



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

**held on Wednesday 16 October 2019 at 6.30pm
in Meeting Rooms 1 & 2 at the Richmond Town Hall**

I. ATTENDANCE

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

Sarah Griffiths (Senior Co-ordinator Statutory Planning)
Chris Stathis (Senior Statutory Planner)
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 Stone **Seconded:** Councillor Fristacky

That the minutes of the meeting of the Internal Development Approvals Committee held on Wednesday 2 October 2019 be confirmed.

CARRIED

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***"Welcome to the City of Yarra.
Yarra City Council acknowledges the
Wurundjeri Woi-wurrung 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."***

Internal Development Approvals Committee Submissions

“Prior to the consideration of any Committee Business Report at a meeting of the Internal Development Approvals Committee, members of the public shall be invited by the Chairperson to make a verbal submission. In determining the order of submissions, the Chairperson shall first invite the applicant or their representatives to submit, followed by formal objectors and finally any other interested persons.

All submitters accepting the invitation to address the meeting shall make submissions in accordance with these guidelines (or a variation of these guidelines as determined by the Chairperson at their sole discretion).

- Speak for a maximum of five minutes;
- Direct their submission to the Chairperson;
- Confine their submission to the planning permit under consideration;
- If possible, explain their preferred decision in relation to a permit application (refusing, granting or granting with conditions) and set out any requested permit conditions.
- Avoid repetition and restating previous submitters;
- Refrain from asking questions or seeking comments from the Councillors, applicants or other submitters;
- If speaking on behalf of a group, explain the nature of the group and how the submitter is able to speak on their behalf.

Following public submissions, the applicant or their representatives will be given a further opportunity of two minutes to exercise a right of reply in relation to matters raised by previous submitters. Applicants may not raise new matters during this right of reply.

Councillors will then have an opportunity to ask questions of submitters. Submitters may determine whether or not they wish to take these questions.

Once all submissions have been received, the formal debate may commence. Once the debate has commenced, no further submissions, questions or comments from submitters can be received.”

Extract from the Council Meeting Operations Policy, September 2019

Councillor Stone nominated Councillor Bosler as Chair.

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

Councillor Bosler assumed the Chair.

1 INTERNAL DEVELOPMENT APPROVALS COMMITTEE

Item		Page	Res. Page
1.1	PLN16/1082.03 - 366 Johnston St, Abbotsford - Section 72 Amendment to Planning Permit PLN16/1082 for buildings and works, the sale and consumption of liquor (on premises licence) and a reduction in the car parking requirements associated with the use of the land as a Bar (no permit required for Bar use).	6	9
1.2	PLN19/0025 - 9 Kingston Street Richmond - Construction of a six-storey office building and a reduction in the car parking requirements.	13	19
1.3	PLN19/0145 - 106 Queens Parade, Fitzroy North - Partial demolition to the existing dwelling for the construction of a ground and first floor extension, including alterations.	25	27

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- 1.1 PLN16/1082.03 - 366 Johnston St, Abbotsford - Section 72 Amendment to Planning Permit PLN16/1082 for buildings and works, the sale and consumption of liquor (on premises licence) and a reduction in the car parking requirements associated with the use of the land as a Bar (no permit required for Bar use).**
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Reference: D19/168162

Authoriser: Senior Coordinator Statutory Planning

RECOMMENDATION

That having considered all objections and relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant an Amended Planning Permit PLN16/1082 for the sale and consumption of liquor (on premises licence), buildings and works and a reduction in the car parking requirements associated with the use of the land as a Bar (no permit required for use), at 366 Johnston Street, Abbotsford, subject to the following amended permit preamble and conditions:

Amended preamble to read:

The sale and consumption of liquor (on premises licence), buildings and works and a reduction in the car parking requirements associated with the use of the land as a Bar (no permit required for use).

