

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

**held on Wednesday 28 February 2018 at 6.30pm
in Meeting Rooms 1 & 2 at the Richmond Town Hall**

I. ATTENDANCE

Councillor Daniel Nguyen
Councillor Misha Coleman
Councillor Danae Bosler

Vicky Grillakis (Co-Ordinator Statutory Planning)
Michelle King (Senior 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:

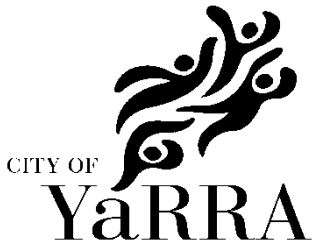
Moved: Councillor Nguyen **Seconded:** Councillor Bosler

That the minutes of the meeting of the Internal Development Approvals Committee held on Wednesday 31 January 2018 be confirmed.

CARRIED

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



Guidelines for public participation at Internal Development Approval Committee meetings

POLiCY

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

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

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

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

**Governance Branch
2008**

Councillor Bosler nominated Councillor Nguyen as Chair.

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

Councillor Nguyen assumed the Chair.

1. INTERNAL DEVELOPMENT APPROVALS COMMITTEE

Item		Page	Res. Page
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1.4	PLN16/0922 - 1-57 Wellington St and 71-77 Victoria Parade, Collingwood VIC 3066 - [CONFIDENTIAL ITEM - VCAT COMPULSORY CONFERENCE WITHOUT PREJUDICE POSITION]		

1.1 PLN11/0648.02 - 221 Kerr Street, Fitzroy - Amendment to the endorsed plans, including a larger terrace at level 3, the modification of dwelling layouts, car park levels and window locations

Trim Record Number: D18/27092

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 Amend a Planning Permit PLN11/0648 for the Part demolition and construction of alterations and additions, resulting in a multi-storey building, construction of a new crossover and a reduction in the car parking requirements associated with dwellings (no planning permit required for dwelling use) at 221 Kerr Street, Fitzroy VIC 3065, generally in accordance with the advertised plans and 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 endorsed plans (received by Council on 10 October and 8 November 2012 and prepared by Kerstin Thompson Architects Pty Ltd) which show:
 - (a) deletion of level 7 from the eastern most building segment;
 - (b) increased setback from the northern boundary to no less than 6.6 metres from the title boundary at levels 3 to 6 to the eastern most building segment;
 - (c) louvered windows to internal facing bedrooms and studies revised from clear to obscure glazing to a minimum height of 1.7m. Where these windows are within a 45 degree arc and 9m radius of another habitable room window or private open space area, the louvers must be fixed to a minimum height of 1.7m or suitable alternative to the satisfaction of the responsible authority;
 - (d) apartment entries recessed a minimum 100mm;
 - (e) a sliding door/wall to the south of the dwelling 102 study or suitable alternative to the satisfaction of the responsible authority;
 - (f) that the skylights to the level 1 bedrooms (dwelling 004 – 006) as openable or vented;
 - (g) materials and finished to the northern elevation of the eastern most building Levels 3 to 6 be of a colour of light to mid tone and be non-reflective material to minimise glare to the satisfaction of the Responsible Authority;
 - (h) a minimum 1 store per dwelling with a minimum area of 3m³ to be provided in over-bonnet arrangement or otherwise to the satisfaction of the responsible authority.
 - (i) at least 1 bicycle parking space per dwelling;
 - (j) bicycle dimensions as per 52.34-4 of the Yarra Planning Scheme, or otherwise to the satisfaction of the Responsible Authority;
 - (k) bicycle signage as per clause 52.34-5 of the Yarra Planning Scheme;
 - (l) deletion of references to 'proposed title boundaries' with existing title boundaries shown;
 - (m) shutters may extend a maximum of 500mm outside title boundaries;
 - (n) the fire booster cupboard to be finished in a colour that respects the face brickwork of the existing building;
 - (o) confirm the crossover along Gore Street will be demolished and reconstructed;
 - (p) a 1 in 20 scale cross sectional drawing of the vehicle crossing, extending from the road to inside the property. The drawing must show specific levels and dimensions and demonstrate that an 85th percentile vehicle profile as per AS/NZS 2890.1:2004 can traverse the proposed vehicle crossing without 'scraping out';
 - (q) a schedule of colours and materials (including samples), with a maintenance schedule for the timber shutters;
 - (r) provision of a minimum 3 on-site visitor car parking spaces;
 - (s) a ground clearance check of the crossover using a B99 vehicle, demonstrating vehicles will not scrape or bottom out;**

