



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

**held on Wednesday 5 June 2019 at 6.30pm  
in Meeting Rooms 1 & 2 at the Richmond Town Hall**

**I. ATTENDANCE**

Councillor James Searle  
Councillor Stephen Jolly  
Councillor Bridgid O'Brien

Lara Fiscalini (Principal Planner)  
Vicky Grillakis (Co-Ordinator Statutory Planning)  
Cindi Johnston (Governance Officer)

**II. APOLOGIES AND LEAVE OF ABSENCE**

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

**IV. CONFIRMATION OF MINUTES**

**Internal Development Approvals Committee Resolution:**

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

That the minutes of the meeting of the Internal Development Approvals Committee held on Wednesday 22 May 2019 be confirmed.

**CARRIED**

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



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

### **POLICY**

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

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

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

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

**Governance Branch  
2008**

Councillor Jolly nominated Councillor Searle as Chair.

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

Councillor Searle assumed the Chair.

## 1. INTERNAL DEVELOPMENT APPROVALS COMMITTEE

Item		Page	Res. Page
1.1	PLN18/0613 - 49-53 Bedford Street, Collingwood - Use (dwellings) and development of the land for a multi-storey building and removal of party wall easements	6	13
1.2	PLN18/0650 - 1 Michael Street Fitzroy North - Part demolition and construction of a double storey extension with associated roof terrace and basement.	21	22
1.3	PLN18/0267 - 218-228 Hoddle St Abbotsford - Development of the land for the construction of a multi-storey building, a reduction in the car parking requirements, and buildings and works to a Road Zone Category 1 Road	23	

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**1.1      PLN18/0613 - 49-53 Bedford Street, Collingwood - Use (dwellings) and development of the land for a multi-storey building and removal of party wall easements**

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Trim Record Number: D19/53458

Responsible Officer: Senior Coordinator Statutory Planning

**RECOMMENDATION**

That having considered all objections and relevant planning documents, the Committee resolves to issue a Notice of Decision to Grant a Permit (PLN18/0613) for use (dwellings) and development of the land for a multi-storey building and removal of party wall easements at 49-53 Bedford Street, Collingwood subject to the following conditions:

1. Before the use and development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions, and three copies must be provided. The plans must be generally in accordance with the decision plans, prepared by SJB Architects, dated 24/10/2018 and numbered SD02\_02 – SD02-11 (inclusive) and SD05-01 – SD05\_04 (inclusive) but modified to show;
  - (a) The total number of on-site car parking spaces notated on the basement plan (SD02\_03) as 10;
  - (b) The deletion of Level 2 and Level 6, with the angled design of the development to commence above the newly created Level 2, and any associated internal changes;
  - (c) The provision of Apartment Type Plans, with the following Clause 58 Standards met :
    - (i) Standard D17 (Accessibility), with adaptable bathrooms to specify the design option, bathroom doorways to be annotated and confirmation that at least 50% of new dwellings comply with this Standard;
    - (ii) Standard D19 (Private Open Space);
    - (iii) Standard D20 (Storage);
    - (iv) Standard D24 (Functional Layout);
    - (v) Standard D25 (Room depth);
    - (vi) Standard D26 (Windows); and
    - (vii) Standard D27 (Natural Ventilation).
  - (d) Any internal reconfiguration of apartments must not result in unreasonable overlooking opportunities to surrounding properties;
  - (e) Confirmation that the perforated screening proposed on any boundary will meet the relevant fire regulations. If not, alternative screening that adheres with these regulations and continues to limit overlooking is required;

