



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

held virtually on Wednesday 10 June 2020 at 6.30pm

I. ATTENDANCE

Councillor Misha Coleman
Councillor Daniel Nguyen
Councillor Danae Bosler

Julian Larkins (Co-ordinator Statutory Planning)
Gary O'Reilly (Senior Planner)
Cindi Johnston (Governance Officer)

II. APOLOGIES AND LEAVE OF ABSENCE

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

IV. CONFIRMATION OF MINUTES

Internal Development Approvals Committee Resolution:

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

That the minutes of the meeting of the Internal Development Approvals Committee held on Wednesday 27 May 2020 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 Bosler nominated Councillor Coleman as Chair.

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

Councillor Coleman assumed the Chair.

1 INTERNAL DEVELOPMENT APPROVALS COMMITTEE

Item		Page	Res. Page
1.1	PLN19/0241 - 7/1 Bik Lane, Fitzroy North - Development of the land for the construction of 4 dwellings and a reduction in the car parking requirement	6	10
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1.1 PLN19/0241 - 7/1 Bik Lane, Fitzroy North - Development of the land for the construction of 4 dwellings and a reduction in the car parking requirement

Reference: D20/88323

Authoriser: Coordinator Statutory Planning

RECOMMENDATION

That having considered all objections and relevant supporting documents, the Committee resolves to issue a Notice of Decision to Grant a Permit (PLN19/0241) for the development the site for the construction of 4 dwellings and a reduction in the car parking requirements at 7/1 Bik Lane, 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 but modified to show the following:
 - (a) The two, first floor, east facing living room windows associated with Dwelling 4 to be shown on the floor plans.
 - (b) The two, first floor, east facing living room windows associated with Dwelling 4 to be screened in accordance with Clause 55.04-4 (Overlooking) of the Yarra Planning Scheme.
 - (c) Details of the proposed screening to the eastern section of the first floor terrace associate with Dwelling 4, in accordance with Clause 55.04-4 (Overlooking) of the Yarra Planning Scheme.
 - (d) All south-facing, second floor habitable room windows to be screened in accordance with Clause 55.04-4 (Overlooking) of the Yarra Planning Scheme.
 - (e) Details of the proposed south-facing, louvered glazing associated with the third floor, and demonstrate any views from the retreat are in accordance with Clause 55.04-4 (Overlooking) of the Yarra Planning Scheme.
 - (f) The southern side of the third floor terrace associated with Dwelling 1 to be screened in accordance with Clause 55.04-4 (Overlooking) of the Yarra Planning Scheme.
 - (g) The deletion of the door along the southern side of the third floor terrace associated with Dwelling 1.
 - (h) A minimum storage capacity of 6 cubic metres for Dwellings 1-3 (excluding kitchen cabinetry and bedroom wardrobes)
 - (i) The location of the mailboxes.
 - (j) The garage doors to be noted as being "tilt up" or similar.
 - (k) Any changes as a result of the endorsed Sustainable Management Plan pursuant to Condition 3 of this planning permit.
 - (l) Any changes as a result of the endorsed Waste Management Plan pursuant to Condition 5 of this planning permit

2. Before 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 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 M3 Consult dated 19 August 2019, but modified to include (but not limited to) the following:

- (a) Dwelling 1, 2 and 3 to have cooling loads no greater than 30MJ/m².
 - (b) The proposed development to demonstrate a NatHERS rating of at least 6.5 Star average overall, with no dwelling below 6 stars
 - (c) Commitment to a minimum of 70% of construction and demolition waste to be recycled.
 - (d) Demonstrate daylight compliance for all habitable rooms as per the Built Environment Sustainability Scorecard (BESS) best practice daylight factor standards
 - (e) Clarify whether the reference to 4kW refers to the capacity of the PV solar system or the batteries.
4. The provisions, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with at all times to the satisfaction of the Responsible Authority.

Waste Management Plan

5. Before the development commences, an amended Waste Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Waste Management Plan will be endorsed and will form part of this permit. The amended Waste Management Plan must be generally in accordance with the Waste Management Plan prepared by M3 Consult and dated 30 October 2019, but modified to include:
- (a) A bin store plan showing path of access, hard waste and e-waste storage areas.
 - (b) The size of the bin store in square metres.
 - (c) Detail how e-waste will be managed.
 - (d) Detail how green waste will be managed.
 - (e) Final calculations of expected waste for the development.
 - (f) Explanation of how risk will be managed.
 - (g) A clause must be included in the plan regarding potential review into the service if operational requirements change.
6. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
7. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated.
- (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority
8. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating the dwelling entrances must be provided within the property boundary. Lighting must be:
- (a) Located;
 - (b) Directed;
 - (c) Shielded; and
 - (d) Of limited intensity.
9. Finished floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.