- (t) further modified as per the amendments shown in the advertised plans received by Council on 25 September and 6 November 2017, but modified to:
- (i) retain the north boundary wall height for the eastern built form segment as per the endorsed plans, with planters setback at least 2m from the northern boundary (as shown in the sketch plans received by Council on 29 January 2018);
 - (ii) restrict the opening of the new north facing, obscure glass windows to a maximum 125mm, (as shown in the sketch plans received by Council on 29 January 2018);
 - (iii) include an amended section CC, landscape plans (endorsed plan 31), crossover plan (endorsed plans 34) as per the advertised plans;
 - (iv) include the notation 'car parking spaces 1, 11 and 12 are for visitors' on the ground floor plan as per the endorsed set of plans; and
 - (v) remove any change to the approved car park levels (excluding crossover and ramp).

Endorsed Plans

- 2. The development must accord with the endorsed plans. Any alterations must be approved in writing by the Responsible Authority.
- 3. Floor levels shown on the endorsed plans must not be altered or modified. Any alterations must be approved in writing by the Responsible Authority.

Acoustic Treatments

- 4. Before the plans are endorsed, an acoustic report prepared by a suitably qualified person must be submitted to and approved by the Responsible Authority. Once approved, the acoustic report will be endorsed and will then form part of the permit. The report must include:
 - (a) an assessment of how the requirements of State Environment Protection Policy N-1 and relevant Australian Standards will be met and must prescribe the form of acoustic treatment to:
 - (i) protect all dwelling occupants from external noise sources from Smith Street including details of glazing types; and
 - (ii) protect all dwelling occupants and nearby residential occupants from noise generated from the mechanical plant equipment and ventilation mechanisms installed or constructed as part of the development (including air conditioner units).
- 5. The recommendations and any works contained in the approved acoustic report pursuant to condition 4 must be implemented and completed and where they are recommendations of an ongoing nature must be maintained all to the satisfaction of the Responsible Authority.

Environmentally Sustainable Design Principles

- 6. Before the plans are endorsed, a Sustainable Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the SMP will then be endorsed and form part of this permit. The SMP must be generally in accordance with the report prepared by Arc resources (dated 10 August 2011) but modified to reflect the final development.

Wind Assessment

- 7. Before the plans are endorsed, a desktop wind assessment report to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the report will be endorsed and will form part of the permit. The report must be prepared by a suitably qualified person and must:

- (a) include a wind study of all communal areas and publicly accessible areas; and
 - (b) confirm that the surrounding public spaces and internal communal spaces will be within the criterion for walking comfort.
8. In the event the wind assessment report required under condition 7 recommends measures are required to moderate wind impacts, those recommendation must be incorporated into the design and once constructed thereafter maintained to the satisfaction of the Responsible Authority.