Conditions (amended or new conditions in bold):

- 1. Before the sale and consumption of liquor / 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) The existing ramp and stairs at the front of the site.**
 - (b) Dimensions for all proposed works to accurately show where the length applies (from/to).**
 - (c) The extent of the red line plan reduced so that the sale and consumption of liquor is not permitted to the west of the footpath shown in the rear external area and the associated tables and chairs deleted from the plans.**
 - (d) Separate site plan to match red line plan.**
 - (e) Elevations all of works (including pergola, lighting, verandah and acoustic walls) drawn at 1:100 scale.**
 - (f) Sections to show all new works, drawn at a 1:100 scale.**
 - (g) Roof plan.**
 - (h) Storage area within pergola to be shown on floor plans or deleted from Section B.**
 - (i) Car spaces dimensioned with a minimum width of 2.4m and a minimum length of 5.4m each.**
 - (j) Details of lighting to the rear courtyard and the toilets.**
 - (k) Materials schedule.**
 - (l) All recommendations and requirements of the endorsed Acoustic Report (as required by condition 7), where relevant to show on the plans.**
 - (m) Any changes required by the endorsed Waste Management Plan (as required by condition 13), where relevant to show on the plans.**
- 2. The development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.**

3. Prior to the commencement of the sale and consumption of liquor, all works must be completed to the satisfaction of the Responsible Authority.
4. No more than 111 patrons are permitted to be on the premises at any one time, with a maximum of 80 patrons in the internal bar area, 15 patrons in the front external area and 16 patrons in the rear external area at any one time.
5. After 10pm on any night, no more than 80 patrons are permitted on the premises at any one time.
6. Except with the prior written consent of the Responsible Authority, the sale and consumption of liquor may only occur between the following hours:
 - (a) Monday to Thursday 12noon to 11:00pm
 - (b) Friday and Saturday 12noon to 1:00am (the following day)
 - (c) Sunday 12noon to 10:00pm
 - (d) External areas 12noon to 10:00pm on any day
7. Before the sale and consumption of liquor 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 Audiometric and Acoustic Services and dated 28 August 2019, but modified to include:
 - (a) Commitment to the noise limiter being commissioned and locked by a suitably qualified acoustic consultant to ensure that its use results in SEPP N-2 compliance, including for when the venue has doors and windows open.
 - (b) Commitment to the acoustic barriers being free from gaps.
 - (c) Commitment to the acoustic gate being made to effectively seal when closed.
 - (d) Commitment that all amplified music will go through the noise limiter.
8. The provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.
9. Within 3 months of the commencement of the sale and consumption of liquor, 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 compliance of the venue and, where necessary, make recommendations to limit the noise impacts in accordance with the 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.
10. Before the commencement of the sale and consumption of liquor, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating the rear external area, toilets and front external area 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.

11. Before the sale and consumption of liquor commences, an amended Noise and Amenity Action Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Noise and Amenity Action Plan will be endorsed and will form part of this permit. The amended Noise and Amenity and Action Plan must be generally in accordance with the Noise and Amenity Action Plan prepared by Ewan Harding and received by Council on 28 May 2019 , but modified to include:
 - (a) Licensed hours in accordance with the requirements of condition 6
 - (b) Clarification as to how potential queues will be managed;
 - (c) Detail how the number of patrons will be reduced to 80 prior to the close of the external areas at 10pm.
 - (d) Clarify how patrons walking through the rear external area after 10pm to use the toilet facilities will be managed and their noise impacts minimised.
 - (e) Details of how the rear external area will be closed to patrons after 10pm.
12. The provisions, recommendations and requirements of the endorsed Noise and Amenity Action Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
13. Before the sale and consumption of liquor commences, a Waste Management Plan to the satisfaction of the 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.
14. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
15. The provision of music and entertainment on the land must be at a background noise level (no live music) in the external areas.
16. The provision of music and entertainment on the land must be at a background noise level (no live music) after 10pm on any day.
17. No emptying of bottles into garbage bins is permitted after 8pm on any night or before 8am on any day.
18. Except with prior written consent of the Responsible Authority, delivery and collection of goods to and from the land may only occur between 7am and 10pm on any day.
19. Before the commencement of the sale and consumption of liquor, the applicant must, to the satisfaction of the Responsible Authority, display a sign at the exit of the licensed premises advising patrons to respect the amenity of adjacent residential areas and to leave in a quiet and orderly manner.
20. The use must comply at all times with the State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N-1).
21. The use must comply at all times with the State Environment Protection Policy – Control of Noise from Public Premises (SEPP N-2).
22. This permit will expire if:
 - (a) the sale and consumption of liquor is not commenced within two years from the amended date of this permit; or
 - (b) the sale and consumption of liquor is discontinued for a period of two years; or

- (c) the development is not commenced within six months from the amended date of this permit; or
- (d) the development is not completed prior to the commencement of the sale and consumption of liquor.

