



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

**held on Wednesday 11 July 2018 at 6.30pm**  
**in Meeting Rooms 1 & 2 at the Richmond Town Hall**

**I. ATTENDANCE**

Councillor Amanda Stone  
Councillor Jackie Fristacky  
Councillor Daniel Nguyen (substitute for Cr Mi-Lin Chen Yi Mei)

Ally Huynh (Senior Coordinator Statutory Planning)  
Sarah Thomas (Principal Planner & Advocate Statutory Planning)  
Cindi Johnston (Governance Officer)

**II. APOLOGIES AND LEAVE OF ABSENCE**

Councillor Chen Yi Mei

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

**IV. CONFIRMATION OF MINUTES**

**Internal Development Approvals Committee Resolution:**

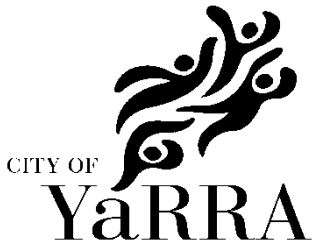
**Moved:** Councillor Nguyen **Seconded:** Councillor Stone

That the minutes of the meeting of the Internal Development Approvals Committee held on Wednesday 27 June 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**

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

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

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

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

**Governance Branch  
2008**

Councillor Nguyen nominated Councillor Fristacky as Chair.

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

Councillor Fristacky assumed the Chair.

## 1. INTERNAL DEVELOPMENT APPROVALS COMMITTEE

Item		Page	Res. Page
1.1	PLN17/1070 - 188 - 196 Gertrude Street, Fitzroy - Use and development of the land for a Restricted Recreation Facility (Gym), partial demolition, external alterations and the display of business identification signage.	6	8
1.2	1/19-21 Walker Street, Clifton Hill - Planning Application No. PLN17/0827 - Alterations and additions to an existing dwelling, including an outbuilding and associated demolition works.	11	12
1.3	1/430 Rae Street, Fitzroy North - Planning Application No. PLN18/0019 - Use of the land as a medical centre and a reduction of the car and bicycle parking requirements.	15	16

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**1.1 PLN17/1070 - 188 - 196 Gertrude Street, Fitzroy - Use and development of the land for a Restricted Recreation Facility (Gym), partial demolition, external alterations and the display of business identification signage.**

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Trim Record Number: D18/102983

Responsible Officer: Senior Coordinator Statutory Planning

**RECOMMENDATION**

That having considered all relevant planning controls and policies, it is recommended that a Notice of Decision to Grant a Planning Permit (PLN17/1070) be issued for use and development of the land for a Restricted Recreation Facility (gym) for partial demolition, external alterations and the display of business identification signage at 188-196 Gertrude Street, Fitzroy, generally in accordance with the decision plans and subject to the following conditions:

1. Before the use or development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions, and three copies must be provided. The plans must be generally in accordance with the decision plans but modified to show:
  - (a) Front entrance ramp opening reduced in width to a maximum of 1.5m;
  - (b) Provision of at least 2 on-site bicycle spaces;
  - (c) Reduction in the scope of advertising signage in accordance with sketch plans produced by 'BannerShop' received by Council on 20 April 2018; but further modified to show;
    - (i) Signage in accordance with the proposed shopfront scheme as required by condition 1(a);
    - (ii) All signage fully dimensioned.
2. The use and development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
3. The provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.
4. The provisions, recommendations and requirements of the endorsed Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Use conditions (5 -12)

5. A maximum of 30 patrons are permitted on the land at any one time.
6. A maximum of 3 staff are permitted on the land at any one time.
7. Except with the prior written consent of the Responsible Authority, no group classes are to be held on site.
8. The provision of music on the land must be internal and at a background noise level.
9. Speakers external to the building must not be erected or used.
10. 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.

11. The use must comply at all times with the State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N-1).
12. The use must comply at all times with the State Environment Protection Policy – Control of Music Noise from Public Premises (SEPP N-2).

Development Conditions (13 - 14)

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, 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.

Signage Conditions (15-17)

15. The location and details of the signs, 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.
16. The signs must be constructed, displayed and maintained to the satisfaction of the Responsible Authority.
17. This permit expires 15 years from the date of the permit.

Permit Expiry

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

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

**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

Mr Michael Dunn addressed the Committee on behalf of the Applicant.

The following people also addressed the Committee:

Mr Dave Lane; and

Mr Peter Kaylor.