- (f) The following changes within the eastern/south-eastern setback of the land;
    - (i) The proposed pedestrian passageway adjacent to the eastern boundary of the site to have a minimum width of 1.5m, with this passageway to be delineated (with a 300mm wide bluestone dressed kerb) to ensure a clear path of travel is maintained along Bedford Street for pedestrian movement;
    - (ii) A designated clearance zone of 1.8m X 0.6m provided for the bike repair station;
    - (iii) A garden bed in the south-east corner of the site, with the scale and location of the landscaping to ensure a clear pedestrian passage can be maintained;
    - (iv) The setback area in front of the Bedford Street garage door (within the subject site) to be constructed in a different material to that of the asphalt footpath;
  - (g) A notation confirming that the service cabinet doors opening onto the ROW must swing 180-degrees and be latched to the building when opened;
  - (h) The green brick finish to be replaced with a more muted, natural colour;
  - (i) The pre-cast concrete to be treated with an appropriate finish to combat future deterioration and weathering;
  - (j) The garage entrance width from the ROW to be dimensioned on all relevant drawings;
  - (k) Manufacturers specifications of the proposed vehicle 'warning system' associated with the garage entrances;
  - (l) Confirmation that the proposed car stacking system satisfies the vehicle clearance height outlined in *Design Standard 4 – Mechanical parking*;
  - (m) The grade of the ramp sections from Bedford Street and the ROW to be fully dimensioned, with the lengths of the ramps also included;
  - (n) The position of the proposed Bedford Street vehicle crossing to be shown on the drawings;
  - (o) Any changes to the plans as a result of the amended Sustainable Management Plan required at Condition 3;
  - (p) Any changes to the plans as a result of the amended Daylight Assessment required at Condition 5;
  - (q) Any changes to the plans as a result of the amended Waste Management Plan required at Condition 6;
  - (r) Any changes to the plans as a result of the Acoustic Report required at Condition 8;
  - (s) Any changes to the plans as a result of the amended Landscape Plan required at Condition 10;
  - (t) Any changes to the plans as a result of the Stormwater Catchment Analysis required at Condition 12.
2. The use and development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.

### **Sustainable Management Plan**

3. Before the use and 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 Hip V. Hype and dated July 2018, but modified to include or show:
  - (a) Clear details and identification of the proposed raingardens;
  - (b) A review of the commitment to an energy efficiency standard, with reliance on the heat pump of the hot water system removed.
  - (c) Confirmation that none of the dwellings will exceed the maximum NatHERS annual cooling load specified (30MJ/m<sup>2</sup> per annum) for Climate Zone 21 (Melbourne).
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.

### **Daylight Assessment**

5. Before the use and development commences, an amended Daylight Assessment to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Daylight Assessment will be endorsed and will form part of this permit. The amended Daylight Assessment must be generally in accordance with the Daylight Assessment prepared by Hip V. Hype and dated 15 November 2018, but modified to show:
  - (a) Living rooms for all dwellings to achieve a daylight factor greater than 1% for a minimum of 90% of the floor area, with the bedrooms for all dwellings to achieve a daylight factor greater than 0.5% for a minimum of 90% of the floor area.

### **Waste Management Plan**

6. Before the use and 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 Irwin Consult and dated 3 August 2018, but modified to include:
  - (a) Waste generation rates to meet Yarra's standard allocation;
  - (b) Private collection for residential and commercial waste;
  - (c) Collection arrangements to reference Yarra Local Laws;
  - (d) Organic waste disposal options; and
  - (e) The plan to show enough space to allow access on kerbside at position where bins are to be placed.
7. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

### **Acoustic Report**

8. Before the use and development commences, an Acoustic Report to the satisfaction of the Responsible Authority 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 following:
  - (a) Road traffic noise assessed to the following targets:
    - (i) Day and night average levels no greater than:



- 40 dB LAeq,16h in living areas and bedrooms;
  - 35 dB LAeq,8h in bedrooms.
  - (b) Maximum day and night period criteria to be no greater than:
    - (i) 45 dBA Leq,1h in habitable rooms between 7 am and 10 pm;
    - (ii) 40 dBA Leq,1h in bedrooms between 10 pm and 7 am the following morning.
  - (c) Potential noise impacts to existing and new dwellings from the proposed garage doors, rooftop mechanical equipment and car stacking systems;
  - (d) Any mitigation and design measures required to alleviate unreasonable noise impacts.
9. 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**