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.

Submissions

The Applicant, Mr Euan Harding addressed the Committee. Mr Tony Farrin also addressed the Committee.

The following people also addressed the Committee:

Ms Jill Vaughan; and
Ms Kathryn Gardiner.

INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION

Moved: Councillor Stone

Seconded: Councillor Bosler

That having considered all objections and relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant an Amended Planning Permit PLN16/1082 for the sale and consumption of liquor (on premises licence), buildings and works and a reduction in the car parking requirements associated with the use of the land as a Bar (no permit required for use), at 366 Johnston Street, Abbotsford, subject to the following amended permit preamble and conditions:

Amended preamble to read:

The sale and consumption of liquor (on premises licence), buildings and works and a reduction in the car parking requirements associated with the use of the land as a Bar (no permit required for use).

Conditions (amended or new conditions in bold):

1. **Before the sale and consumption of liquor / 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) **The existing ramp and stairs at the front of the site.**
 - (b) **Dimensions for all proposed works to accurately show where the length applies (from/to).**

- (c) The extent of the red line plan reduced so that the sale and consumption of liquor is not permitted to the west of the footpath shown in the rear external area and the associated tables and chairs deleted from the plans.
 - (d) Separate site plan to match red line plan.
 - (e) Elevations all of works (including pergola, lighting, verandah and acoustic walls) drawn at 1:100 scale.
 - (f) Sections to show all new works, drawn at a 1:100 scale.
 - (g) Roof plan.
 - (h) Storage area within pergola to be shown on floor plans or deleted from Section B.
 - (i) Car spaces dimensioned with a minimum width of 2.4m and a minimum length of 5.4m each.
 - (j) Details of lighting to the rear courtyard and the toilets.
 - (k) Materials schedule.
 - (l) All recommendations and requirements of the endorsed Acoustic Report (as required by condition 7), where relevant to show on the plans.
 - (m) Any changes required by the endorsed Waste Management Plan (as required by condition 13), where relevant to show on the plans.
2. The development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
 3. Prior to the commencement of the sale and consumption of liquor, all works must be completed to the satisfaction of the Responsible Authority.
 4. No more than 111 patrons are permitted to be on the premises at any one time, with a maximum of 80 patrons in the internal bar area, 15 patrons in the front external area and 16 patrons in the rear external area at any one time.
 5. After 10pm on any night, no more than 80 patrons are permitted on the premises at any one time.
 6. Except with the prior written consent of the Responsible Authority, the sale and consumption of liquor may only occur between the following hours:
 - (a) Monday to Thursday 12noon to 11:00pm
 - (b) Friday and Saturday 12noon to 1:00am (the following day)
 - (c) Sunday 12noon to 10:00pm
 - (d) External areas 12noon to 10:00pm on any day
 7. Before the sale and consumption of liquor 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 Audiometric and Acoustic Services and dated 28 August 2019, but modified to include:
 - (a) Commitment to the noise limiter being commissioned and locked by a suitably qualified acoustic consultant to ensure that its use results in SEPP N-2 compliance, including for when the venue has doors and windows open.
 - (b) Commitment to the acoustic barriers being free from gaps.
 - (c) Commitment to the acoustic gate being made to effectively seal when closed.
 - (d) Commitment that all amplified music will go through the noise limiter.
 8. The provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.

- 9. Within 3 months of the commencement of the sale and consumption of liquor, 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 compliance of the venue and, where necessary, make recommendations to limit the noise impacts in accordance with the 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.**
- 10. Before the commencement of the sale and consumption of liquor, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating the rear external area, toilets and front external area 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.
- 11. Before the sale and consumption of liquor commences, an amended Noise and Amenity Action Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Noise and Amenity Action Plan will be endorsed and will form part of this permit. The amended Noise and Amenity and Action Plan must be generally in accordance with the Noise and Amenity Action Plan prepared by Ewan Harding and received by Council on 28 May 2019 , but modified to include:**

