - (a) All acoustic measures outlined under headings 5.1 and 5.2 in the amended acoustic report required under Condition 3 of the permit.
  - (b) All bicycle parking spaces to be accessible from the Coppin Street entrance.
  - (c) Provision of sensor lighting within the first-floor 'Yoga and Pilates Room'.
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.
3. Before the use or development commences, an amended Acoustic Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Acoustic Report will be endorsed and will form part of this permit. The amended Acoustic Report must be generally in accordance with the Acoustic Report prepared by Resonate Acoustics and dated 25 January 2017, but modified to include (or show, or address):
  - (a) further information regarding sensitive receivers, specifically noting or considering distances of habitable room windows from 2-6 Lord Street; and 53-59 Coppin Street (Cubo);
  - (b) A review of calculations relating to the proposed roof-upgrade in relation to the nearest receptor locations, and proposed upgrades to the roof if necessary to meet SEPP N-2 'night' noise limits.
  - (c) Nomination of allowable music levels within the venue. The levels are to be presented in octave bands, or as both 'C' and 'A' weighted levels.
4. The provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.

### Use conditions (5 -15)

5. Between the hours of 5.30am and 9.30pm:
  - (a) No more than 50 patrons are permitted on the land at any one time.
  - (b) No more than 5 staff are permitted on the land at any one time.
6. Between the hours of 9.30pm and 5.30am:



- (a) No more than 15 patrons are permitted on the land at any one time.
- (b) No more than 1 staff member is permitted on the land at any one time.
- 7. Except with the prior written consent of the Responsible Authority, the rear roller-door to the right-of-way must not be operated between 10pm and 7am.
- 8. Except with the prior written consent of the Responsible Authority, no more than (1) group class, is permitted on the land at any one time between 7.00am and 9.30pm. During group classes, microphones must not be used by instructors. No group classes are to be held outside of the aforementioned hours.
- 9. Except with the prior written consent of the Responsible Authority, group classes must not exceed a maximum of 15 patrons.
- 10. The provision of music on the land must be internal and at a background noise level.
- 11. Speakers external to the building must not be erected or used.
- 12. The amenity of the area must not be detrimentally affected by the use, including through:
  - (a) the transport of materials, goods or commodities to or from land;
  - (b) the appearance of any buildings, works or materials;
  - (c) the emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or
  - (d) the presence of vermin.to the satisfaction of the Responsible Authority.
- 13. The use must comply at all times with the State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N-1).
- 14. The use must comply at all times with the State Environment Protection Policy – Control of Music Noise from Public Premises (SEPP N-2).
- 15. The collection of waste from the site must be by private collection, unless with the prior written consent of the Responsible Authority.

Development Conditions (13 - 14)

- 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. 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.

Permit Expiry

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

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

**CARRIED UNANIMOUSLY**

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**1.2 PLN16/0471 - 344 Johnston Street, Abbotsford - Construction of an eight storey building plus a basement containing a shop, office space and six dwellings, use of the land as dwellings, a reduction in the car parking requirement and a waiver of the loading bay requirement**

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Trim Record Number: D17/32774

Responsible Officer: Principal Statutory Planner

**RECOMMENDATION**

That having considered all objections and relevant planning policies, it is recommended that a Notice of Decision to Grant a Planning Permit PLN16/0471 be issued for the construction of an eight storey building plus a basement and roof top plant containing a shop, office space and six dwellings, use of the land as dwellings, a reduction of the car parking requirement and a waiver of the loading bay requirement at 344 Johnston 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 advertised plans prepared by CHT Architects and received by Council on 4 November 2016, but modified to show:
  - (a) The changes as shown in the revised plans prepared by CHT Architects and received by Council on 3 February 2017, including:
    - (i) Increased setbacks to the interface with the laneway/northern boundary.
    - (ii) Different surface finishes to the exposed walls to the side boundaries to provide visual interest.
    - (iii) An increase in the number of bicycle parking spaces to 16.
  - (b) The provision of a clear glazed security door to the residential entrance within 1 metre of the front property boundary.
  - (c) Operable windows in all habitable rooms clearly shown.
  - (d) A minimum of 20 per cent of bicycle parking spaces must be ground level bicycle hoops, with a maximum of 80 per cent Ned Kelly style hanging hoops.
  - (e) Overlooking measures to ensure no unreasonable overlooking between habitable rooms within the light courts on the side boundaries in accordance with Clause 55.04-6 of the Yarra Planning Scheme.
  - (f) All glazing installed in accordance with the acoustic report prepared by Marshall Day Acoustics and date 27 October 2016.
  - (g) Any changes recommended in the amended acoustic report required by condition 5 of this planning permit.
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 GIW Environmental Solutions and dated 28 October 2016, but modified to include or show:
  - (a) The provision of 16 bicycle parking spaces within the development.

