



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

**held on Wednesday 24 May 2017 at 6.30pm  
in Meeting Room 3 at the Richmond Town Hall**

**I. ATTENDANCE**

Councillor Misha Coleman  
Councillor Daniel Nguyen  
Councillor Danae Bosler

Danielle Connell (Coordinator Statutory Planning)  
Lara Fiscalini (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:**

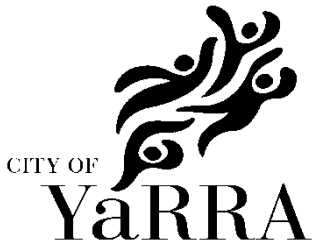
**Moved:** Councillor Coleman **Seconded:** Councillor Nguyen

That the minutes of the meeting of the Internal Development Approvals Committee held on Wednesday 10 May 2017 be confirmed.

**CARRIED**

**Printed on 100% recycled paper**

***"Welcome to the City of Yarra.  
Yarra City Council acknowledges the  
Wurundjeri as the Traditional Owners  
of this country, pays tribute to all  
Aboriginal and Torres Strait Islander  
people in Yarra and gives respect to  
the Elders past and present."***



## **Guidelines for public participation at Internal Development Approval Committee meetings**

### **POLiCY**

---

Council provides the opportunity for members of the public to address the Internal Development Approvals Committee.

The following guidelines have been prepared to assist members of the public in presenting submissions at these meetings:

- public submissions are limited to a maximum of five (5) minutes
- where there is a common group of people wishing to make a submission on the same matter, it is recommended that a representative speaker be nominated to present the views of the group
- all public comment must be made prior to commencement of any discussion by the committee
- any person accepting the chairperson's invitation to address the meeting shall confine himself or herself to the subject under consideration
- people making submissions shall address the meeting as a whole and the meeting debate shall be conducted at the conclusion of submissions
- the provisions of these guidelines shall be made known to all intending speakers and members of the public generally prior to the commencement of each committee meeting.

For further information regarding these guidelines or presenting submissions at Committee meetings generally, please contact the Governance Branch on (03) 9205 5110.

**Governance Branch  
2008**

Councillor Bosler nominated Councillor Coleman as Chair.

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

Councillor Coleman assumed the Chair.

## 1. INTERNAL DEVELOPMENT APPROVALS COMMITTEE

Item		Page	Res. Page
1.1	PLN16/0494 - 249 - 265 Queens Parade Clifton Hill	6	16
1.2	150 Yarra Boulevard Richmond - Planning Permit Application PLN16/0755 - Use part of the land as a restaurant, sale and consumption of liquor, and associated reduction in the car parking and loading bay requirements, buildings and works associated with a ground floor addition, part demolition, and the construction and display of flood-lit business identification signage.	17	21
1.3	PLN16/0391 - 197B Brunswick Street Fitzroy - Use of the land as a function centre and cafe (no permit required for cafe use), on premises liquor licence and an associated reduction in car parking.	22	24
1.4	44-46 Greeves Street, Fitzroy - PLN16/1044 - Part demolition and construction of seven (7) triple-storey dwellings with roof terraces, removal of easement and a reduction in the statutory car parking requirement.	25	30
1.5	PLN15/1189 216 McKean Street, Fitzroy North - Development of the land for two additional dwellings, including alterations and additions to the existing dwelling, associated demolition works and reduction in car parking requirements.	36	38

---

**1.1 PLN16/0494 - 249 - 265 Queens Parade Clifton Hill**


---

Trim Record Number: D17/52564

Responsible Officer: 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 PLN16/0494 for use and development of the land for the construction of a mixed-use building (permit required for food and drinks premises use), a reduction in the car parking requirement, waiver of loading bay requirements, buildings and works and alterations to access to a Road Zone (Category 1) and removal of a party wall easement at 249-265 Queens Parade Clifton Hill, subject to the following conditions:

1. Before the use 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 dated 12 April 2017 but modified to show:
  - (a) no part of the development to be within the existing carriage way easements (shown E-2 and E-3 on Title) with subsequent rearrangement of internal areas;
  - (b) the two ground floor food and drinks premises as a café;
  - (c) deletion of one floor from each of the middle, top and the upper-most cap, resulting in a total reduction of three floors;
  - (d) a random selection of the northern window/balcony sills to be a darker colour to add variation to the northern façade;
  - (e) the dimensions of the headroom clearance at the entrance of the vehicular access;
  - (f) dimensions of the blind aisle extension on Basement 2;
  - (g) security lighting adjacent to the pedestrian and vehicular entrances;
  - (h) at least 12 bike spaces provided on the footpath outside of the subject site's Queens Parade frontage.
  - (i) confirmation that there is a mixture of on-ground and hanging style bike racks with the majority (more than 75%) to be provided as on-ground;
  - (j) sectional diagrams demonstrating that there are no unreasonable internal views between the habitable room windows/balconies of the following apartments:
    - (i) second, third and fourth floors - apartment 06 and 07; and
    - (ii) fourteenth floor - north-facing windows of 02 and the terrace of 03.
  - (k) sectional diagrams demonstrating that no unreasonable overlooking (within a 9m radius and 45 degree arc) will occur from the habitable room windows or private open spaces of Apartments 01 and 02 between the second and eleventh floors and Apartment 03 between the second and eighth floors dwellings into the habitable room windows or secluded private open space of the development at No. 243-247 Queens Parade;
  - (l) a materials sample board of external colours, materials and finishes;
  - (m) any requirement of the endorsed Sustainable Management Plan (condition 5) (where relevant to show on plans);
  - (n) any requirement of the endorsed Waste Management Plan (condition 7) (where relevant to show on plans); and

- (o) any requirement of the endorsed Acoustic report (condition 10) (where relevant to show on 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.

### **Café Use**

- 3. Except with the prior written consent of the Responsible Authority, the two food and drink premises (café) use authorised by this permit may only operate between the hours of 6.30am and 10pm, seven days per week.
- 4. No more than 80 patrons are permitted within each food and drinks premises at any one time.