10. Before the use and 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 Aspect Studios and dated November 2018, but modified to include:
- (a) A Planting Plan & Schedule, to include the following information;
    - (i) A plant schedule with botanical name, common name, mature height, and spread, installation size, planting spacing's, locations and quantities;
    - (ii) A legend containing key features and materials;
    - (iii) Proposed levels including top of walls;
    - (iv) Details of any raised planter beds including height, width and materials;
    - (v) Information on irrigation and drainage systems;
    - (vi) Specification of works to be undertaken prior to planting; ,and
    - (vii) Notes on the maintenance schedule, tasks and maintenance period. If maintenance will require working at height with safety ropes, this should be included.
  - (b) Specific details on the raingarden design, including;
    - (i) The type of mulch layer proposed (something that won't blow away);
    - (ii) Growing media – suitable for roof top gardens;
    - (iii) Filter media;
    - (iv) Irrigation method / stormwater inlet;
    - (v) Drainage system;, and
    - (vi) Root barrier / water proofing layer.
11. 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.

## **Stormwater Assessment**

12. Before the use and development commences, a stormwater catchment analysis and stormwater surface flow assessment must be carried out by a qualified drainage engineer to determine if surface stormwater from the Right of Way and Bedford Street will enter the building during a 1 in 100 year storm event.

If it is determined that surface stormwater may enter the building during a 1 in 100 year storm event appropriate measures must be taken to protect the property to the satisfaction of the Responsible Authority.

13. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.
14. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating access to the car park and pedestrian 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.
15. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, all new on-boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.
16. Before the building is occupied, any wall located on a boundary facing public property must be treated with a graffiti proof finish to the satisfaction of the Responsible Authority.
17. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
18. 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.
19. Prior to the completion of the development, subject to the relevant authority's consent, the relocation of any service poles, street line markings, car parking sensors, service structures, fire hydrants or service pits necessary to facilitate the development must be undertaken:
  - (a) at the permit holder's cost; and
  - (b) to the satisfaction of the Responsible Authority.
20. 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.
21. Finished floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.
22. 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.
23. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the 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.
24. The amenity of the area must not be detrimentally affected by the use or development, including through:

- (a) the transport of materials, goods or commodities to or from land;
  - (b) the appearance of any buildings, works or materials;
  - (c) the emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or
  - (d) the presence of vermin
- to the satisfaction of the Responsible Authority.
25. The use and development must comply at all times with the State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N-1).
26. The use and development must comply at all times with the State Environment Protection Policy – Control of Music Noise from Public Premises (SEPP N-2).
27. Before the development commences, a Construction Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will form part of this permit. The plan must provide for:
- (a) a pre-conditions survey (dilapidation report) of the land and all adjacent Council roads frontages and nearby road infrastructure;
  - (b) works necessary to protect road and other infrastructure;
  - (c) remediation of any damage to road and other infrastructure;
  - (d) containment of dust, dirt and mud within the land and method and frequency of clean up procedures to prevent the accumulation of dust, dirt and mud outside the land;
  - (e) facilities for vehicle washing, which must be located on the land;
  - (f) the location of loading zones, site sheds, materials, cranes and crane/hoisting zones, gantries and any other construction related items or equipment to be located in any street;
  - (g) site security;
  - (h) management of any environmental hazards including, but not limited to,:
    - (i) contaminated soil;
    - (ii) materials and waste;
    - (iii) dust;
    - (iv) stormwater contamination from run-off and wash-waters;
    - (v) sediment from the land on roads;
    - (vi) washing of concrete trucks and other vehicles and machinery; and
    - (vii) spillage from refuelling cranes and other vehicles and machinery;
  - (i) the construction program;
  - (j) preferred arrangements for trucks delivering to the land, including delivery and unloading points and expected duration and frequency;
  - (k) parking facilities for construction workers;
  - (l) measures to ensure that all work on the land will be carried out in accordance with the Construction Management Plan;
  - (m) an outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services;
  - (n) an emergency contact that is available for 24 hours per day for residents and the Responsible Authority in the event of relevant queries or problems experienced;
  - (o) the provision of a traffic management plan to comply with provisions of AS 1742.3-2002 Manual of uniform traffic control devices - Part 3: Traffic control devices for works on roads;
  - (p) a Noise and Vibration Management Plan showing methods to minimise noise and vibration impacts on nearby properties and to demonstrate compliance with Noise Control Guideline 12 for Construction (Publication 1254) as issued by the Environment Protection Authority in October 2008. The Noise and Vibration Management Plan must be prepared to the satisfaction of the Responsible Authority.  
In preparing the Noise and Vibration Management Plan, consideration must be given to:
    - (i) using lower noise work practice and equipment;