10. Before the development is occupied, or by such later date as approved in writing by the Responsible Authority, all screening and other measures to prevent overlooking as shown on the endorsed plans must be installed to the satisfaction of the Responsible Authority. Once installed the screening and other measures must be maintained to the satisfaction of the Responsible Authority.
11. 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.
12. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
13. 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; Agenda Page 162 Yarra City Council – Internal Development Approvals Committee Agenda – Wednesday 24 October 2018
 - (ii) materials and waste;
 - (iii) dust;
 - (iv) stormwater contamination from run-off and wash-waters; (v) sediment from the land on roads;
 - (v) washing of concrete trucks and other vehicles and machinery; and
 - (vi) 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.
14. The provisions, recommendations and requirements of the endorsed Construction Management Plan must be implemented and complied with at all times to the satisfaction of the Responsible Authority.

15. 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) Saturday 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.

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

The Responsible Authority may 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 5555 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 5555 for further information.

All future property owners, residents and occupiers residing within the development approved under this permit will not be permitted to obtain resident, 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 5555 to confirm.

The development permitted by this permit must comply with the conditions in the Statement of Environmental Audit issued by Christopher Jewell of C.M Jewell & Associates Pty Ltd dated 22 December 2006 and environmental management plan report on Site Management Plan, 650 Nicholson Street North Fitzroy, Project: 42116, prepared by Douglas Partners Pty Ltd, dated 16 November 2006.

The applicant must apply for a Legal Point of Discharge under Regulation 133 – Stormwater Drainage of the Building Regulations 2018 from Yarra Building Services unit. Any storm water drainage within the property must be provided and be connected to the nearest Council pit of adequate depth and capacity (legal point of discharge), or to Council's satisfaction under Section 200 of the Local Government Act 1989 and Regulation 133.

Additional submissions made online prior to the meeting

Applicant: Gianni Mancuso from MAP Architecture.

Objector : Samantha Hunt

The above submissions were read out on the night by the Senior Governance Advisor.

INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION**Moved:** Councillor Bosler**Seconded:** Councillor Coleman

That having considered all objections and relevant supporting documents, the Committee resolves to issue a Notice of Decision to Grant a Permit (PLN19/0241) for the development the site for the construction of 4 dwellings and a reduction in the car parking requirements at 7/1 Bik Lane, 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 but modified to show the following:
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 - (h) A minimum storage capacity of 6 cubic metres for Dwellings 1-3 (excluding kitchen cabinetry and bedroom wardrobes)
 - (i) The location of the mailboxes.
 - (j) The garage doors to be noted as being "tilt up" or similar.
 - (k) Any changes as a result of the endorsed Sustainable Management Plan pursuant to Condition 3 of this planning permit.
 - (l) Any changes as a result of the endorsed Waste Management Plan pursuant to Condition 5 of this planning permit.
 - (m) Modification to Dwelling 4 to ensure no additional overshadowing impacts to No.15 at Batman Street at 2pm at the September Equinox (with no subsequent reduction to any other setbacks).
 - (n) Perforated metal sheeting to be composed of light colour finishes.
2. Before 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

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 - (d) Demonstrate daylight compliance for all habitable rooms as per the Built Environment Sustainability Scorecard (BESS) best practice daylight factor standards.
 - (e) Clarify whether the reference to 4kW refers to the capacity of the PV solar system or the batteries.
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 - (e) Final calculations of expected waste for the development.
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 - (g) A clause must be included in the plan regarding potential review into the service if operational requirements change.
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 - (c) Shielded; and
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12. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
13. 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; Agenda Page 162 Yarra City Council – Internal Development Approvals Committee Agenda – Wednesday 24 October 2018
 - (ii) materials and waste;
 - (iii) dust;
 - (iv) stormwater contamination from run-off and wash-waters; (v) sediment from the land on roads;
 - (v) washing of concrete trucks and other vehicles and machinery; and
 - (vi) 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.
14. The provisions, recommendations and requirements of the endorsed Construction Management Plan must be implemented and complied with at all times to the satisfaction of the Responsible Authority.

15. 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) Saturday 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.

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

The Responsible Authority may 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 5555 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 5555 for further information.

Provision for each dwelling to include adequate bicycle parking spaces.

All future property owners, residents 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 5555 to confirm.

The development permitted by this permit must comply with the conditions in the Statement of Environmental Audit issued by Christopher Jewell of C.M Jewell & Associates Pty Ltd dated 22 December 2006 and environmental management plan report on Site Management Plan, 650 Nicholson Street North Fitzroy, Project: 42116, prepared by Douglas Partners Pty Ltd, dated 16 November 2006.

The applicant must apply for a Legal Point of Discharge under Regulation 133 – Stormwater Drainage of the Building Regulations 2018 from Yarra Building Services unit. Any storm water drainage within the property must be provided and be connected to the nearest Council pit of adequate depth and capacity (legal point of discharge), or to Council's satisfaction under Section 200 of the Local Government Act 1989 and Regulation 133.