### **Sustainable Management Plan**

- 5. 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 Simpson Kotzman on 15 September 2016, but modified to include or show:
  - (a) A commitment to 5 Star Green Star;
  - (b) All habitable rooms, including studies with an operable window to enable natural ventilation;
  - (c) Sample NatHERS or preliminary energy model to a reference building demonstrating that the overall energy/GHG targets can be met;
  - (d) More information on what type of hot water system will be specified demonstrating that the overall energy/GHG targets can be met;
  - (e) What type of heating/cooling system will be specified demonstrating that the overall energy/GHG targets can be met; and
  - (f) Solar PV array included on the roof plan to contribute to common area electricity consumption.
- 6. The provisions, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

### **Waste Management Plan**

- 7. Before the development commences an amended Waste Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Waste Management Plan will be endorsed and will form part of this permit. The amended Waste Management Plan must be generally in accordance with the Waste Management Plan prepared by Leigh Design dated 15 September 2016), but modified to include:
  - (a) internal private collection.
- 8. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
- 9. The collection of waste from the site must be by private collection, unless with the prior written consent of the Responsible Authority

### **Acoustic report**

10. Before the development commences, an amended Acoustic Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Acoustic Report will be endorsed and will form part of this permit. The amended Acoustic Report must be generally in accordance with the Acoustic Report prepared by Acoustic Logic and provided to Council on 23 September 2016, but modified to include (or show, or address):
  - (a) the road traffic day and night average levels to meet the mid-point between the AS/NZS2107 'satisfactory' and 'maximum' noise levels, being 40 dBA Leq,15h in habitable rooms and 35 dBA Leq,9hr in bedrooms;
  - (b) a 3-D computer noise model to determine rail traffic and tram noise impacts. If a computer noise model has not been prepared to quantify noise impacts to upper levels of the building, the writer should demonstrate that worst case noise impacts have been allowed for in predictions;
  - (c) the measured or predicted noise levels at the façade of the building used as a basis for determining rail traffic and tram noise impacts;
  - (d) that noise from the carpark entrance gate does not exceed 45 dBA Lmax in living room and 40 dBA Lmax in bedrooms (windows closed);
  - (e) noise impacts from mechanical services;
  - (f) noise impacts from any music associated with the ground floor food and drink premises is proposed to be addressed by the future tenants of the food and drinks premises; and
  - (g) patron noise from the proposed ground floor food and drink premises with glazing upgrades provided to any affected apartments with design targets equal to the AS/NZS2107 'satisfactory' noise levels are met within apartments with windows closed. These targets are 35 dBA Leq in living rooms and 30 dBA Leq in bedrooms.

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

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

### **Landscape Plan**

12. Before the development commences, an amended Landscape Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Landscape Plan will be endorsed and will form part of this permit. The amended Landscape Plan must be generally in accordance with the Landscape Plan prepared by Tract and dated 21 September 2016, but modified to include (or show):
  - (a) final plant schedule and planting plan showing the location of all plants with the following detail provided:
    - (i) Planter box materials and dimensions.
    - (ii) Mulch layer – something that won't blow away.
    - (iii) Growing media – suitable in weight and content for roof top gardens
    - (iv) Filter media
    - (v) Irrigation method
    - (vi) Drainage system



(vii) Root barrier / water proofing layer

13. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the landscaping works shown on the endorsed Landscape Plan must be carried out and completed to the satisfaction of the Responsible Authority. The landscaping shown on the endorsed Landscape Plan must be maintained by:
- (a) implementing and complying with the provisions, recommendations and requirements of the endorsed Landscape Plan;
  - (b) not using the areas set aside on the endorsed Landscape Plan for landscaping for any other purpose; and
  - (c) replacing any dead, diseased, dying or damaged plants,
- to the satisfaction of the Responsible Authority.

**Integrated Art Plan**

14. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, details of the public artwork along the eastern wall to be provided in the locations shown on the endorsed plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the details of the public artwork will be endorsed and will then form part of the permit. The cost of the public artwork is to be borne by the owner or occupier of the land. The public artwork must be installed before any part of the development is occupied except with the prior written consent of the Responsible Authority all the satisfaction of the Responsible Authority. The public artwork as approved must then maintained to the satisfaction of the Responsible Authority.

**VicRoads Conditions (14-15)**

15. All disused or redundant vehicle crossings must be removed and the area reinstated to kerb, channel and footpath to the satisfaction of and at no cost to VicRoads prior to the occupation of the building hereby proposed.
16. Rear access to the service land must not be restricted by gates or similar enclosures which may obstruct traffic movements on Hoddle Street.

**Road Infrastructure**

17. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, bike racks must be installed to accommodate at least 12 bicycles on the footpath immediately outside the property's Queens Parade frontage:
- (a) at the permit holder's cost; and
  - (b) to the satisfaction of the Responsible Authority.
18. Prior to the commencement and construction of any new vehicle crossing, or by such later date as approved in writing by the Responsible Authority, the applicant must prepare and submit 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 Queens Parade service road profile (centre line of road pavement to property line). The required levels (to three decimal places) include the building line level, top of kerb level, invert level, lip level and road pavement levels. The existing road profile of Sackville Street and the ramp inside the property (for the first 2.0 metres) must be accurately drawn. The applicant must demonstrate by way of a ground clearance check using the B99 design vehicle that vehicles can traverse the new vehicle crossing and ramp without scraping or bottoming out. The 1 in 20 scale cross sectional drawing and ground clearance check must be submitted to Council's Construction Management branch for assessment and approval.
19. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, all pedestrian access must be constructed to a level no steeper than 1 in 40 from the building line to the top of kerb.

20. 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.
21. 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.
22. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the footpath immediately outside the property's Queens Parade service road frontage must be re-constructed:
  - (a) at the permit holder's cost; and
  - (b) to the satisfaction of the Responsible Authority.
23. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the kerb and channel immediately outside the property's Queens Parade service road frontage must be must be profiled and re-sheeted:
  - (a) at the permit holder's cost; and
  - (b) to the satisfaction of the Responsible Authority.
24. 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.
25. All road pavement reinstatements must be consolidated as single full-width areas of reinstatement to reduce further construction joints in the pavement.

### **Car parking**

26. Before the development is occupied, a Car Park Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Car Park Management Plan will be endorsed and will form part of this permit. The Car Park Management Plan must address, but not be limited to, the following:
  - (a) the number of car parking spaces allocated to each tenancy and that each space is allocated;
  - (b) details of way-finding, cleaning and security of end of trip bicycle facilities;
  - (c) any policing arrangements and formal agreements as appropriate; and
  - (d) a schedule of all proposed signage including directional arrows and signage, informative signs indicating location of disabled bays and bicycle parking, exits, restrictions, pay parking system etc.
27. The provisions, recommendations and requirements of the endorsed Car Park Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
28. 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.

- 29. 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.
- 30. 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.