- (ii) the suitability of the land for the use of an electric crane;
- (iii) silencing all mechanical plant by the best practical means using current technology;
- (iv) fitting pneumatic tools with an effective silencer;
- (v) other relevant considerations.

28. During the construction:
- (a) any stormwater discharged into the stormwater drainage system must be in compliance with Environment Protection Authority guidelines;
  - (b) stormwater drainage system protection measures must be installed as required to ensure that no solid waste, sediment, sand, soil, clay or stones from the land enters the stormwater drainage system;
  - (c) vehicle borne material must not accumulate on the roads abutting the land;
  - (d) the cleaning of machinery and equipment must take place on the land and not on adjacent footpaths or roads; and
  - (e) all litter (including items such as cement bags, food packaging and plastic strapping) must be disposed of responsibly.
29. The provisions, recommendations and requirements of the endorsed Construction Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
30. 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;
  - (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.
31. This permit will expire if:
- (a) The dwelling use is not commenced within five years of the date of this permit;
  - (b) the development is not commenced within two years of the date of this permit;
  - (c) 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.

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.

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

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 property owners, residents, employees and occupiers residing within the development approved under this permit will not be permitted to obtain resident, employee 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.

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.

The permit holder must obtain approval from the relevant authorities to remove the easements.

### Submission

Ms Felicity O'Sullivan addressed the Committee on behalf of the Applicant.

## **INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION**

**Moved:** Councillor Jolly

**Seconded:** Councillor Searle

That having considered all objections and relevant planning documents, the Committee resolves to issue a Notice of Decision to Grant a Permit (PLN18/0613) for use (dwellings) and development of the land for a multi-storey building and removal of party wall easements at 49-53 Bedford Street, Collingwood subject to the following conditions:

1. Before the use and development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions, and three copies must be provided. The plans must be generally in accordance with the decision plans, prepared by SJB Architects, dated 24/10/2018 and numbered SD02\_02 – SD02-11 (inclusive) and SD05-01 – SD05\_04 (inclusive) but modified to show;
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  - (b) The deletion of Level 2 and Level 6, with the angled design of the development to commence above the newly created Level 2, and any associated internal changes;
  - (c) The provision of Apartment Type Plans, with the following Clause 58 Standards met :
    - (i) Standard D17 (Accessibility), with adaptable bathrooms to specify the design option, bathroom doorways to be annotated and confirmation that at least 50% of new dwellings comply with this Standard;
    - (ii) Standard D19 (Private Open Space);
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- (d) Any internal reconfiguration of apartments must not result in unreasonable overlooking opportunities to surrounding properties;
  - (e) Confirmation that the perforated screening proposed on any boundary will meet the relevant fire regulations. If not, alternative screening that adheres with these regulations and continues to limit overlooking is required;
  - (f) The following changes within the eastern/south-eastern setback of the land;
    - (i) The proposed pedestrian passageway adjacent to the eastern boundary of the site to have a minimum width of 1.5m, with this passageway to be delineated (with a 300mm wide bluestone dressed kerb) to ensure a clear path of travel is maintained along Bedford Street for pedestrian movement;
    - (ii) A designated clearance zone of 1.8m X 0.6m provided for the bike repair station;
    - (iii) A garden bed in the south-east corner of the site, with the scale and location of the landscaping to ensure a clear pedestrian passage can be maintained;
    - (iv) The setback area in front of the Bedford Street garage door (within the subject site) to be constructed in a different material to that of the asphalt footpath;
  - (g) A notation confirming that the service cabinet doors opening onto the ROW must swing 180-degrees and be latched to the building when opened;
  - (h) The green brick finish to be replaced with a more muted, natural colour;
  - (i) The pre-cast concrete to be treated with an appropriate finish to combat future deterioration and weathering;
  - (j) The garage entrance width from the ROW to be dimensioned on all relevant drawings;
  - (k) Manufacturers specifications of the proposed vehicle 'warning system' associated with the garage entrances;
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  - (q) Any changes to the plans as a result of the amended Waste Management Plan required at Condition 6;
  - (r) Any changes to the plans as a result of the Acoustic Report required at Condition 8;
  - (s) Any changes to the plans as a result of the amended Landscape Plan required at Condition 10;