 - (a) Licensed hours in accordance with the requirements of condition 6**
 - (b) Clarification as to how potential queues will be managed;**
 - (c) Detail how the number of patrons will be reduced to 80 prior to the close of the external areas at 10pm.**
 - (d) Clarify how patrons walking through the rear external area after 10pm to use the toilet facilities will be managed and their noise impacts minimised.**
 - (e) Details of how the rear external area will be closed to patrons after 10pm.**
- 12. The provisions, recommendations and requirements of the endorsed Noise and Amenity Action Plan must be implemented and complied with to the satisfaction of the Responsible Authority.**
- 13. Before the sale and consumption of liquor commences, a Waste Management Plan to the satisfaction of the 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.**
- 14. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.**
- 15. The provision of music and entertainment on the land must be at a background noise level (no live music) in the external areas.**
- 16. The provision of music and entertainment on the land must be at a background noise level (no live music) after 10pm on any day.**

17. No emptying of bottles into garbage bins is permitted after 8pm on any night or before 8am on any day.
18. Except with prior written consent of the Responsible Authority, delivery and collection of goods to and from the land may only occur between 7am and 10pm on any day.
19. Before the commencement of the sale and consumption of liquor, the applicant must, to the satisfaction of the Responsible Authority, display a prominent sign at the exit of the licensed premises and on all food and drink lists available advising patrons to respect the amenity of adjacent residential areas and to leave in a quiet and orderly manner.
20. The use must comply at all times with the State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N-1).
21. The use must comply at all times with the State Environment Protection Policy – Control of Noise from Public Premises (SEPP N-2).
22. This permit will expire if:
 - (a) the sale and consumption of liquor is not commenced within two years from the amended date of this permit; or
 - (b) the sale and consumption of liquor is discontinued for a period of two years; or
 - (c) the development is not commenced within six months from the amended date of this permit; or
 - (d) the development is not completed prior to the commencement of the sale and consumption of liquor.

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.

CARRIED UNANIMOUSLY

1.2 PLN19/0025 - 9 Kingston Street Richmond - Construction of a six-storey office building and a reduction in the car parking requirements.

Reference: D19/156011

Authoriser: Senior Coordinator Statutory Planning

RECOMMENDATION

That having considered all objections and relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant Planning Permit PLN19/0025 for the construction of a six storey office building and a reduction in the car parking requirements at 9 Kingston Street Richmond, 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 must 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 Bates Smart (Revision C, dated 29 April 2019) but modified to show:
 - (a) Reduction in the building height of the development from 24m to 22.8m, increased eastern setbacks and reconfiguration of screening details to the eastern facade in accordance with sketch plans produced by Bates Smart (Revision D 'Concept Plans', dated 09 September 2019);
 - (b) Incorporation of operable windows into the glazing to the northern and southern facades;
 - (c) External, operable sun shading devices provided to the northern facade at levels 1, 2, 3, and 4;
 - (d) Elevations and finishes legend provided in full colour and deletion of notations "in selected colour" from elevations;
 - (e) Screening details on the eastern facade provided with a variegation in colour;
 - (f) Finishes legend updated to rename material acronym 'MC1' correctly as 'MP1';
 - (g) Details of the concrete patterning to the western facade to break up the visual massing;
 - (h) The kerb width on either side of the basement access ramp dimensioned;
 - (i) Headroom clearance at basement car park entrance dimensioned;
 - (j) Provision of a bollard in the shared area associated with the accessible parking space;
 - (k) Column depths and setbacks dimensioned on the basement plan to satisfy AS/NZS 2890.1:2004.
 - (l) A minimum clearance of 300mm to walls for all car spaces;
 - (m) The length of each ramp grade section dimensioned;
 - (n) Specification of the inside and outside radii of the curved ramp;
 - (o) Provision of ground clearance checks of the curved ramp along the inside radius using the B99 design vehicle;
 - (p) Notation for the grade of the internal concrete slab;
 - (q) Notation to state that for any new internal concrete work, the finished floor levels along the edge of the slab must be set 40 mm above the edge of Selby R.O.W.
 - (r) Notation to state that the service cabinet doors opening onto Selby R.O.W. must swing 180-degrees and be latched to the building when opened.
 - (s) A minimum of 20 employee bicycle spaces, all to be located within a secure storage facility;