### **Green Travel Plan**

- 31. Before the development is occupied, a Green Travel Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Green Travel plan will be endorsed and will form part of this permit. The Green Travel Plan must include, but not be limited to, the following:
  - (a) describe the location in the context of alternative modes of transport;
  - (b) the provision of real time passenger information displays for nearby stops within each lobby;
  - (c) employee welcome packs (e.g. provision of Met Cards/Myki);
  - (d) a designated 'manager' or 'champion' responsible for co-ordination and implementation;
  - (e) details of bicycle parking and bicycle routes;
  - (f) details of GTP funding and management responsibilities; and
  - (g) include provisions to be updated not less than every 5 years.
- 32. The provisions, recommendations and requirements of the endorsed Green Travel Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

### **Lighting**

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

### **General**

- 34. Finished floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.

35. As part of the ongoing consultant team, Fieldwork or an architectural firm to the satisfaction of the Responsible Authority must be engaged to:
  - (a) oversee design and construction of the development; and
  - (b) ensure the design quality and appearance of the development is realised as shown in the endorsed plans or otherwise to the satisfaction of the Responsible Authority.
36. The amenity of the area must not be detrimentally affected by the construction and 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.
37. The use, operation of the car stacker and development must comply at all times with the State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N-1).
38. 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.
39. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
40. 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.
41. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
  - (a) Monday–Friday (excluding public holidays) before 7 am or after 6 pm;
  - (b) Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday) before 9am or after 3pm; or
  - (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.

### **Construction Management**

42. Before the development commences, a Construction Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will form part of this permit. The plan must provide for:
  - (a) a pre-conditions survey (dilapidation report) of the land and all adjacent Council roads frontages and nearby road infrastructure;
  - (b) works necessary to protect road and other infrastructure;
  - (c) remediation of any damage to road and other infrastructure;
  - (d) containment of dust, dirt and mud within the land and method and frequency of clean up procedures to prevent the accumulation of dust, dirt and mud outside the land;
  - (e) facilities for vehicle washing, which must be located on the land;
  - (f) the location of loading zones, site sheds, materials, cranes and crane/hoisting zones, gantries and any other construction related items or equipment to be located in any street;
  - (g) site security;

- (h) management of any environmental hazards including, but not limited to,:
  - (i) contaminated soil;
  - (ii) materials and waste;
  - (iii) dust;
  - (iv) stormwater contamination from run-off and wash-waters;
  - (v) sediment from the land on roads;
  - (vi) washing of concrete trucks and other vehicles and machinery; and
  - (vii) spillage from refuelling cranes and other vehicles and machinery;
- (i) the construction program;
- (j) preferred arrangements for trucks delivering to the land, including delivery and unloading points and expected duration and frequency;
- (k) parking facilities for construction workers;
- (l) measures to ensure that all work on the land will be carried out in accordance with the Construction Management Plan;
- (m) an outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services;
- (n) an emergency contact that is available for 24 hours per day for residents and the Responsible Authority in the event of relevant queries or problems experienced;
- (o) the provision of a traffic management plan to comply with provisions of AS 1742.3-2002 Manual of uniform traffic control devices - Part 3: Traffic control devices for works on roads;
- (p) 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.
- (q) 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
  - (vi) any site-specific requirements.

During the construction:

- (r) any stormwater discharged into the stormwater drainage system must be in compliance with Environment Protection Authority guidelines;
- (s) stormwater drainage system protection measures must be installed as required to ensure that no solid waste, sediment, sand, soil, clay or stones from the land enters the stormwater drainage system;
- (t) vehicle borne material must not accumulate on the roads abutting the land;
- (u) the cleaning of machinery and equipment must take place on the land and not on adjacent footpaths or roads; and

- (v) all litter (including items such as cement bags, food packaging and plastic strapping) must be disposed of responsibly.

**Time expiry**

43. This permit will expire if:

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

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 development permitted under the permit.

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

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 employees, residents and visitors 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.

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.

No parking restriction signs are to be removed, adjusted, changed or relocated without approval or authorisation from Council Parking Management unit and Construction Management branch

On the Queens Parade frontage of the site, pole No. 27888 (a former tram pole) is currently being used as a stay for a CitiPower electrical pole (with the same number located) about 4m west of the stay. It appears that stay is located near the edge of the new vehicle crossing. Comment from CitiPower should be sought to ascertain whether the stay could be removed or relocated.

Currently kerbside parking along the front of the development is designated as a Bus Zone and partially (eastern section in front of 267 -269 Queens Parade) as a loading zone. Given that this section of Queens Parade contains the tram/bus interchange, consultation with Public Transport Victoria would be required with respect to the construction of the new development and the management of the bus zone restrictions.

VicRoads is currently undertaking improvement of the Queens Parade interchange to facilitate safer pedestrian movement as well as ensure that pedestrian facilities are DDA compliant. The applicant should liaise with VicRoads in relation to the interchange works and the potential impacts on pedestrians once the development is operational.

Some of the existing overhead power lines along Queens Parade have been bundled. Advice from CitiPower is required whether additional works are required to ensure that overhead power lines are outside "No Go Zone".

In the event that contaminated groundwater seeps through the walls of the basement, this water must not be discharged into Council's stormwater drainage system under any circumstances. Any contaminated groundwater that is present within the site must be treated and disposed of in accordance with a Trade Waste Agreement and as per EPA guidelines and Melbourne Water/City West Water guidelines.

The construction works on site would result in the transportation of heavy vehicles, plant and equipment to the site via the Queens Parade service road. In addition, it is highly likely that underground services connections to the site would be made within the service road. The pavement surface of the Queens Parade service road will deteriorate after all construction and utility works for the site have been completed. Therefore, it is vital that the applicant profiles the existing wearing course of the Queens Parade service road outside the development frontage and laying an asphalt overlay (around 40 to 50 mm thick). These works would ensure that there is a neat finish, rather than resulting in a 'patch-work quilt' appearance of the road once all works have been completed.

#### VicRoads Notes

The proposed development requires reinstatement of disused crossovers to kerb and channel. Separate approval under the Road Management Act for this activity may be required from VicRoads (the Roads Corporation). Please contact VicRoads prior to commencing any works.

Separate Consent shall be required from VicRoads under the Road Management Act 2004 for all buildings and works (including projections, canopies, fixed shading devices, balcony framing etc) undertaken outside the title boundary within a Road Zone Category 1.