Car Parking, Crossovers and Footpaths

9. The area set aside for the parking of vehicles, together with the associated access lanes as delineated on the endorsed plan must:
- (a) be provided and completed to the satisfaction of the Responsible Authority prior to the commencement of the development hereby permitted;
 - (b) thereafter be maintained to the satisfaction of the Responsible Authority;
 - (c) be made available for such use at all times and not used for any other purpose;
 - (d) be properly formed to such levels that it can be used in accordance with the endorsed plan; and
 - (e) be drained and sealed with an all weather seal coat all to the satisfaction on the Responsible Authority.
10. Any redundant vehicle crossings must be broken out and reinstated with paving, kerb and channel of the surrounding area. The cost of these reinstatement works must be borne by the Permit Holder.
11. Any damaged road(s) and footpath(s) adjacent to the development site as a result of the development must be reinstated to the satisfaction of the Responsible Authority and at the expense of the Permit Holder.
12. The construction of the new crossing must comply with the following:
- (a) the vehicle crossings must be constructed in accordance with City of Yarra Standard Drawings and Specifications;
 - (b) the development's finished floor levels relative to the existing footpath and road levels must be such that pedestrian and vehicular access accord with the Australian/New Zealand Standard AS/NZS 2890.1:2004;
 - (c) existing kerb and channel, and road pavement surface levels must not be altered. Council may permit the adjustment of Building Line levels to provide access in accordance with AS/NZS 2890.1:2004; and
 - (d) the design and construction of the vehicle crossing must also satisfy the requirements of Council's Community Amenity unit's Vehicular Access into Properties (Info Sheet and Application Form) before a vehicle crossing permit can be issued.
13. The car lift must be installed and maintained in accordance with manufacture requirements by a suitably qualified person.
14. Tandem car parking spaces (each pair) must be allocated to the same dwelling.

Landscaping

15. Before the plans are endorsed, a landscape management plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the report will be endorsed and will form part of the permit. The report must be prepared by a suitably qualified person and must:
- (a) include management details, including watering, mulching, etc.; and
 - (b) include plant life expectancies and replacement schedules.

16. Before the occupation of the development, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.
17. The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority including that any dead or diseased or damaged plants are to be replaced.

Lighting

18. The development must be provided with external lighting capable of illuminating access to each car parking spaces, storage, rubbish bin, recycling bin, pedestrian walkways, stairwells, lift, dwelling entrances and entry foyer. Lighting must be located, directed, shielded and of limited intensity so that no nuisance or loss of amenity is caused to any person within and beyond the site, to the satisfaction of the Responsible Authority.

General

19. Privacy screens as required in accordance with the endorsed plans must be installed prior to occupation of the building to the satisfaction of the Responsible Authority and maintained to the satisfaction of the Responsible Authority thereafter.
20. All new on boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.
21. All piping and ducting, other than for drainage above the ground floor storey of the building must be concealed.

Waste Management

22. Before the plans are endorsed, an updated Waste Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. Once approved, the Waste Management Plan will then form part of this permit. The Waste Management Plan must be generally in accordance with the Waste Management Plan prepared by Leigh Design, dated 9 January 2013.

Construction Management Plan

23. Before any development commences, a Construction Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed as evidence of its approval. The plan must provide for or include the following:
 - (a) a pre-conditions survey (dilapidation report) of the subject site and all adjacent Council roads frontages and nearby road infrastructure;
 - (b) protection works necessary to road and other infrastructure (limited to an area reasonably proximate to the site);
 - (c) remediation of any damage to road and other infrastructure (limited to an area reasonably proximate to the site);
 - (d) containment of dust, dirt and mud within the site and method and frequency of clean up procedures in the event of build up of matter outside the site;
 - (e) on site facilities for vehicle washing;
 - (f) the location of loading zones, site sheds, materials, cranes and crane/hoisting zones, gantries and any other construction related items or equipment to be located in any street;
 - (g) site security;