- (t) Any changes to the plans as a result of the Stormwater Catchment Analysis required at Condition 12.
- 2. The use and development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.

### **Sustainable Management Plan**

- 3. Before the use and 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 Hip V. Hype and dated July 2018, but modified to include or show:
  - (a) Clear details and identification of the proposed raingardens;
  - (b) A review of the commitment to an energy efficiency standard, with reliance on the heat pump of the hot water system removed;
  - (c) Confirmation that none of the dwellings will exceed the maximum NatHERS annual cooling load specified (30MJ/m<sup>2</sup> per annum) for Climate Zone 21 (Melbourne);
  - (d) Timber certified sustainable by FSC;
  - (e) Comprehensive commissioning and tuning of all major appliances and services;
  - (f) Engagement with an independent commissioning agent;
  - (g) Connect water tank to all residential bathrooms; and
  - (h) The Environmental Management Plan to be developed by the building contractor to monitor and control activities undertaken during construction.
- 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.

### **Daylight Assessment**

- 5. Before the use and development commences, an amended Daylight Assessment to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Daylight Assessment will be endorsed and will form part of this permit. The amended Daylight Assessment must be generally in accordance with the Daylight Assessment prepared by Hip V. Hype and dated 15 November 2018, but modified to show:
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### **Waste Management Plan**

- 6. Before the use and 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 Irwin Consult and dated 3 August 2018, but modified to include:
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  - (d) Organic waste disposal options; and
  - (e) The plan to show enough space to allow access on kerbside at position where bins are to be placed.

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

### Acoustic Report

8. Before the use and development commences, an Acoustic Report to the satisfaction of the Responsible Authority 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 following:
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  - (c) Potential noise impacts to existing and new dwellings from the proposed garage doors, rooftop mechanical equipment and car stacking systems;
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### Landscape Plan

10. Before the use and 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 Aspect Studios and dated November 2018, but modified to include:
  - (a) A Planting Plan & Schedule, to include the following information;
    - (i) A plant schedule with botanical name, common name, mature height, and spread, installation size, planting spacing's, locations and quantities;
    - (ii) A legend containing key features and materials;
    - (iii) Proposed levels including top of walls;
    - (iv) Details of any raised planter beds including height, width and materials;
    - (v) Information on irrigation and drainage systems;
    - (vi) Specification of works to be undertaken prior to planting; ,and
    - (vii) Notes on the maintenance schedule, tasks and maintenance period. If maintenance will require working at height with safety ropes, this should be included.
  - (b) Specific details on the raingarden design, including;
    - (i) The type of mulch layer proposed (something that won't blow away);
    - (ii) Growing media – suitable for roof top gardens;
    - (iii) Filter media;
    - (iv) Irrigation method / stormwater inlet;
    - (v) Drainage system; , and
    - (vi) Root barrier / water proofing layer.
11. 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.