#### Submissions

*The Applicant, Mr Luke Chamberlain addressed the Committee. Mr Kina Holland also addressed the Committee on behalf of the Applicant.*

*The following people also addressed the Committee:*

*Mr Bill Robb;  
Mr Chris Goodman;  
Ms Marianne Van Leeuwen;  
Ms Alex Macmillian;  
Ms Robyn Zalcmann;  
Mr Glen McCallum;  
Mr Greg Spark;  
Ms Kerry Konapicki; and  
Ms Anne Coveny.*

## **INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION**

**Moved:** Councillor Bosler

**Seconded:** Councillor Coleman

That with respect to Planning Permit PLN16/0494, Council resolves to issue a Notice of Refusal for use and development of the land for the construction of a mixed-use building (permit required for food and drinks premises use), a reduction in the car parking requirement, waiver of loading bay requirements, buildings and works and alterations to access to a Road Zone (Category 1) and removal of a party wall easement at 249-265 Queens Parade, Clifton Hill subject to the following grounds:

1. The height and bulk of the proposal are inappropriate and do not respect the character and streetscape of the existing neighbourhood and fails to comply with policies within Clauses 15.01-2 (Urban Design Principles), 21.05-2 (Urban Design), 22.10-3.2 (Urban Form and Character) and 22.10-3.3 (Setbacks and Building Heights).
2. The proposed development will be visually dominating in Queens Parade and the immediate surrounding area and fails to comply with policy within Clauses 15.01-2 (Urban Design Principles), 21.05-2 (Urban Design), 22.10-3.2 (Urban Form and Character) and 22.10-3.3 (Setbacks and Building Heights).
3. The development will unreasonably overshadow the Queens Parade footpath and fails to comply with relevant policies within Clauses 15.01-2 (Urban Design Principles) and 21.05-2 (Urban Design).
4. Increase in traffic will adversely impact surrounding traffic conditions and the amenity of the area.

**CARRIED UNANIMOUSLY**



---

**1.2 150 Yarra Boulevard Richmond - Planning Permit Application PLN16/0755 - Use part of the land as a restaurant, sale and consumption of liquor, and associated reduction in the car parking and loading bay requirements, buildings and works associated with a ground floor addition, part demolition, and the construction and display of flood-lit business identification signage.**

---

Trim Record Number: D17/56671

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 PLN16/0755 for use of part of the land as a restaurant, sale and consumption of liquor, and associated reduction in the car parking and loading bay requirements, buildings and works associated with a ground floor addition, part demolition, and the construction and display of flood-lit business identification signage at 150 Yarra Boulevard 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) Removal of notations such as "make good" and clarify the extent of works; i.e. demolition and proposed.
  - (b) Reduction of the western-most area of the undercover deck for a width of approx. 2.6m
  - (c) Deletion of notations relating to garden beds, outdoor furniture and public lighting to be provided by Council.
  - (d) The location of the proposed bike racks reoriented to the south of the entry way path, including details of how these will be installed.
  - (e) Details of the planter-boxes, including materials, species, locations and quantities of proposed planting.
  - (f) Details of new path from bin storage to road (including width, material and layout).
  - (g) Dimensions of the proposed signage plaques.
  - (h) External light (floodlit) detail (dimensions, height above ground level and setbacks).
  - (i) Materials and details of the proposed deck and louver panels (including whether individual louvers will be operable), including proposed paint colour to match existing.
  - (j) The provision of a water tank or rain-garden, including notations to confirm the use of the water.

Use

2. The use as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
3. Except with the prior written consent of the Responsible Authority, the use (Restaurant) authorised by this permit may only operate between the following hours:
  - (a) Non-Daylight Savings: 7.00am to 6.00pm, Seven (7) days a week.
  - (b) Daylight Savings: 7.00am to 9.00pm, Seven (7) days a week.
4. The northern, western and southern bi-folding panels (including individual louvres) of the undercover deck area to be closed from 6.00pm, seven (7) days a week.
5. 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.

- 6. No more than 88 patrons are permitted within the restaurant to the satisfaction of the Responsible Authority.
- 7. Except with the prior written consent of the Responsible Authority, delivery and collection of goods to and from the land may only occur between 7am and 9pm on any day.
- 8. Emptying of bottles and cans into bins may only occur between 7am and 10pm on any day.
- 9. The provisions, recommendations and requirements of the endorsed Waste Management Plan as per Leigh Design (Dated 10 January 2017) must be implemented and complied with to the satisfaction of the Responsible Authority.
- 10. The collection of waste from the site must be by private collection, unless with the prior written consent of the Responsible Authority.
- 11. Sensor lighting to be turned off at close of business hours to the satisfaction of the Responsible Authority.

Acoustic conditions (12 to 14):

- 12. Before the use and development commences, an amended Acoustic Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Acoustic Report will be endorsed and will form part of this permit. The amended Acoustic Report must be generally in accordance with the Acoustic Report prepared by Watson Moss Growcott Acoustics and dated May 2016, but modified to:
  - (a) confirm that individual louvres on the bi-folding panels of the deck area, including the panels themselves are to be closed after 6.00pm, seven (7) days a week.
  - (b) SEPP N-2 assessment of noise from the use to be conducted once the sound system is installed and prior to the restaurant opening. If the sound system is not SEPP N-2 compliant, a music noise limiter / compressor to be installed in the audio chain, or similar to the satisfaction of the Responsible Authority.
- 13. Prior to the restaurant use commencing, an acoustic report must be prepared by a suitably qualified acoustic engineer and must be submitted to and approved by the Responsible Authority. When approved, the acoustic report will be endorsed and will form part of this permit. The acoustic report must assess the compliance of the use and, where necessary, make recommendations to limit the noise impacts in accordance with the State Environment Protection Policy (Control of noise from industry, commerce and trade) No. N-1 (SEPP N-1), State Environment Protection Policy (Control of music noise from public premises) No. N-2 (SEPP N-2) or any other requirement to the satisfaction of the Responsible Authority.
- 14. The provisions of the endorsed acoustic reports must be implemented and complied with to the satisfaction of the Responsible Authority.
- 15. The use must comply at all times with the State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N-1).

16. The use must comply at all times with the State Environment Protection Policy – Control of Music Noise from Public Premises (SEPP N-2).