- (t) Configuration and access of spaces to satisfy the requirements of AS2890.3 or otherwise to the satisfaction of the Responsible Authority;
 - (u) A minimum of 20% of the 20 employee bicycle spaces to be provided as horizontal-at-grade spaces or otherwise be to the satisfaction of the Responsible Authority.
 - (v) Any change required by the endorsed Sustainability Management Plan (as required by condition 3), where relevant to show on the plans;
 - (w) Any change required by the endorsed Landscape Plan (as required by condition 5), where relevant to show on the plans;
 - (x) Any change required by the endorsed Waste Management Plan (as required by condition 7), where relevant to show on the plans;
2. The development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.

Sustainability Management Plan

3. Before the development commences, an amended Sustainable Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Sustainable Management Plan will be endorsed and will form part of this permit. The amended Sustainable Management Plan must be generally in accordance with the Sustainable Management Plan prepared by Waterman Group, (Revision 4, dated 29 April 2019) but modified to include;
- (a) Addition of external, operable shading devices to the northern façade;
 - (b) Target a recycling rate of 80% of construction and demolition waste for the construction phase of the development;
 - (c) Commitment for an Environment Management Plan to be developed by the building contractor to monitor and control activities undertaken during construction;
 - (d) SMP and BESS report updated to remove innovation points for stated initiatives.
 - (e) Clarify provision of outdoor air to office spaces to all levels;
 - (f) Advise on the visible light transmission of proposed glazing;
 - (g) Provide JV3 report showing at least 10% improvement on the reference case;
 - (h) Provide basis for:
 - (i) thermal performance improvements,
 - (ii) greenhouse gas performance improvements,
 - (iii) 30% improvement in lighting efficiency
 - (i) Provision of a size specification for solar PV in the SMP;
 - (j) State that collected rainwater will be connected to all toilets in accordance with the submitted BESS report;
 - (k) Provision of a Green Travel Plan with performance targets and monitoring and reporting components included.
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.

Landscape Plan

5. Before the development commences, an amended Landscape Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Landscape Plan will be endorsed and will form part of this permit. The Landscape Plan must be generally in accordance with the Landscape Plan produced by Jack Merlo Design and Landscape, Revision B, dated 04 December 2018 but modified to include:
 - (a) changes associated with the sketch plans produced by Bates Smart (Revision D 'Concept Plans', dated 09 September 2019);
 - (b) location of the ground floor landscaping and visitor bicycle spaces revised in accordance with the decision plans produced by Bates Smart, Revision C, dated 29 April 2019;
 - (c) Notations to clarify:
 - (i) Works to be undertaken prior to planting;
 - (ii) Details on the proposed method of irrigation and drainage, and;
 - (iii) Details on the proposed maintenance schedule.to the satisfaction of the Responsible Authority.
6. 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.

Waste Management Plan

7. Before the development commences, an amended Waste Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Waste Management Plan will be endorsed and will form part of this permit. The Waste Management Plan must be generally in accordance with the Waste Management Plan produced by Low Impact Development Consulting dated 26 February 2019, but modified to include:
 - (a) Clarification on how e-waste will be managed in accordance with relevant current legislation;
 - (b) Identify hard waste storage area within the bin storage area
 - (c) Bin storage area increased in size to allow for appropriate bin rotation and to allow for temporary storage of hard waste, e-waste and organic waste.
 - (d) Clarification on how food waste diversion will be achieved;
 - (e) Remove any reference to Council collection services;
 - (f) Commitment to review the plan if operational requirements of the development change.
8. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

9. The collection of waste from the site must be by private collection, unless with the prior written consent of the Responsible Authority.

Infrastructure

10. 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.
11. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the redundant vehicular crossing within the Kingston Street frontage must be demolished and reinstated as standard footpath and kerb and channel:
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
12. 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, including the footpath along the property's Kingston Street and Selby R.O.W. frontages, with these footpaths to be reinstated:
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
13. Before the building is occupied, unless with the further written consent of the Responsible Authority, the sewer vent located at the interface with Selby R.O.W. must be removed and / or relocated in accordance with the requirements of the relevant water authority
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.