### **Stormwater Assessment**

- 12. Before the use and development commences, a stormwater catchment analysis and stormwater surface flow assessment must be carried out by a qualified drainage engineer to determine if surface stormwater from the Right of Way and Bedford Street will enter the building during a 1 in 100 year storm event. If it is determined that surface stormwater may enter the building during a 1 in 100 year storm event appropriate measures must be taken to protect the property to the satisfaction of the Responsible Authority.
- 13. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.
- 14. Before the development commences, the permit holder must make a one off contribution of \$1,100 to the Responsible Authority to be used for the replacement street tree planting that is required as a result of the development, with the location of this tree to be to the satisfaction of the Responsible Authority.
- 15. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating access to the car park and pedestrian 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.
- 16. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, all new on-boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.
- 17. 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.
- 18. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
- 19. 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.
- 20. Prior to the completion of the development, subject to the relevant authority's consent, the relocation of any service poles, street line markings, car parking sensors, service structures, fire hydrants or service pits necessary to facilitate the development must be undertaken:
  - (a) at the permit holder's cost; and
  - (b) 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, 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.

22. Finished floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.
23. 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.
24. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the 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.
25. The amenity of the area must not be detrimentally affected by the use or development, including through:

  - (a) the transport of materials, goods or commodities to or from land;
  - (b) the appearance of any buildings, works or materials;
  - (c) the emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or
  - (d) the presence of vermin

to the satisfaction of the Responsible Authority.
26. The use and development must comply at all times with the State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N-1).
27. The use and development must comply at all times with the State Environment Protection Policy – Control of Music Noise from Public Premises (SEPP N-2).
28. Before the development commences, a Construction Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will form part of this permit. The plan must provide for:

  - (a) a pre-conditions survey (dilapidation report) of the land and all adjacent Council roads frontages and nearby road infrastructure;
  - (b) works necessary to protect road and other infrastructure;
  - (c) remediation of any damage to road and other infrastructure;
  - (d) containment of dust, dirt and mud within the land and method and frequency of clean up procedures to prevent the accumulation of dust, dirt and mud outside the land;
  - (e) facilities for vehicle washing, which must be located on the land;
  - (f) the location of loading zones, site sheds, materials, cranes and crane/hoisting zones, gantries and any other construction related items or equipment to be located in any street;
  - (g) site security;
  - (h) management of any environmental hazards including, but not limited to,:
    - (i) contaminated soil;
    - (ii) materials and waste;
    - (iii) dust;
    - (iv) stormwater contamination from run-off and wash-waters;
    - (v) sediment from the land on roads;
    - (vi) washing of concrete trucks and other vehicles and machinery; and
    - (vii) spillage from refuelling cranes and other vehicles and machinery;
  - (i) the construction program;
  - (j) preferred arrangements for trucks delivering to the land, including delivery and unloading points and expected duration and frequency;
  - (k) parking facilities for construction workers;

- (l) measures to ensure that all work on the land will be carried out in accordance with the Construction Management Plan;
- (m) an outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services;
- (n) an emergency contact that is available for 24 hours per day for residents and the Responsible Authority in the event of relevant queries or problems experienced;
- (o) the provision of a traffic management plan to comply with provisions of AS 1742.3-2002 Manual of uniform traffic control devices - Part 3: Traffic control devices for works on roads;
- (p) a Noise and Vibration Management Plan showing methods to minimise noise and vibration impacts on nearby properties and to demonstrate compliance with Noise Control Guideline 12 for Construction (Publication 1254) as issued by the Environment Protection Authority in October 2008. The Noise and Vibration Management Plan must be prepared to the satisfaction of the Responsible Authority.  
In preparing the Noise and Vibration Management Plan, consideration must be given to:
  - (i) using lower noise work practice and equipment;
  - (ii) the suitability of the land for the use of an electric crane;
  - (iii) silencing all mechanical plant by the best practical means using current technology;
  - (iv) fitting pneumatic tools with an effective silencer;
  - (v) other relevant considerations.