#### Liquor Licence

17. Before the sale and consumption of liquor commences, an amended Noise and Amenity Action Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Noise and Amenity Action Plan will be endorsed and will form part of this permit. The amended Noise and Amenity Action Plan must be generally in accordance with the Noise and Amenity Action Plan prepared by Ratio and dated 19 January 2017, but modified to include (or show, or address):
  - (a) A maximum number of 88 patrons.
  - (b) The sale and consumption of liquor at the restaurant to commence from 9am and end at 6.00pm (Non-Daylight Savings) and 9.00pm (Daylight Savings).
18. 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.
19. The 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.
20. No more than 88 patrons are permitted on the land at any time liquor is being sold or consumed.
21. No more than 2 staff are permitted on the land at any one time.
22. Except with the prior written consent of the Responsible Authority, the sale and consumption of liquor at the Café may only occur between the following hours:
  - (a) Non-Daylight Savings: 9.00am to 6.00pm, Seven (7) days a week.
  - (b) Daylight Savings: 9.00am to 9.00pm, Seven (7) days a week.
23. Except with the prior written consent of the Responsible Authority, the provision of music on the land must be at a background noise level.
24. Speakers external to the building must not be erected or used.
25. Before the commencement of the sale and consumption of liquor, the applicant must, to the satisfaction of the Responsible Authority, display a sign at the exit of the licensed premises advising patrons to respect the amenity of adjacent uses and to leave in a quiet and orderly manner.
26. This permit will expire if the sale and consumption of liquor (including the use) is not commenced within two years from the date of this permit. The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires or within six months afterwards.

#### Buildings and works

27. 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.

28. 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.
29. 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.

#### Loading bay

30. Prior to the use commencing, details including the location, dimensions and signage of the loading bay on Yarra Boulevard are to be provided to the satisfaction of the Responsible Authority. Once approved, the plans/details will be endorsed and the loading bay must be provided on Yarra Boulevard prior to the use commencing to the satisfaction of the Responsible Authority, with all associated costs to be borne by the permit holder.

#### Signage

31. The location and details of the sign, including the supporting structure, 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.
32. The sign must be constructed, displayed and maintained to the satisfaction of the Responsible Authority.
33. External sign lighting must be designed, baffled and located to the satisfaction of the Responsible Authority.
34. The sign must not include any flashing or intermittent light, and the sign must be turned off at close of business.
35. This permit will expire if the sign is not erected within 2 years of the date of this permit. The Responsible Authority may extend the period referred to if a request is made in writing before the permit expires or within six months afterwards for commencement or twelve months afterwards for completion.
36. 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.

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

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

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

Submissions

*The Applicant, Ms Claire Helfer addressed the Committee.*

*The following people also addressed the Committee:*

*Mr David Ritman;  
Mr Nathan Collaman;  
Laura;  
Ms Meg Lee;  
Justine;  
Mr Michael Harty;  
Ms Penny Hanrahan;  
Mr Don Ash;  
Justin;  
Graham; and  
Kathryn.*

**INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION**

**Moved:** Councillor Nguyen

**Seconded:** Councillor Bosler

That having considered all objections and relevant planning policies, the Committee resolves to issue a Notice of Refusal to Grant a Planning Permit (PLN16/0755) for *Use of part of the land as a restaurant, sale and consumption of liquor, and associated reduction in the car parking and loading bay requirements, buildings and works associated with a ground floor addition, part demolition, and the construction and display of flood-lit business identification signage*, on the following grounds:

1. The scale of the proposed use and development does not appropriately respond to the purpose of the zone for public park and recreation.

**CARRIED UNANIMOUSLY**

---

**1.3 PLN16/0391 - 197B Brunswick Street Fitzroy - Use of the land as a function centre and cafe (no permit required for cafe use), on premises liquor licence and an associated reduction in car parking.**

---

Trim Record Number: D17/57002

Responsible Officer: Coordinator Statutory Planning

**RECOMMENDATION**

That having considered all objections and relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant a Permit PLN16/0391 be issued 197B Brunswick Street, Fitzroy VIC 3065 for sale and consumption of liquor associated with use of the land as a function centre and cafe (no permit required for the cafe use) and reduction in the car parking requirement at 197B Brunswick Street, Fitzroy in accordance with the endorsed plans and subject to the following conditions:

*Amended plans*

1. Before the use commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions, and three copies must be provided. The plans must be generally in accordance with the decision plans but modified to show:
  - (a) A maximum of 60 seats within the premises.

*Sale and consumption of liquor*

2. The 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. Before the function centre use and sale and consumption of liquor commences, an amended Noise and Amenity Action Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Noise and Amenity Action Plan will be endorsed and will form part of this permit. The amended Noise and Amenity and Action Plan must be generally in accordance with the Noise and Amenity Action Plan Council date stamped 28 February 2017, but modified to include (or show, or address):
  - (a) The specific role and function of security staff for functions including management of patrons entering and exiting the venue including for smoking;
  - (b) The specific role and function of a venue/function manager(s) who is responsible for taking bookings, providing details of permit and NAAP restrictions and obligations to those making bookings and management of events when they occur. This must also specify that a venue/function manager must be on-site during all functions/events;
  - (c) Responsibility for maintaining a catalogue of the number of events held at the premises including date and time and for enforcing the restriction on the number of events held (a maximum of 12 per calendar month as per condition 7).
4. 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.
5. Before the commencement of the sale and consumption of liquor, the applicant must, to the satisfaction of the Responsible Authority, display a sign at the exit of the licensed premises advising patrons to respect the amenity of adjacent residential areas and to leave in a quiet and orderly manner.

*Function centre*

6. Except with the prior written consent of the Responsible Authority, the function centre use authorised by this permit may only operate between the hours of 6pm and 11pm Monday to Sunday.
7. Except with the prior written consent of the Responsible Authority, the function centre use authorised by this permit may only operate a maximum of 12 times per calendar month.
8. No more than 100 patrons are permitted on the land at any one time in association with the function centre.
9. Except with the prior written consent of the Responsible Authority, the sale and consumption of liquor associated with the function centre use may only occur between 6pm and 11pm Monday – Sunday.

*Café*

10. No more than 60 patrons are permitted on the land at any time liquor is being sold or consumed between the hours of 9am and 5pm.
11. Except with the prior written consent of the Responsible Authority, the sale and consumption of liquor associated with the cafe use may only occur between 9am and 5pm Monday – Sunday.
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. Except with the prior written consent of the Responsible Authority, the provision of music and entertainment on the land must be at a background noise level.
16. Any live music played within the premises must not be amplified by any means and must be at a background noise level.
17. Except with the prior written consent of the Responsible Authority, speakers external to the building must not be erected or used.
18. Emptying of bottles and cans into bins in outdoor areas must not occur after 10pm on any day, before 7am Monday to Saturday, or before 9am on a Sunday or public holiday.
19. The collection of waste from the site must be by private collection, unless with the prior written consent of the Responsible Authority.