CARRIED UNANIMOUSLY

1.2 PLN19/0663 - 151 Barkly Avenue, Burnley - Construction and display of an electronic, major promotional, sky sign

Reference: D20/92681

Authoriser:

RECOMMENDATION

That a Notice of Decision to Grant a Planning Permit PLN19/0663 be issued for the Construction and display of an electronic, major promotional, sky sign at 151 Barkly Avenue, Burnley generally in accordance with the plans noted previously as the “decision plans” 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 the following:
 - (a) Reduction in the height of the display area of the sign to a maximum of 3 metres.
2. The location and details of the sign, including the supporting structure, as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
3. The signs must be constructed, displayed and maintained to the satisfaction of the Responsible Authority.
4. The provisions, recommendations and requirements of the endorsed Lighting Report must be implemented and complied with to the satisfaction of the Responsible Authority.
5. The sign must not include any flashing or intermittent light.
6. The sign must be constructed, displayed and maintained to the satisfaction of the Responsible Authority.
7. The sign must not:
 - (a) Dazzle or distract drivers due to its colouring;
 - (b) Be able to be mistaken for a traffic signal because it has, for example, red circles, octagons, crosses or triangles;
 - (c) Be able to be mistaken as an instruction to drivers.

Department of Transport (VicRoads) conditions (conditions 8 – 22)
8. No image may be displayed on the electronic sign for less than 30 continuous seconds.
9. The luminance of the advertising signs must be such that it does not give a veiling luminance to the driver, of greater than 0.25 cd/m², throughout the driver’s approach to the advertising sign.
10. The control of the electronic sign must be in accordance with the submitted lighting reports, which must form part of any issued Planning Permit:
 - (a) Lighting impact assessment – Lighting Impact Assessment – Outdoor Signage at 151 Barkley Avenue, Burnley, Victoria, for Octopus Media by Electrolight Australia Pty Ltd dated 9 September 2019, reference number 2264.4.

11. The electronic sign is to be dimmable and have a suitable control system to enable maximum lighting levels to be set or adjusted if deemed necessary by the Responsible Authority or Department of Transport (roads).
12. Where illuminated during the day, the signage is to be fitted with Photocell/s (light sensor/s) that measure the ambient light and control system technology that enables the luminance of the signage to automatically adjust relative to the measured ambient light level.
13. For digital/electronic signage, any change to brightness levels must only be applied during an image transition, not while an image is being displayed.
14. The transition between images must be instantaneous.
15. The advertising content of the sign must not:
 - (a) Consist of more than one static image at a time
 - (b) Contain any animation.
 - (c) Consist of a sequence of images giving the illusion of movement from one image to the next.
 - (d) Contain or consist of images which are capable of being interpreted as projections beyond the face of the advertising screen, such as through the use of 3D technology.
 - (e) Contain or consist of video, movie or television broadcasts.
 - (f) Contain or consist of present-time or other contemporary update information such as relating to news, weather or time.
 - (g) Contain any flashing, blinking, brightening or fading elements that create the illusion of movement or change.
 - (h) Be capable of being mistaken for a traffic signal or a traffic control device. This includes the use of red, amber or green circles, octagons, crosses or triangles.
 - (i) Be a traffic instruction, or be capable of being mistaken as, an instruction to a road user. This includes the use of the wording stop, give way, slow, turn left or turn right.
16. The advertising area must not be split into 2 screens (horizontally or vertically) with different messages.
17. The sign and advertising content must not dazzle or distract road users' due to its colouring or content.
18. The sign and any displayed advertisement must not include ancillary extension, embellishment or accessorisation within or outside the permitted advertising area, unless VicRoads has agreed in writing, prior to installation.
19. The sign must be fully contained within the property boundaries and not into VicRoads airspace.
20. The use of sound or motion to activate the sign is not permitted.
21. The use of sound to interact with any road user is not permitted.
22. The advertising sign must shut down and cease any form of visual display (and must remain in shut down mode until the issues are resolved), in the event of:
 - (a) An attack by a computer hacker, virus or similar resulting in the unauthorised display of visual images or messages.
 - (b) Any malfunction of the advertising sign.

23. This permit will expire if the sign is not erected within 2 years of the date of this permit. The Responsible Authority may extend the period referred to if a request is made in writing before the permit expires or within six months afterwards for commencement or twelve months afterwards for completion.
24. This permit expires 15 years from the date of the permit.
25. On expiry of this permit the approved signs and structures built specifically to support or illuminate it must be removed.

Notes:

A building permit may be required before development is commenced. Please contact Council's Building Services on 9205 5555 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 5555 to confirm.

Additional submission made online prior to the meeting

Human Habitats (on behalf of the Applicant, Octopus Property (VIC) Pty Ltd).