29. During the construction:

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

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

31. 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;
- (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.

32. This permit will expire if:

- (a) The dwelling use is not commenced within five years of the date of this permit;
- (b) the development is not commenced within two years of the date of this permit;
- (c) 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.

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.

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

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 property owners, residents, employees and occupiers residing within the development approved under this permit will not be permitted to obtain resident, employee 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.

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.

The permit holder must obtain approval from the relevant authorities to remove the easements.

**CARRIED UNANIMOUSLY**

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**1.2      PLN18/0650 - 1 Michael Street Fitzroy North - Part demolition and construction of a double storey extension with associated roof terrace and basement.**

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Trim Record Number: D19/66468

Responsible Officer: 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 PLN18/0650 for part demolition and construction of a double storey extension with associated roof terrace and basement, at No. 1 Michael Street, Fitzroy North, 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 prepared by Atelier Wagner Architects TP/07 (Dec18), TP/11A (Aug18), TP/12A (Dec18), TP/13A (Aug18), TP/14A (Aug18), TP/15A (Aug18), TP/17A (Aug18), TP/18A (Aug18), TP/20 (Aug18), TP/21 (Aug18), TP/22 (Aug18), TP/24 (Dec18), TP/25 (Dec18) and TP/26 (Dec18) and the STORM Reported (prepared by Katja Wagner, dated 13 December 2018) but modified to show:
  - (a) The removal of the masonry wall, to the south of the POS on the demolition plan, allowing for the construction of the proposed garage door.
  - (b) The schedule of all materials and finishes to include the material of the walkway framing and retractable roof.
  - (c) The maximum height of the extension as 9 metres, in compliance with the mandatory provision of Clause 32.09-10 of the Yarra Planning Scheme.
  - (d) The second floor walkway, adjacent to the courtyard, unroofed to comply with the mandatory provision of Clause 32.09-10 of the Yarra Planning Scheme.
  - (e) The 'retractable blind' over the roof terrace to be a lightweight fabric or similar.
  - (f) The Proposed Roof Plan to reflect the requirements of Conditions 1(d) and 1(e).
  - (g) The rainwater tank annotated to confirm it has a capacity of 5000Lt as committed to in the STORM report (prepared by Katja Wagner, dated 13 December 2018).
  - (h) Bedroom 3 with operable windows.
  - (i) The north facing boundary wall finished with a light colour.
  - (j) The east facing window to bedroom 3 screened to comply with the objective of Clause 54.04-6 (Overlooking objective) of the Yarra Planning Scheme.
  - (k) Details to confirm the roof terrace complies with the objective of Clause 54.04-6 (Overlooking objective) of the Yarra Planning Scheme through the provision of an Overlooking Diagram, including the dimensions of the planter boxes and a 9 metre horizontal view line to demonstrate compliance.
  - (l) The movement of the garage retractable doorway restricted so that it does not protrude into the laneway.
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. 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 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.
- 4. Within two (2) months of development completion, 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. Within two (2) months of development completion, or by such later date as approved in writing by the Responsible Authority, all new on-boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.
  - 6. 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.

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.

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

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

## Submission

Mr David Wagner addressed the Committee on behalf of the Applicant.

## INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION

**Moved:** Councillor Jolly

**Seconded:** Councillor O'Brien

That the Recommendation be adopted.

**CARRIED UNANIMOUSLY**

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**1.3      PLN18/0267 - 218-228 Hoddle St Abbotsford - Development of the land for the construction of a multi-storey building, a reduction in the car parking requirements, and buildings and works to a Road Zone Category 1 Road**

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

- (h)    Matters prejudicial to Council and/or any person.
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The meeting closed at 6.59pm.

**Confirmed at the meeting held on Wednesday 26 June 2019**

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**Chair**