20. Except with the prior written consent of the Responsible Authority, delivery and collection of goods to and from the land and collection of waste may only occur between 10pm on any day, before 7am Monday to Saturday, or before 9am on a Sunday or public holiday except for those allowed under any relevant local law.
21. This permit will expire if the sale and consumption of liquor or function centre use is not commenced within two years from the date of this permit. The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires or within six months afterwards.

#### NOTES:

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

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

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

#### Submissions

*The Applicants, Ms Georgina Knightly and Ms Charlotte Knightly addressed the Committee.*

*The following people also addressed the Committee:*

*Ms Sally Newcombe;  
Mr Andrew Wolf;  
Ms Anna Wolf; and  
Mr Con Carydis.*

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

**Moved:** Councillor Bosler

**Seconded:** Councillor Coleman

That with respect to Planning Permit PLN16/0391, Council resolves to issue a Notice of Refusal for sale and consumption of liquor associated with use of the land as a function centre and cafe (no permit required for the cafe use) and reduction in the car parking requirement at 197B Brunswick Street, Fitzroy subject to the following grounds:

1. Insufficient noise attenuation will adversely impact the amenity of the surrounding area.
2. The proposed function centre use will detrimentally impact the amenity of the surrounding area and is not appropriate.

**CARRIED**



---

**1.4 44-46 Greeves Street, Fitzroy - PLN16/1044 - Part demolition and construction of seven (7) triple-storey dwellings with roof terraces, removal of easement and a reduction in the statutory car parking requirement.**

---

Trim Record Number: D17/36259

Responsible Officer: Principal Statutory Planner

**RECOMMENDATION**

That having considered all objections and relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant a Planning Permit PLN16/1044 for part demolition and construction of seven (7) triple-storey dwellings with roof terraces, removal of easement and a reduction in the statutory car parking requirement at 44-46 Greeves Street, Fitzroy, 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 amended plans prepared by Object/Subject Architects and dated 1 December 2016, but modified to show:
  - (a) The dwelling entrance doors within the western interface to be finished in a different colour to the adjacent garage doors;
  - (b) The dimensions of each garage door to be clearly notated on all relevant drawings;
  - (c) Details of the proposed bicycle hooks, as shown in the sketch plans submitted on 10 March 2017, to be provided, including clearance dimensions from the car parking spaces;
  - (d) The proposed 2,000L rainwater tank to be shown within the garage of Dwelling 7;
  - (e) All floor plans to include the splay within the south-west corner of the site, as demonstrated in the sketch plan submitted on 10 March 2017;
  - (f) All proposed openings within the ground floor wall along the eastern boundary to be deleted;
  - (g) The second-floor wall raked away from the southern boundary 0.8m as demonstrated in the sketch plan submitted on 10 March 2017;
  - (h) The western balustrade of the first-floor terrace associated with Dwelling 1 to be 0.5m wide, as outlined in the sketch plan submitted on 10 March 2017;
  - (i) Treatment measures (as outlined in Section 01 on Sketch Plans submitted to Council on 10 March 2017) to limit overlooking from the second-floor east-facing habitable room windows into the second-floor habitable room windows within the double-storey dwelling to the east. These measures must accord with the requirements of Standard B22 of the Yarra Planning Scheme;
  - (j) A 1.7m high privacy screen to extend along the southern perimeter of the roof terrace associated with Dwelling 7, with a maximum transparency of 25%;
  - (k) The provision of 6 cubic metres of storage to be provided for each dwelling;
  - (l) The addition of an angled structure within the first-floor terrace of Dwelling 1, as shown on the sketch plan submitted on 10 March 2017;
  - (m) All windows and doors within the northern façade of the addition to be concealed from view through the design of the perforated metal screening;
  - (n) The colour of the proposed perforated metal screening altered from white to mid-grey;
  - (o) The existing façade paint is to be removed using only a non-abrasive method that will not damage brickwork, such as chemical gel or light pressure spray;
  - (p) The original façade is to be repointed with a mortar mix in accordance with AS3700 Mortar class M2. The colour and aggregate of the mortar must also be matched;
  - (q) The façade is to be finished with a white or black tuck pointing;
  - (r) Any damaged render to be repaired with a traditional render, composed from a little-to-no cement based mixture;

- (s) The metal bars removed from the existing façade windows;
  - (t) All glazing to be either 6mm thick float glass or 6/12/6 thermal double glazing, with the west-facing habitable room windows of Dwelling 2 to be composed of either 10.38 mm thick laminated glass or 10.38/12/6 double glazing;
  - (u) Notations on the plans indicating that the garage doors will meet the following requirements;
    - (i) Garage entry doors shall be vibration isolated from the building;
    - (ii) Teflon guides shall be installed in all rails;
    - (iii) The door panels must not rattle, and the operation of any door guides, rollers, etc should be smooth;
    - (iv) Door guides should be fitted with vibration isolated fixings where required;
    - (v) Door motors shall be fitted with a soft start/stop controller to minimise noise;
    - (vi) The door shall be stopped approximately 5 mm from the slab/ground to ensure the base of the door does not contact the concrete surface;
  - (v) The following measures as outlined in the acoustic report by Acoustic Logic;
    - (i) A line-of-sight imperforated screen installed between the proposed development and the dwelling to the east, constructed of sheet metal, 6mm fibrous cement or acoustic equivalent;
    - (ii) A line-of-sight imperforated screen installed between each proposed roof terrace, constructed of sheet metal, 6mm plexiglass, 6mm fibrous cement or similar.
    - (iii) All proposed air conditioning units installed on vibration isolation mounts
2. The development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.

### **Sustainable Design Assessment**

3. 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 Lucid Consulting and dated 16 November 2016, but modified to include or show
- (a) The submission of a STORM report, confirming that the proposed rainwater storage to toilet flushing system achieves a minimum 100% STORM score.
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.

### **Acoustic Report**

5. 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**

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

### **Car Parking**

7. 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 garages 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.
8. The development must comply at all times with the State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N-1).

### **General**

9. 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.
10. 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.
11. 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.
12. 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.
13. 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.
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 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.

### **Civil Works**

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 laneway, garage entrances and dwelling entrances must be provided within the property boundary. Lighting must be:
- (a) located;
  - (b) directed;
  - (c) shielded; and
  - (d) of limited intensity,
- to the satisfaction of the Responsible Authority.
17. The lighting must comply with the minimum lighting level of P4 as per the Australian Standard AS/NZS 1158.3.1:2005 *Lighting for roads and public spaces - Pedestrian area (Category P) lighting - Performance and design requirements*.