The above submission was read out on the night by the Senior Governance Advisor.

INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION

Moved: Councillor Bosler

Seconded: Councillor Nguyen

That a Notice of Decision to Grant a Planning Permit PLN19/0663 be issued for the Construction and display of an electronic, major promotional, sky sign at 151 Barkly Avenue, Burnley generally in accordance with the plans noted previously as the "decision plans" 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 the following:
 - (a) Reduction in the height of the display area of the sign to a maximum of 3 metres and the length of the sign to be a maximum of 9 metres.
2. The location and details of the sign, including the supporting structure, as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
3. The signs must be constructed, displayed and maintained to the satisfaction of the Responsible Authority.
4. The provisions, recommendations and requirements of the endorsed Lighting Report must be implemented and complied with to the satisfaction of the Responsible Authority.

5. The sign must not include any flashing or intermittent light.
6. The sign must be constructed, displayed and maintained to the satisfaction of the Responsible Authority.
7. The sign must not:
 - (a) Dazzle or distract drivers due to its colouring;
 - (b) Be able to be mistaken for a traffic signal because it has, for example, red circles, octagons, crosses or triangles;
 - (c) Be able to be mistaken as an instruction to drivers.

Department of Transport (VicRoads) conditions (conditions 8 – 22)

8. No image may be displayed on the electronic sign for less than 30 continuous seconds.
9. The luminance of the advertising signs must be such that it does not give a veiling luminance to the driver, of greater than 0.25 cd/m^2 , throughout the driver's approach to the advertising sign.
10. The control of the electronic sign must be in accordance with the submitted lighting reports, which must form part of any issued Planning Permit:
 - (a) Lighting impact assessment – Lighting Impact Assessment – Outdoor Signage at 151 Barkley Avenue, Burnley, Victoria, for Octopus Media by Electrolight Australia Pty Ltd dated 9 September 2019, reference number 2264.4.
11. The electronic sign is to be dimmable and have a suitable control system to enable maximum lighting levels to be set or adjusted if deemed necessary by the Responsible Authority or Department of Transport (roads).
12. Where illuminated during the day, the signage is to be fitted with Photocell/s (light sensor/s) that measure the ambient light and control system technology that enables the luminance of the signage to automatically adjust relative to the measured ambient light level.
13. For digital/electronic signage, any change to brightness levels must only be applied during an image transition, not while an image is being displayed.
14. The transition between images must be instantaneous.
15. The advertising content of the sign must not:
 - (a) Consist of more than one static image at a time
 - (b) Contain any animation.
 - (c) Consist of a sequence of images giving the illusion of movement from one image to the next.
 - (d) Contain or consist of images which are capable of being interpreted as projections beyond the face of the advertising screen, such as through the use of 3D technology.
 - (e) Contain or consist of video, movie or television broadcasts.
 - (f) Contain or consist of present-time or other contemporary update information such as relating to news, weather or time.
 - (g) Contain any flashing, blinking, brightening or fading elements that create the illusion of movement or change.
 - (h) Be capable of being mistaken for a traffic signal or a traffic control device. This includes the use of red, amber or green circles, octagons, crosses or triangles.
 - (i) Be a traffic instruction, or be capable of being mistaken as, an instruction to a road user. This includes the use of the wording stop, give way, slow, turn left or turn right.

16. The advertising area must not be split into 2 screens (horizontally or vertically) with different messages.
17. The sign and advertising content must not dazzle or distract road users' due to its colouring or content.
18. The sign and any displayed advertisement must not include ancillary extension, embellishment or accessorisation within or outside the permitted advertising area, unless VicRoads has agreed in writing, prior to installation.
19. The sign must be fully contained within the property boundaries and not into VicRoads airspace.
20. The use of sound or motion to activate the sign is not permitted.
21. The use of sound to interact with any road user is not permitted.
22. The advertising sign must shut down and cease any form of visual display (and must remain in shut down mode until the issues are resolved), in the event of:
 - (a) An attack by a computer hacker, virus or similar resulting in the unauthorised display of visual images or messages.
 - (b) Any malfunction of the advertising sign.
23. This permit will expire if the sign is not erected within 2 years of the date of this permit. The Responsible Authority may extend the period referred to if a request is made in writing before the permit expires or within six months afterwards for commencement or twelve months afterwards for completion.
24. This permit expires 15 years from the date of the permit.
25. On expiry of this permit the approved signs and structures built specifically to support or illuminate it must be removed.

Notes:

A building permit may be required before development is commenced. Please contact Council's Building Services on 9205 5555 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 5555 to confirm.

Recommend that the sign use renewable energy sources and / or low carbon emissions technology.

CARRIED UNANIMOUSLY

The meeting closed at 7.06pm.

Confirmed at the meeting held on Wednesday 1 July 2020

Chair