- (h) management of any environmental hazards that the activities on-site pose including but not limited to: contaminated soil, materials and waste, dust, stormwater contamination from run-off and wash-waters, sediment from the site on roads, washing of concrete trucks and other vehicles and machinery, spillage from refuelling cranes and other vehicles and machinery;
- (i) construction program;
- (j) preferred arrangements for trucks delivering to the site including delivery and unloading points and expected frequency;
- (k) parking facilities for construction workers;
- (l) measures to ensure that sub-contractors/tradespersons operate in accordance with the Construction Management Plan;
- (m) an outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services;
- (n) an emergency contact that is available for 24 hours per day for residents and the Responsible Authority in the event of relevant queries or problems experienced;
- (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; and
- (p) a noise and vibration management plan showing methods to minimise noise and vibration impacts on nearby properties and to demonstrate compliance with Noise Control Guideline 12 for Construction (Publication 1254) as issued by the Environment Protection Authority in October 2008, to the satisfaction of the Responsible Authority. In this regard, consideration (amongst other matters) may be given to:
 - (i) using lower noise work practice and equipment;
 - (ii) the suitability of the site for the use of an electric crane;
 - (iii) silencing all mechanical plant by the best practical means using current technology; and
 - (iv) fitting all pneumatic tools operated near a residential area with an effective silencer on their air exhaust port.

24. During the construction, the following must occur:

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

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

Expiry

26. This permit will expire if one of the following circumstances applies:

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

The Responsible Authority may approve extensions to these time limits if requests are made before the permit expires or within three months afterwards.

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

NOTE: A building permit maybe required before development is commenced. Please contact Council's Building Department on PH 9205 5351 to confirm.

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

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

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

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

Submissions

The Applicant, Ms Erica Gough addressed the Committee.

The following people also addressed the Committee:

Mr Brett Freeland; and
Mr Matt Elgin.

INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION

Moved: Councillor Coleman

Seconded: Councillor Bosler

That the Recommendation be adopted.

CARRIED UNANIMOUSLY

**1.2 13A Adam Street Burnley - Planning Permit Application PLN16/0938 -
Development of the land for the construction of a two-storey dwelling, including
a roof terrace.**

Trim Record Number: D18/23215

Responsible Officer: Senior Coordinator Statutory Planning

RECOMMENDATION

That having considered all relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant Planning Permit PLN16/0938 for development of the land for the construction of a two-storey dwelling, including a roof terrace at 13A Adam Street Burnley 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 plans prepared by Archiblox, dated 23.01.2018 (A.102, A.103, A.104, A.203, A.202, and material schedule), but modified to show:
 - (a) All structures on abutting lots, including the carport/pergola structure of No. 15 Adam Street.
 - (b) The pedestrian gate replaced with a highly permeable material (different from the proposed vehicle entrance and front fence).
 - (c) The front setback of the dwelling to consist of permeable surfaces to demonstrate compliance with the objective of Standard A6 (Permeability objective) of Clause 54 of the Yarra Planning Scheme.
 - (d) Dimension all heights of proposed built form above natural ground level, including the floor level of the deck.
 - (e) The following to demonstrate compliance with the objective of Standard A15 (Overlooking objective) of Clause 54 of the Yarra Planning Scheme:
 - (i) Deck at ground floor; and
 - (ii) First floor, west-facing master-bedroom window; and
 - (iii) South-facing sections of the roof terrace.
2. The development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
3. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, all new on-boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.
4. Before the development is occupied, or by such later date as approved in writing by the Responsible Authority, all screening and other measures to prevent overlooking as shown on the endorsed plans must be installed to the satisfaction of the Responsible Authority. Once installed the screening and other measures must be maintained to the satisfaction of the Responsible Authority.
5. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated:
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.

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

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

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

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

NOTE: 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

Mr Peter North addressed the Committee on behalf of the Applicant.
The owner (Matt) also addressed the Committee.

Mr Frank Di Mascolo also addressed the Committee.