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 Marshall Day Acoustics and dated 27 October 2016, but modified to include (or show, or address) the following:
  - (a) Car stacker noise assessed to the first floor window of 1 Rich Street. A SEPP N-1 and Lmax assessment should be undertaken.
  - (b) The detail of any shielding between the car stacker and the dwelling included in the acoustic report (for example, if the car park entrance door is to be a solid type without gaps, this should be clearly noted).
  - (c) A maximum allowable noise level for the car stacker (both Leq and Lmax) included in the report as a clear specification. Car stackers that produce higher levels of noise should not be installed on the project, given the proximity of noise sensitive receivers.
  - (d) A maximum noise level at 1 metre be specified for the carpark entrance door, such that SEPP N-1 and sleep disturbance targets will be met at 1 Rich Street.
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. 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**

8. 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.

#### **General**

9. 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.
10. Before the development is occupied, or by such later date as approved in writing by the Responsible Authority, all screening and other measures to prevent overlooking as shown on the endorsed plans must be installed to the satisfaction of the Responsible Authority. Once installed the screening and other measures must be maintained to the satisfaction of the Responsible Authority.
11. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, all new on-boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.
12. Before the building is occupied, any wall located on a boundary facing public property must be treated with a graffiti proof finish to the satisfaction of the Responsible Authority.

13. All pipes, fixtures, fittings and vents servicing any building on the land must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.
14. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated:
  - (a) at the permit holder's cost; and
  - (b) to the satisfaction of the Responsible Authority.
15. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.
16. 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 Plan**

17. Before the use and/or 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.
    - (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.
- (q) If any existing public lighting assets require temporary disconnection, alternative lighting must be provided to maintain adequate lighting levels. A temporary lighting scheme can only be approved by Council and relevant power authority.
- (r) Existing public lighting could only be disconnected once temporary alternative lighting scheme becomes operational.
- (s) A temporary lighting scheme must remain operational until a permanent lighting scheme is reinstated.
- (t) Any site-specific requirements.

If required, the construction management plan may be approved in stages. Construction of each stage must not commence until a construction management plan has been endorsed for that stage, to the satisfaction of the Responsible Authority.

18. During the construction:

- (a) Any stormwater discharged into the stormwater drainage system must be in compliance with Environment Protection Authority 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 land enters the stormwater drainage system;
- (c) Vehicle borne material must not accumulate on the roads abutting the land;
- (d) The cleaning of machinery and equipment must take place on the land and not on adjacent footpaths or roads; and
- (e) All litter (including items such as cement bags, food packaging and plastic strapping) must be disposed of responsibly.

19. The provisions, recommendations and requirements of the endorsed construction management plan must be implemented and complied with to the satisfaction of the Responsible Authority.

**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 may be 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 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.

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

For the replacement of the public light in Johnston Street, all public lighting works must be undertaken by CitiPower and comply with CitiPower standard requirements and regulations.

### Submissions

The Applicant, Mr Luke Chamberlain addressed the Committee.

Mr Raymond Endean also addressed the Committee.

## **INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION**

**Moved:** Councillor Jolly

**Seconded:** Councillor Searle

That having considered all objections and relevant planning policies, it is recommended that a Notice of Decision to Grant a Planning Permit PLN16/0471 be issued for the construction of an eight storey building plus a basement and roof top plant containing a shop, office space and six dwellings, use of the land as dwellings, a reduction of the car parking requirement and a waiver of the loading bay requirement at 344 Johnston 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 advertised plans prepared by CHT Architects and received by Council on 4 November 2016, but modified to show:

- (a) The changes as shown in the revised plans prepared by CHT Architects and received by Council on 3 February 2017, including:
    - (i) Increased setbacks to the interface with the laneway/northern boundary.
    - (ii) Different surface finishes to the exposed walls to the side boundaries to provide visual interest.
    - (iii) An increase in the number of bicycle parking spaces to 16.
  - (b) The deletion of one storey and the overall height reduced to seven storeys (plus the roof top plant).
  - (c) The third, fourth and fifth floors set back from the Johnston Street kerb line the same distance as each floors' setback from the northern boundary.
  - (d) A minimum of 15 employee bicycle parking spaces for the office space with showers and change rooms provided to meet the requirements of Clause 52.34-3 for 15 employee bicycle spaces.
  - (e) The provision of a clear glazed security door to the residential entrance within 1 metre of the front property boundary.
  - (f) Operable windows in all habitable rooms clearly shown.
  - (g) A minimum of 20 per cent of bicycle parking spaces must be ground level bicycle hoops, with a maximum of 80 per cent Ned Kelly style hanging hoops.
  - (h) Overlooking measures to ensure no unreasonable overlooking between habitable rooms within the light courts on the side boundaries in accordance with Clause 55.04-6 of the Yarra Planning Scheme.
  - (i) All glazing installed in accordance with the acoustic report prepared by Marshall Day Acoustics and date 27 October 2016.
  - (j) Any changes recommended in the amended acoustic report required by condition 5 of this planning permit.
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 GIW Environmental Solutions and dated 28 October 2016, but modified to include or show:
  - (a) The provision of 16 bicycle parking spaces within the development.
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 Marshall Day Acoustics and dated 27 October 2016, but modified to include (or show, or address) the following:
  - (a) Car stacker noise assessed to the first floor window of 1 Rich Street. A SEPP N-1 and Lmax assessment should be undertaken.
  - (b) The detail of any shielding between the car stacker and the dwelling included in the acoustic report (for example, if the car park entrance door is to be a solid type without gaps, this should be clearly noted).
  - (c) A maximum allowable noise level for the car stacker (both Leq and Lmax) included in