General

14. The development must comply at all times with the State Environment Protection Policy — Control of Noise from Commerce, Industry and Trade (SEPP N-1).
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 pedestrian and vehicular entrances must be provided on the subject site. Lighting must be:
 - (a) located;
 - (b) directed;
 - (c) shielded; and
 - (d) of limited intensity,to the satisfaction of the Responsible Authority.
16. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
17. 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.

18. 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.

Construction Management Plan

19. 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.
 - (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.
20. The provisions, recommendations and requirements of the endorsed construction management plan must be implemented and complied with to the satisfaction of the Responsible Authority.
21. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
 - (a) Monday to Friday (excluding public holidays) before 7:00am or after 6:00pm.
 - (b) Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday) before 9:00am or after 3:00pm.
 - (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.

Permit Expiry

22. 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;

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

NOTES:

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

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

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

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

Any services poles, structures or pits that interfere with the proposal must be adjusted, removed or relocated at the permit holder's expense after seeking approval from the relevant authority.

No parking restriction signs or line-marked on-street parking bays are to be removed, adjusted, changed or relocated without approval or authorisation from Council's parking management unit and construction management branch.

Any on-street parking reinstated as a result of development works must be approved by Council's parking management unit.

All future employees working within the development approved under this permit will not be permitted to obtain employee car parking permits.

Submissions

Mr Tim McBride-Burgess addressed the Committee on behalf of the Applicant.
The owner, Mr Gus Cooper also addressed the Committee.

INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION**Moved:** Councillor Fristacky**Seconded:** Councillor Stone

That having considered all objections and relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant Planning Permit PLN19/0025 for the construction of a six storey office building and a reduction in the car parking requirements at 9 Kingston Street Richmond, 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 must 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 Bates Smart (Revision C, dated 29 April 2019) but modified to show:
 - (a) Reduction in the building height of the development from 24m to 22.8m, increased eastern setbacks and reconfiguration of screening details to the eastern facade in accordance with sketch plans produced by Bates Smart (Revision D 'Concept Plans', dated 09 September 2019);
 - (b) Incorporation of operable windows into the glazing to the northern and southern facades;
 - (c) External, operable sun shading devices provided to the northern facade at levels 1, 2, 3, and 4;
 - (d) Elevations and finishes legend provided in full colour and deletion of notations "in selected colour" from elevations;
 - (e) Screening details on the eastern facade provided with a variegation in colour;
 - (f) Finishes legend updated to rename material acronym 'MC1' correctly as 'MP1';
 - (g) Details of the concrete patterning to the western facade to break up the visual massing, or conceptual details of a mural/street art to provide appropriate articulation/presentation to this interface;
 - (h) The kerb width on either side of the basement access ramp dimensioned;
 - (i) Headroom clearance at basement car park entrance dimensioned;
 - (j) Provision of a bollard in the shared area associated with the accessible parking space;
 - (k) Column depths and setbacks dimensioned on the basement plan to satisfy AS/NZS 2890.1:2004.
 - (l) A minimum clearance of 300mm to walls for all car spaces;
 - (m) The length of each ramp grade section dimensioned;
 - (n) Specification of the inside and outside radii of the curved ramp;
 - (o) Provision of ground clearance checks of the curved ramp along the inside radius using the B99 design vehicle;
 - (p) Notation for the grade of the internal concrete slab;
 - (q) Notation to state that for any new internal concrete work, the finished floor levels along the edge of the slab must be set 40 mm above the edge of Selby R.O.W.
 - (r) Notation to state that the service cabinet doors opening onto Selby R.O.W. must swing 180-degrees and be latched to the building when opened.
 - (s) A minimum of 20 employee bicycle spaces, all to be located within a secure storage facility;
 - (t) Configuration and access of spaces to satisfy the requirements of AS2890.3 or otherwise to the satisfaction of the Responsible Authority;

- (u) A minimum of 20% of the 20 employee bicycle spaces to be provided as horizontal-at-grade spaces or otherwise be to the satisfaction of the Responsible Authority.
- (v) Any change required by the endorsed Sustainability Management Plan (as required by condition 3), where relevant to show on the plans;
- (w) Any change required by the endorsed Landscape Plan (as required by condition 5), where relevant to show on the plans;
- (x) Any change required by the endorsed Waste Management Plan (as required by condition 7), where relevant to show on the plans;
- (y) Provision of at least 2 charging points for e-bikes in the bicycle parking area.