## **INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION**

**Moved:** Councillor Stone

**Seconded:** Councillor Nguyen

That having considered all relevant planning controls and policies, it is recommended that a Notice of Decision to Grant a Planning Permit (PLN17/1070) be issued for use and development of the land for a Restricted Recreation Facility (gym) for partial demolition, external alterations and the display of business identification signage at 188-196 Gertrude Street, Fitzroy, generally in accordance with the decision plans and subject to the following conditions:

1. Before the use or development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions, and three copies must be provided. The plans must be generally in accordance with the decision plans but modified to show:
  - (a) Front entrance ramp opening reduced in width to a maximum of 1.5m;
  - (b) Provision of at least 2 on-site bicycle spaces;
  - (c) Reduction in the scope of advertising signage in accordance with sketch plans produced by 'BannerShop' received by Council on 20 April 2018; but further modified to show;
    - (i) Signage in accordance with the proposed shopfront scheme as required by condition 1(a);
    - (ii) All signage fully dimensioned.
2. The use and development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
3. Before the use or development commences, an amended Acoustic Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Acoustic Report will be endorsed and will form part of this permit. The amended Acoustic Report must be generally in accordance with the Acoustic Report prepared by Cogent Acoustics and dated 15 February 2018, but modified to address:
  - (a) noise emanating from the rear east facing stairwell door.The amended 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.
4. The provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.



5. Before the use commences, an amended Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Management Plan will be endorsed and will form part of this permit. The amended Management Plan must be generally in accordance with the Management Plan prepared by AFM (Australian Fitness Management) and dated 22 January 2018, but modified to include:
  - (a) a commitment that members will be reminded annually to ensure that noise levels are kept to a minimum when entering and exiting the premises, to respect the nearby residential interface.
6. The provisions, recommendations and requirements of the endorsed Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.  
Use conditions (7 -14)
7. A maximum of 30 patrons are permitted on the land at any one time.
8. A maximum of 3 staff are permitted on the land at any one time.
9. Except with the prior written consent of the Responsible Authority, no group classes are to be held on site.
10. The provision of music on the land must be internal and at a background noise level.
11. Speakers external to the building must not be erected or used.
12. The amenity of the area must not be detrimentally affected by the use, including through:
  - (a) the transport of materials, goods or commodities to or from land;
  - (b) the appearance of any buildings, works or materials;
  - (c) the emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or
  - (d) the presence of vermin.to the satisfaction of the Responsible Authority.
13. The use must comply at all times with the State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N-1).
14. The use must comply at all times with the State Environment Protection Policy – Control of Music Noise from Public Premises (SEPP N-2).  
Development Conditions (15 - 16)
15. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated:
  - (a) at the permit holder's cost; and
  - (b) to the satisfaction of the Responsible Authority.
16. 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.Signage Conditions (17-19)
17. The location and details of the signs, 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.

18. The signs must be constructed, displayed and maintained to the satisfaction of the Responsible Authority.
19. This permit expires 15 years from the date of the permit.

Permit Expiry

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

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

**NOTES**

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.

**CARRIED UNANIMOUSLY**

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**1.2 1/19-21 Walker Street, Clifton Hill - Planning Application No. PLN17/0827 - Alterations and additions to an existing dwelling, including an outbuilding and associated demolition works.**

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Trim Record Number: D18/93498

Responsible Officer: Senior Coordinator Statutory Planning

**RECOMMENDATION**

That a Notice of Decision to grant planning permit PLN17/0827 be issued for alterations and additions to the existing dwelling, including an outbuilding and associated demolition works at No.1/ 19-21 Walker Street, Clifton Hill, 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 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/advertised plans (Sheet 2, 3, 4, 5, 6 and 7 (all issue 3) dated 21/11/2017 and drawn By Green Solar Designs) and further modified to include the following:
  - (a) All demolition and proposed works to be located wholly within title boundaries;
  - (b) An existing/demolition and proposed roof plan;
  - (c) Existing/demolition elevations and floor plans to clearly show the full extent of all proposed demolition (including fences);
  - (d) Screening details demonstrating no overlooking from the extended ground floor to the dwelling in accordance with Standard A15 of Clause 54 of the Yarra Planning Scheme; and
  - (e) Proposed roof plan.
2. The development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
3. Before the development is occupied, or by such later date as approved in writing by the Responsible Authority, all screening and other measures to prevent overlooking as shown on the endorsed plans must be installed to the satisfaction of the Responsible Authority. Once installed the screening and other measures must be maintained to the satisfaction of the Responsible Authority.
4. Within 2 months of the works being completed, 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. Within 2 months of the works being completed, or by such later date as approved in writing by the Responsible Authority, all new on-boundary walls are to be cleaned and finished to the satisfaction of the Responsible Authority.

7. This permit will expire if:

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

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

Notes:

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

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

### Submissions

The Applicant, Mr Trevor Moss addressed the Committee.