PROPOSED INTERNAL DEVELOPMENT APPROVALS COMMITTEE RECOMMENDATION

Moved: Councillor Coleman

That having considered all relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant Planning Permit PLN16/0938 for development of the land for the construction of a two-storey dwelling, including a roof terrace at 13A Adam Street Burnley 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 plans prepared by Archiblox, dated 23.01.2018 (A.102, A.103, A.104, A.203, A.202, and material schedule), but modified to show:
 - (a) All structures on abutting lots, including the carport/ pergola structure of No. 15 Adam Street.
 - (b) The pedestrian gate replaced with a highly permeable material (different from the proposed vehicle entrance and front fence).

- (c) The front setback of the dwelling to consist of permeable surfaces to demonstrate compliance with the objective of Standard A6 (Permeability objective) of Clause 54 of the Yarra Planning Scheme.
 - (d) Dimension all heights of proposed built form above natural ground level, including the floor level of the deck.
 - (e) The following to demonstrate compliance with the objective of Standard A15 (Overlooking objective) of Clause 54 of the Yarra Planning Scheme:
 - (i) Deck at ground floor; and
 - (ii) First floor, west-facing master-bedroom window; and
 - (iii) South-facing sections of the roof terrace.
 - (f) The deletion of the roof top deck.
2. The development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
3. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, all new on-boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.
4. Before the development is occupied, or by such later date as approved in writing by the Responsible Authority, all screening and other measures to prevent overlooking as shown on the endorsed plans must be installed to the satisfaction of the Responsible Authority. Once installed the screening and other measures must be maintained to the satisfaction of the Responsible Authority.
5. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated:
- (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
6. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
- (a) Monday-Friday (excluding public holidays) before 7 am or after 6 pm;
 - (b) Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday) before 9 am or after 3 pm; or
 - (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.
7. This permit will expire if:
- (a) the development is not commenced within two years of the date of this permit; or
 - (b) the development is not completed within four years of the date of this permit.

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

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

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

NOTE: 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.

Motion lapsed for want of a seconder.

INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION

Moved: Councillor Coleman

Seconded: Councillor Bosler

That having considered all relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant Planning Permit PLN16/0938 for development of the land for the construction of a two-storey dwelling, including a roof terrace at 13A Adam Street Burnley 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 plans prepared by Archiblox, dated 23.01.2018 (A.102, A.103, A.104, A.203, A.202, and material schedule), but modified to show:
 - (a) All structures on abutting lots, including the carport/pergola structure of No. 15 Adam Street.
 - (b) The pedestrian gate replaced with a highly permeable material (different from the proposed vehicle entrance and front fence).
 - (c) The front setback of the dwelling to consist of permeable surfaces to demonstrate compliance with the objective of Standard A6 (Permeability objective) of Clause 54 of the Yarra Planning Scheme.
 - (d) Dimension all heights of proposed built form above natural ground level, including the floor level of the deck.
 - (e) The following to demonstrate compliance with the objective of Standard A15 (Overlooking objective) of Clause 54 of the Yarra Planning Scheme:
 - (i) Deck at ground floor; and
 - (ii) First floor, west-facing master-bedroom window; and
 - (iii) South-facing sections of the roof terrace.
 - (f) The ground floor setback be increased by 1.5m from the rear (eastern) boundary and an additional 2m from the southern boundary (for the 1.5m width) as per the first floor southern setback.
2. The development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
3. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, all new on-boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.
4. Before the development is occupied, or by such later date as approved in writing by the Responsible Authority, all screening and other measures to prevent overlooking as shown on the endorsed plans must be installed to the satisfaction of the Responsible Authority. Once installed the screening and other measures must be maintained to the satisfaction of the Responsible Authority.

5. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated:
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
6. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
 - (a) Monday-Friday (excluding public holidays) before 7 am or after 6 pm;
 - (b) Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday) before 9 am or after 3 pm; or
 - (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.
7. This permit will expire if:
 - (a) the development is not commenced within two years of the date of this permit; or
 - (b) the development is not completed within four years of the date of this permit.