18. Before the development is occupied, or by such later date as approved in writing by the Responsible Authority, a 1.2m to 1.8m wide smooth bluestone pavement must be provided on one side of the laneway, from the development to Greeves Street.
19. Within 2 months of the completion of the development, 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 by the re-sheeting of Exhibition Street for the width of the property frontage if required by the Responsible Authority):
  - (a) at the permit holder's cost; and
  - (b) to the satisfaction of the Responsible Authority.

### **City West Water Conditions 20-22**

20. The owner of the land must enter into an agreement with City West Water for the provision of water supply.
21. The owner of the land must enter into an agreement with City West Water for the provision of sewerage.
22. Prior to certification, the Plan of Subdivision must be referred to City West Water in accordance with Section 8 of the *Subdivision Act 1988*.

### **Construction Management Plan**

23. 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;

- 24. 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**

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

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.

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

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.

Any damaged roads, footpaths and other road related infrastructure adjacent to the development site as a result of the construction works, including trenching and excavation for utility service connections, must be reconstructed to Council's satisfaction and at the developer's expense.

All future property owners and residents within the development approved under this planning 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.

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 developer must ensure that light projected from any existing, new or modified lights does not spill into the windows of any new dwellings or any existing nearby residences. Any light shielding that may be required shall be funded by the permit holder.

### Submissions

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

*The following people also addressed the Committee:*

*Ms Fiona Hudson;  
Ms Jean Beck;  
Mr Vincent Vaccari;  
Ms Alison Rees;  
Mr David Snow;  
Mr John Van Dyk;  
Ms Vanessa Bassili;  
Mr Peter Dobbin; and  
Mr Gavin Crabtree.*

## **INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION**

**Moved:** Councillor Coleman

**Seconded:** Councillor Bosler

That having considered all objections and relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant a Planning Permit PLN16/1044 for part demolition and construction of seven (7) triple-storey dwellings with roof terraces, removal of easement and a reduction in the statutory car parking requirement at 44-46 Greeves Street, Fitzroy, 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 amended plans prepared by Object/Subject Architects and dated 1 December 2016, but modified to show:
  - (a) The dwelling entrance doors within the western interface to be finished in a different colour to the adjacent garage doors;
  - (b) The dimensions of each garage door to be clearly notated on all relevant drawings;
  - (c) Details of the proposed bicycle hooks, as shown in the sketch plans submitted on 10 March 2017, to be provided, including clearance dimensions from the car parking spaces;
  - (d) The proposed 2,000L rainwater tank to be shown within the garage of Dwelling 7;
  - (e) All floor plans to include the splay within the south-west corner of the site, as demonstrated in the sketch plan submitted on 10 March 2017;
  - (f) All proposed openings within the ground floor wall along the eastern boundary to be deleted;
  - (g) The second-floor wall raked away from the southern boundary 2m;
  - (h) The western balustrade of the first-floor terrace associated with Dwelling 1 to be 0.5m wide, as outlined in the sketch plan submitted on 10 March 2017;
  - (i) Treatment measures (as outlined in Section 01 on Sketch Plans submitted to Council on 10 March 2017) to limit overlooking from the second-floor east-facing habitable room windows into the second-floor habitable room windows within the double-storey dwelling to the east. These measures must accord with the requirements of Standard B22 of the Yarra Planning Scheme;

- (j) A 1.7m high privacy screen to extend along the southern perimeter of the roof terrace associated with the southernmost dwelling, with a maximum transparency of 25% and to be composed of opaque glazing;
- (k) The provision of 6 cubic metres of storage to be provided for each dwelling;
- (l) The addition of an angled structure within the first-floor terrace of Dwelling 1, as shown on the sketch plan submitted on 10 March 2017;
- (m) All windows and doors within the northern façade of the addition to be concealed from view through the design of the perforated metal screening;
- (n) The colour of the proposed perforated metal screening altered from white to mid-grey;
- (o) The existing façade paint is to be removed using only a non-abrasive method that will not damage brickwork, such as chemical gel or light pressure spray;
- (p) The original façade is to be repointed with a mortar mix in accordance with AS3700 Mortar class M2. The colour and aggregate of the mortar must also be matched;
- (q) The façade is to be finished with a white or black tuck pointing;
- (r) Any damaged render to be repaired with a traditional render, composed from a little-to-no cement based mixture;
- (s) The metal bars removed from the existing façade windows;
- (t) All glazing to be either 6mm thick float glass or 6/12/6 thermal double glazing, with the west-facing habitable room windows of Dwelling 2 to be composed of either 10.38 mm thick laminated glass or 10.38/12/6 double glazing;
- (u) Notations on the plans indicating that the garage doors will meet the following requirements;
  - (i) Garage entry doors shall be vibration isolated from the building;
  - (ii) Teflon guides shall be installed in all rails;
  - (iii) The door panels must not rattle, and the operation of any door guides, rollers, etc should be smooth;
  - (iv) Door guides should be fitted with vibration isolated fixings where required;
  - (v) Door motors shall be fitted with a soft start/stop controller to minimise noise;
  - (vi) The door shall be stopped approximately 5 mm from the slab/ground to ensure the base of the door does not contact the concrete surface;
- (v) The following measures as outlined in the acoustic report by Acoustic Logic;
  - (i) A line-of-sight imperforated screen installed between the proposed development and the dwelling to the east, constructed of sheet metal, 6mm fibrous cement or acoustic equivalent;
  - (ii) A line-of-sight imperforated screen installed between each proposed roof terrace, constructed of sheet metal, 6mm plexiglass, 6mm fibrous cement or similar.
  - (iii) All proposed air conditioning units installed on vibration isolation mounts; and
- (w) The first-floor southern wall set back 1m from the southern boundary.

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

### **Sustainable Design Assessment**

3. 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 Lucid Consulting and dated 16 November 2016, but modified to include or show
  - (a) The submission of a STORM report, confirming that the proposed rainwater storage to toilet flushing system achieves a minimum 100% STORM score.
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.

### **Acoustic Report**

5. 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**

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

### **Car Parking**

7. 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 garages 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.
8. The development must comply at all times with the State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N-1).

### **General**

9. 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.
10. 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.
11. 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.
12. 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.
13. 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.
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 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.