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.

Sustainability Management Plan

3. Before the development commences, an amended Sustainable Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Sustainable Management Plan will be endorsed and will form part of this permit. The amended Sustainable Management Plan must be generally in accordance with the Sustainable Management Plan prepared by Waterman Group, (Revision 4, dated 29 April 2019) but modified to include;
 - (a) Addition of external, operable shading devices to the northern façade;
 - (b) Target a recycling rate of 80% of construction and demolition waste for the construction phase of the development;
 - (c) Commitment for an Environment Management Plan to be developed by the building contractor to monitor and control activities undertaken during construction;
 - (d) SMP and BESS report updated to remove innovation points for stated initiatives.
 - (e) Clarify provision of outdoor air to office spaces to all levels;
 - (f) Advise on the visible light transmission of proposed glazing;
 - (g) Provide JV3 report showing at least 10% improvement on the reference case;
 - (h) Provide basis for:
 - (i) thermal performance improvements,
 - (ii) greenhouse gas performance improvements,
 - (iii) 30% improvement in lighting efficiency
 - (i) Provision of a size specification for solar PV in the SMP;
 - (j) State that collected rainwater will be connected to all toilets in accordance with the submitted BESS report;
 - (k) Provision of a Green Travel Plan with performance targets and monitoring and reporting components included.
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.

Landscape Plan

5. Before the development commences, an amended Landscape Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Landscape Plan will be endorsed and will form part of this permit. The Landscape Plan must be generally in accordance with the Landscape Plan produced by Jack Merlo Design and Landscape, Revision B, dated 04 December 2018 but modified to include:
 - (a) changes associated with the sketch plans produced by Bates Smart (Revision D 'Concept Plans', dated 09 September 2019);
 - (b) location of the ground floor landscaping and visitor bicycle spaces revised in accordance with the decision plans produced by Bates Smart, Revision C, dated 29 April 2019;
 - (c) Notations to clarify:
 - (i) Works to be undertaken prior to planting;
 - (ii) Details on the proposed method of irrigation and drainage, and;
 - (iii) Details on the proposed maintenance schedule.to the satisfaction of the Responsible Authority.
6. 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.

Waste Management Plan

7. Before the development commences, an amended Waste Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Waste Management Plan will be endorsed and will form part of this permit. The Waste Management Plan must be generally in accordance with the Waste Management Plan produced by Low Impact Development Consulting dated 26 February 2019, but modified to include:
 - (a) Clarification on how e-waste will be managed in accordance with relevant current legislation;
 - (b) Identify hard waste storage area within the bin storage area
 - (c) Bin storage area increased in size to allow for appropriate bin rotation and to allow for temporary storage of hard waste, e-waste and organic waste.
 - (d) Clarification on how food waste diversion will be achieved;
 - (e) Remove any reference to Council collection services;
 - (f) Commitment to review the plan if operational requirements of the development change.
8. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
9. The collection of waste from the site must be by private collection, unless with the prior written consent of the Responsible Authority.

Infrastructure

10. 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.
11. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the redundant vehicular crossing within the Kingston Street frontage must be demolished and reinstated as standard footpath and kerb and channel:
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
12. 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, including the footpath along the property's Kingston Street and Selby R.O.W. frontages, with these footpaths to be reinstated:
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
13. Before the building is occupied, unless with the further written consent of the Responsible Authority, the sewer vent located at the interface with Selby R.O.W. must be removed and / or relocated in accordance with the requirements of the relevant water authority
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.

General

14. The development must comply at all times with the State Environment Protection Policy — Control of Noise from Commerce, Industry and Trade (SEPP N-1).
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 pedestrian and vehicular entrances must be provided on the subject site. Lighting must be:
 - (a) located;
 - (b) directed;
 - (c) shielded; and
 - (d) of limited intensity,to the satisfaction of the Responsible Authority.
16. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
17. 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.
18. 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.

Construction Management Plan

19. 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.
 - (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.
20. The provisions, recommendations and requirements of the endorsed construction management plan must be implemented and complied with to the satisfaction of the Responsible Authority.
21. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
 - (a) Monday to Friday (excluding public holidays) before 7:00am or after 6:00pm.
 - (b) Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday) before 9:00am or after 3:00pm.
 - (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.
22. 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.