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

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

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

NOTE: 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

1.3 406 Napier Street, Fitzroy VIC 3065 - Planning Permit Application No. PLN17/0611

Trim Record Number: D18/29820

Responsible Officer: Principal Statutory Planner

RECOMMENDATION

That having considered all relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant a Planning Permit PLN17/0611 for development of the land for partial demolition, buildings and works including the construction of a plant equipment platform and associated screening at 406 Napier Street, Fitzroy, in accordance with the plans received by Council (on 11 October 2017) and subject to the following conditions:

1. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions, and three copies must be provided. The plans must be generally in accordance with the decision plans (received by Council on 11 October 2017) but modified to show:
 - (a) A reduction in the screened plant area, incorporating a 1.53m setback from the northern boundary to the northern screen, as depicted on sketch plans submitted on 22 December 2017.
 - (b) The 1.4m high metal screen to extend along the southern edge of the plant platform.
 - (c) A proposed southern elevation.
 - (d) The colour of the perforated metal screen to be galvanised or otherwise to generally match the existing roof colour.
 - (e) Notation(s) indicating that the internal layout of the building is indicative only and does not form part of the proposal.
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. The development must comply at all times with the State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N-1).
4. Within two months of 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:
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
5. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
 - (a) Monday-Friday (excluding public holidays) before 7 am or after 6 pm,;
 - (b) Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday) before 9 am or after 3 pm; or
 - (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.
6. This permit will expire if:
 - (a) the development is not commenced within two years of the date of this permit; or
 - (b) the development is not completed within four years of the date of this permit.

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

Notes:

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

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

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

Travis addressed the Committee on behalf of the Applicant.

The following people also addressed the Committee:

Ms Carol Andrades;
Mr Robert Hayward; and
Mr Robin Douglas Stewart-Crompton.

PROPOSED INTERNAL DEVELOPMENT APPROVALS COMMITTEE RECOMMENDATION

Moved: Councillor Coleman

That having considered all relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant a Planning Permit PLN17/0611 for development of the land for partial demolition, buildings and works including the construction of a plant equipment platform and associated screening at 406 Napier Street, Fitzroy, in accordance with the plans received by Council (on 11 October 2017) and subject to the following conditions:

1. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions, and three copies must be provided. The plans must be generally in accordance with the decision plans (received by Council on 11 October 2017) but modified to show:
 - (a) A reduction in the screened plant area, incorporating a 1.53m setback from the northern boundary to the northern screen, as depicted on sketch plans submitted on 22 December 2017.
 - (b) The 1.4m high metal screen to extend along the southern edge of the plant platform.
 - (c) A proposed southern elevation.
 - (d) The colour of the perforated metal screen to be galvanised or otherwise to generally match the existing roof colour.
 - (e) Notation(s) indicating that the internal layout of the building is indicative only and does not form part of the proposal.
 - (f) That acoustic barriers be used to reduce the noise from the consolidated air-conditioning plant.

- (g) That an acoustic report be obtained from a suitably qualified independent expert to confirm that there will be a reduction in noise in accordance with the relevant Victorian standards in relation to noise in residential areas.
 - (h) That after the acoustic barriers have been installed, the noise levels be independently assessed by a suitably qualified independent expert to ensure that they meet these standards.
- 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. The development must comply at all times with the State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N-1).
- 4. Within two months of 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:
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
- 5. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
 - (a) Monday-Friday (excluding public holidays) before 7 am or after 6 pm,;
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- 6. This permit will expire if:
 - (a) the development is not commenced within two years of the date of this permit; or
 - (b) the development is not completed within four years of the date of this permit.

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

Notes:

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

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

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.

Motion lapsed for want of a seconder.

INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION

Moved: Councillor Bosler

Seconded: Councillor Nguyen

That the Recommendation be adopted.

CARRIED

Adjournment

The meeting adjourned at 8.07pm.

The meeting resumed at 8.10pm.

The meeting closed at 8.44pm.

Confirmed at the meeting held on Wednesday 14 March 2018

Chair