### **Civil Works**

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 laneway, garage entrances and dwelling entrances must be provided within the property boundary. Lighting must be:
  - (a) located;
  - (b) directed;
  - (c) shielded; and
  - (d) of limited intensity,to the satisfaction of the Responsible Authority.
17. The lighting must comply with the minimum lighting level of P4 as per the Australian Standard AS/NZS 1158.3.1:2005 *Lighting for roads and public spaces - Pedestrian area (Category P) lighting - Performance and design requirements*.
18. Before the development is occupied, or by such later date as approved in writing by the Responsible Authority, a 1.2m to 1.8m wide smooth bluestone pavement must be provided on one side of the laneway, from the development to Greeves Street.
19. Within 2 months of the completion of the development, 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 by the re-sheeting of Exhibition Street for the width of the property frontage if required by the Responsible Authority):
  - (a) at the permit holder's cost; and
  - (b) to the satisfaction of the Responsible Authority.

### **City West Water Conditions 20-22**

20. The owner of the land must enter into an agreement with City West Water for the provision of water supply.
21. The owner of the land must enter into an agreement with City West Water for the provision of sewerage.
22. Prior to certification, the Plan of Subdivision must be referred to City West Water in accordance with Section 8 of the *Subdivision Act 1988*.

### **Construction Management Plan**

23. 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;

24. 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**

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

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.

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

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.

Any damaged roads, footpaths and other road related infrastructure adjacent to the development site as a result of the construction works, including trenching and excavation for utility service connections, must be reconstructed to Council's satisfaction and at the developer's expense.

All future property owners and residents within the development approved under this planning 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.

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 developer must ensure that light projected from any existing, new or modified lights does not spill into the windows of any new dwellings or any existing nearby residences. Any light shielding that may be required shall be funded by the permit holder.

**CARRIED UNANIMOUSLY**

---

**1.5      PLN15/1189 216 McKean Street, Fitzroy North - Development of the land for two additional dwellings, including alterations and additions to the existing dwelling, associated demolition works and reduction in car parking requirements.**

---

Trim Record Number: D17/53327

Responsible Officer: Senior Planner

**RECOMMENDATION**

That a Notice of Decision to grant Planning Permit PLN15/1189 be issued for development of the land for two additional dwellings, including alterations and additions to the existing dwelling, associated demolition works and reduction in car parking requirements at 216 McKean Street, Fitzroy North, generally in accordance with the decision plans (Dated 25, November 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 (dated 25 November, 2016) but modified to show:
  - (a) A STORM report demonstrating outcomes for no less than 100% with all relevant details included within the floor/site plans;
  - (b) The west-facing wall associated with the first floor lounge to the McKean Street dwelling (Unit 1) set back no less than 1.87m from the boundary;
  - (c) Balustrading to the east-facing, first floor terrace for Unit 1 providing no more than 25% visual transparency;
  - (d) Details to demonstrate that no direct line of sight would be obtained to the SPOS of No.214 McKean Street via the first floor terrace associated with additions to the dwelling;
  - (e) The length of screening measures associated with the south-facing terrace to Unit 3 included within the floor plans to demonstrate no unreasonable overlooking to No.8 Howe Street, generally in accordance with the overlooking requirements under Standard B22 under clause 55 of the Yarra Planning Scheme;
  - (f) No less than one (1) canopy tree planted within the open space associated with Unit 2. Details of the species, height and maintenance details, including re-planting where necessary must be included;
  - (g) Provision for an on-site bin storage areas to Unit 3 at ground floor;
  - (h) A 1.2m to 1.8m wide, smooth bluestone pavement on one side of the Right-of-Way from the pedestrian entrances to units 2 & 3 to Howe Street
2. The development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
3. Before the development commences, a Sustainable Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Sustainable Management Plan will be endorsed and will form part of this permit.
4. The provisions, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

5. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated:
  - (a) at the permit holder's cost; and
  - (b) to the satisfaction of the Responsible Authority.
6. 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.
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. Once installed the screening and other measures must be maintained to the satisfaction of the Responsible Authority.
8. 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.
9. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.
10. 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 5095 to confirm.

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

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

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.

### Submissions

*The Applicant, Ms Virginia Jackson addressed the Committee:*

*The following people also addressed the Committee:*

*Mr Tim Gatehouse; and  
Mr Anthony Poynton.*

## **INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION**

**Moved:** Councillor Coleman

**Seconded:** Councillor Bosler

That a Notice of Decision to grant Planning Permit PLN15/1189 be issued for development of the land for two additional dwellings, including alterations and additions to the existing dwelling, associated demolition works and reduction in car parking requirements at 216 McKean Street, Fitzroy North, generally in accordance with the decision plans (Dated 25, November 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 (dated 25 November, 2016) but modified to show:
  - (a) A STORM report demonstrating outcomes for no less than 100% with all relevant details included within the floor/site plans;
  - (b) The west-facing wall associated with the first floor lounge to the McKean Street dwelling (Unit 1) set back no less than 1.87m from the boundary;
  - (c) Balustrading to the east-facing, first floor terrace for Unit 1 providing no more than 25% visual transparency;
  - (d) Details to demonstrate that no direct line of sight would be obtained to the SPOS of No.214 McKean Street via the first floor terrace associated with additions to the dwelling;
  - (e) The length of screening measures associated with the south-facing terrace to Unit 3 included within the floor plans to demonstrate no unreasonable overlooking to No.8 Howe Street, generally in accordance with the overlooking requirements under Standard B22 under clause 55 of the Yarra Planning Scheme;
  - (f) No less than one (1) canopy tree planted within the open space associated with Unit 2. Details of the species, height and maintenance details, including re-planting where necessary must be included;
  - (g) Provision for an on-site bin storage areas to Unit 3 at ground floor;
  - (h) A 1.2m to 1.8m wide, smooth bluestone pavement on one side of the Right-of-Way from the pedestrian entrances to units 2 & 3 to Howe Street;
  - (i) The boundary wall of Unit 1's Bedroom 1 to be constructed in recycled brick (as is currently the case) or masonry with a bagged and rendered finish that is painted in a neutral colour to the satisfaction of the responsible authority; and
  - (j) The exterior presentation of Units 2 and 3 have an alternative combination of materials and finishes of darker tones.
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, a Sustainable Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Sustainable Management Plan will be endorsed and will form part of this permit.
4. The provisions, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
5. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated:
  - (a) at the permit holder's cost; and
  - (b) to the satisfaction of the Responsible Authority.
6. 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.
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. Once installed the screening and other measures must be maintained to the satisfaction of the Responsible Authority.
8. 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.
9. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.
10. 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 5095 to confirm.

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

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

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.

**CARRIED UNANIMOUSLY**



The meeting closed at 10.38pm.

**Confirmed at the meeting held on Wednesday 14 June 2017**

---

**Chair**