The following people also addressed the Committee:

Ms Mary Burgess;  
Ms Margaret Blizzard;  
Ms Susie Burgess;  
Mr Campbell Horsfall; and  
Mr Peter Moor.

## **INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION**

**Moved:** Councillor Stone

**Seconded:** Councillor Nguyen

That a Notice of Decision to grant planning permit PLN17/0827 be issued for alterations and additions to the existing dwelling, including an outbuilding and associated demolition works at No.1/ 19-21 Walker Street, Clifton Hill, 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 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/advertised plans (Sheet 2, 3, 4, 5, 6 and 7 (all issue 3) dated 21/11/2017 and drawn By Green Solar Designs) and further modified to include the following:
  - (a) All demolition and proposed works to be located wholly within title boundaries;
  - (b) An existing/demolition and proposed roof plan;
  - (c) Existing/demolition elevations and floor plans to clearly show the full extent of all proposed demolition (including fences);
  - (d) Screening details demonstrating no unreasonable overlooking from the extended ground floor to the dwelling in accordance with Standard A15 of Clause 54 of the Yarra Planning Scheme;
  - (e) Proposed roof plan;
  - (f) The first floor, south facing storage loft window as fixed, obscure glazing; and
  - (g) Any changes required by the endorsed Tree Management Plan.

2. The development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
3. Before the development is occupied, or by such later date as approved in writing by the Responsible Authority, all screening and other measures to prevent overlooking as shown on the endorsed plans must be installed to the satisfaction of the Responsible Authority. Once installed the screening and other measures must be maintained to the satisfaction of the Responsible Authority.
4. Before the development commences, a Tree Management Plan to the satisfaction of the Responsible Authority must be prepared by a suitably qualified Arborist and must be submitted to and approved by the Responsible Authority. When approved the Tree Management Plan will be endorsed and will form part of this permit. The Tree Management Plan must make recommendations for:
  - (a) the protection of the trees in the rear yard of the site:
    - (i) pre-construction;
    - (ii) during construction; and
    - (iii) post construction
  - (b) the provision of any barriers;
  - (c) any pruning necessary; and
  - (d) watering and maintenance regimes.
5. The provisions, recommendations and requirements of the endorsed Tree Management Plan must be complied with and implemented to the satisfaction of the Responsible Authority.
6. Within 2 months of the works being completed, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated:
  - (a) at the permit holder's cost; and
  - (b) to the satisfaction of the Responsible Authority.
7. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
  - (a) 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.
8. Within 2 months of the works being completed, or by such later date as approved in writing by the Responsible Authority, all new on-boundary walls are to be cleaned and finished to the satisfaction of the Responsible Authority.
9. 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 5095 to confirm.

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

**CARRIED UNANIMOUSLY**

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**1.3      1/430 Rae Street, Fitzroy North - Planning Application No. PLN18/0019  
- Use of the land as a medical centre and a reduction of the car and  
bicycle parking requirements.**

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Trim Record Number: D18/107980

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 a Planning Permit PLN18/0019 for the use of the land as a medical centre and a reduction of the car and bicycle parking requirements at 1/430 Rae Street, Fitzroy North VIC 3068, in accordance with the plans and reports received by Council (on 9 March 2018 and 20 March 2018) and subject to the following conditions:

1. 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.
2. No more than six (6) practitioners are permitted to operate from the land at any one time.
3. Except with the prior written consent of the Responsible Authority, the use authorised by this permit may only operate between the following hours:
  - (a) Monday to Friday      8.00am – 7.00pm
  - (b) Saturday              9.00am – 5.00pm
4. Before the use commences, or by such later date as approved in writing by the Responsible Authority, 3 bike hoops (6 bike spaces) must be installed:
  - (a) at the permit holder's cost; and
  - (b) in a location and manner,to the satisfaction of the Responsible Authority.
5. Before the use commences, a Waste Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. Once approved, the Waste Management Plan will be endorsed and will form part of this permit.
6. 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.
7. The use must comply at all times with the State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N-1).
8. This permit will expire if:

- (a) the use is not commenced within two years from the date of this permit;  
or
- (b) the use is discontinued for a period of two years.

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.

Notes:

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

These premises will be required to comply with the Public Health and Wellbeing Act 2008. The use must not commence until registration has been granted by Council's Health Protection Unit.

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

No submissions were made.

**INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION**

**Moved:** Councillor Stone

**Seconded:** Councillor Nguyen

That the Recommendation be adopted.

**CARRIED UNANIMOUSLY**



The meeting closed at 8.44pm.

**Confirmed at the meeting held on Wednesday 25 July 2018**

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**Chair**