- the report as a clear specification. Car stackers that produce higher levels of noise should not be installed on the project, given the proximity of noise sensitive receivers.
- (d) A maximum noise level at 1 metre be specified for the carpark entrance door, such that SEPP N-1 and sleep disturbance targets will be met at 1 Rich Street.

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. 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**

8. 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.

### **General**

9. 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.
10. Before the development is occupied, or by such later date as approved in writing by the Responsible Authority, all screening and other measures to prevent overlooking as shown on the endorsed plans must be installed to the satisfaction of the Responsible Authority. Once installed the screening and other measures must be maintained to the satisfaction of the Responsible Authority.
11. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, all new on-boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.
12. Before the building is occupied, any wall located on a boundary facing public property must be treated with a graffiti proof finish to the satisfaction of the Responsible Authority.
13. All pipes, fixtures, fittings and vents servicing any building on the land must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.
14. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated:
- (a) at the permit holder's cost; and
  - (b) to the satisfaction of the Responsible Authority.
15. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.
16. 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 Plan

17. Before the use and/or 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.
    - (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.
  - (q) If any existing public lighting assets require temporary disconnection, alternative lighting must be provided to maintain adequate lighting levels. A temporary lighting scheme can only be approved by Council and relevant power authority.
  - (r) Existing public lighting could only be disconnected once temporary alternative lighting scheme becomes operational.
  - (s) A temporary lighting scheme must remain operational until a permanent lighting scheme is reinstated.
  - (t) Any site-specific requirements.

If required, the construction management plan may be approved in stages. Construction of each stage must not commence until a construction management plan has been endorsed for that stage, to the satisfaction of the Responsible Authority.

18. During the construction:
  - (a) Any stormwater discharged into the stormwater drainage system must be in compliance with Environment Protection Authority 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 land enters the stormwater drainage system;
  - (c) Vehicle borne material must not accumulate on the roads abutting the land;
  - (d) The cleaning of machinery and equipment must take place on the land and not on adjacent footpaths or roads; and
  - (e) All litter (including items such as cement bags, food packaging and plastic strapping) must be disposed of responsibly.
19. The provisions, recommendations and requirements of the endorsed construction management plan must be implemented and complied with to the satisfaction of the Responsible Authority.

#### **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 may be 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 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.

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

For the replacement of the public light in Johnston Street, all public lighting works must be undertaken by CitiPower and comply with CitiPower standard requirements and regulations.

**CARRIED UNANIMOUSLY**

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**1.3        7 / 68 Easey Street, Collingwood VIC 3066 - Planning Permit Application No. PLN16/0627**


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Trim Record Number: D17/31193

Responsible Officer: Principal Planner

### **RECOMMENDATION**

That a Notice of Decision to Grant Planning Permit PLN16/0627 be issued for development of the land for buildings and works to the existing dwelling, including construction of a third storey and a roof plant (equipment) platform, at 7 / 68 Easey Street, Collingwood VIC 3066, generally in accordance with the decision plans (received by Council on 8 November 2016 and 7 December 2016) and subject to the following conditions:

1. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions, and three copies must be provided. The plans must be generally in accordance with the decision plans (received by Council on 8 November 2016 and 7 December 2016) but modified to show:
  - (a) Proposed north and south external elevations showing the external walls and balustrade associated with the third storey and plant platform, and confirming the finish to the walls and balustrades to be corrugated zincalume cladding.
  - (b) Details of the glazing and solid wall to the western elevation of the proposed store, including the material and finish of the solid wall, consistent with the location of glazing and solid wall on the floor plan.
  - (c) All development contained within the title boundaries of the subject site.
  - (d) Deletion of all references to "nominal" in relation to dimensions of structures.
  - (e) All elevations correctly labelled.
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 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.
5. 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.
6. 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.

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

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

The third storey and plant platform approved by this permit must not be used as habitable areas.

**Submissions**

The Applicant, Mr Richard Higham addressed the Committee.

The following people also addressed the Committee:

Mr Frank Zammit; and  
Mr Fred Wood.

**INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION**

**Moved:** Councillor Jolly

**Seconded:** Councillor Searle

That the Recommendation be adopted.

**CARRIED UNANIMOUSLY**

The meeting closed at 7.53pm.

**Confirmed at the meeting held on Wednesday 19 April 2017**

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**Chair**