Permit Expiry

23. 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;

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

NOTES:

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

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

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

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

Any services poles, structures or pits that interfere with the proposal must be adjusted, removed or relocated at the permit holder's expense after seeking approval from the relevant authority.

No parking restriction signs or line-marked on-street parking bays are to be removed, adjusted, changed or relocated without approval or authorisation from Council's parking management unit and construction management branch.

Any on-street parking reinstated as a result of development works must be approved by Council's parking management unit.

All future owners, occupiers or employees working within the development approved under this permit will not be permitted to obtain business car parking permits.

CARRIED UNANIMOUSLY

1.3 PLN19/0145 - 106 Queens Parade, Fitzroy North - Partial demolition to the existing dwelling for the construction of a ground and first floor extension, including alterations.

Reference: D19/151156

Authoriser: 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 PLN19/0145 for partial demolition to the existing dwelling for the construction of a ground and first floor extension, including alterations at 106 Queens Parade, Fitzroy North VIC 3068, in accordance with the plans and reports received by Council (on 15 March 2019 , 15 April 2019 and 16 April 2019) 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 but modified to show:
 - (a) Demolition plan to only show works within title boundaries;
 - (b) The proposed upper level addition to be constructed with a finished height of no greater than 31.28 AHD;
 - (c) The finished floor level of the proposed front terrace to be at least 2m below the height of the proposed parapet;
 - (d) The boundary wall associated with the walk-in-pantry reduced to a maximum height of 3.2m above NGL and finished in a light coloured finish (e.g. light grey "RN");
 - (e) All habitable room windows and first floor terrace to be screened in compliance with Clause 54.04-6 (overlooking objectives) of the Yarra Planning Scheme;
 - (f) Rainwater tank size to be shown accurately on plans (not "indicatively");
 - (g) Detail of permeable surfaces shown to 80% of site as per Clause 54.03-4 (permeability objectives) of the Yarra Planning Scheme; and
 - (h) Materials schedule to show "CL" and "MT" material and colour; deletion of "FC"; and "E.BR" shown on legend (not "E.BK").
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. 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.
4. 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 must be cleaned and finished to the satisfaction of the Responsible Authority.

5. Within 2 months of the works being completed, 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.
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.

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 Adam Kane addressed the Committee on behalf of the Applicant.

Mr Aaron Paris also addressed the Committee.

The following people also addressed the Committee:

Mr Keiran Antill; and
Ms Mary Atchison.

INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION**Moved:** Councillor Fristacky**Seconded:** Councillor Stone

That having considered all relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant a Planning Permit PLN19/0145 for partial demolition to the existing dwelling for the construction of a ground and first floor extension, including alterations at 106 Queens Parade, Fitzroy North VIC 3068, in accordance with the plans and reports received by Council (on 15 March 2019, 15 April 2019 and 16 April 2019) 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 but modified to show:
 - (a) Demolition plan to only show works within title boundaries;
 - (b) The proposed upper level addition to be constructed with a finished height of no greater than 31.28 AHD;
 - (c) The finished floor level of the proposed front terrace to be at least 2m below the height of the proposed parapet;
 - (d) The boundary wall associated with the walk-in-pantry reduced to a maximum height of 3m above NGL and finished in a light coloured finish (e.g. light grey "RN");
 - (e) All habitable room windows and first floor terrace to be screened in compliance with Clause 54.04-6 (overlooking objectives) of the Yarra Planning Scheme;
 - (f) Rainwater tank size to be shown accurately on plans (not "indicatively");
 - (g) Detail of permeable surfaces shown to 20% of site as per Clause 54.03-4 (permeability objectives) of the Yarra Planning Scheme; and
 - (h) Materials schedule to show "CL" and "MT" material and colour; deletion of "FC"; and "E.BR" shown on legend (not "E.BK").
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. 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.
4. 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 must be cleaned and finished to the satisfaction of the Responsible Authority.
5. Within 2 months of the works being completed, 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.

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.

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

The meeting closed at 9.22pm.

Confirmed at the meeting held on Wednesday 30 October 2019

Chair