



Minutes

Planning Decisions Committee

6.30pm, Tuesday 27 August 2024

Richmond Town Hall

1. Appointment of Chair

Councillor Crossland nominated Councillor Stone as chair.

There being no other nominations, Councillor Stone was elected chair.

Councillor Stone assumed the chair.

2. Acknowledgement of Country

“Yarra City Council acknowledges the Wurundjeri Woi Wurrung people as the Traditional Owners and true sovereigns of the land now known as Yarra.

We acknowledge their creator spirit Bunjil, their ancestors and their Elders.

We acknowledge the strength and resilience of the Wurundjeri Woi Wurrung, who have never ceded sovereignty and retain their strong connections to family, clan and country despite the impacts of European invasion.

We also acknowledge the significant contributions made by other Aboriginal and Torres Strait Islander people to life in Yarra.

We pay our respects to Elders from all nations here today—and to their Elders past, present and future.”

3. Attendance and apologies

Attendance

Councillors

- Cr Edward Crossland Councillor
- Cr Michael Glynatsis Councillor
- Cr Amanda Stone Councillor

Council officers

- Lara Fiscalini Statutory Planning Coordinator
- John Theodosakis Principal Planner
- Phil De Losa Manager Governance and Integrity
- Patrick O’Gorman Senior Governance Coordinator
- Mel Nikou Governance Officer

4. Declarations of conflict of interest

No declarations were made.

5. Confirmation of Minutes

RESOLUTION

Moved: Councillor Crossland **Seconded:** Councillor Glynatsis

1. That the minutes of the meeting of the Planning Decisions Committee held on Tuesday 28 May 2024 be confirmed.

CARRIED UNANIMOUSLY

6. PLANNING DECISIONS COMMITTEE

Item		Page	Res. Page
6.1	PLN23/0730 - 442-444 Nicholson St Fitzroy North	4	6

Reference	D24/273564
Author	Erryn Megennis - Senior Statutory Planner
Authoriser	Principal Planner
Disclosure	The authoriser, having made enquiries with members of staff involved in the preparation of this report, asserts that they are not aware of any general or material conflicts of interest in relation to the matters presented.

RECOMMENDATION

That having considered all objections and relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant Planning Permit PLN23/0730 for partial demolition and buildings and works to a hotel (with existing use rights) in association with a terrace at 442-444 Nicholson Street, Fitzroy North VIC 3068 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 must be generally in accordance with the decision plans prepared by Bergman & Co and dated 29 April 2024 but modified to show:
 - (a) The new portion of southern wall set back 1.75m from the southern boundary, including any required reconfigurations to the floorplan layout of the terrace;
 - (b) The material of the new portion of southern wall notated on the southern elevation and included in the materials schedule;
 - (c) All roof materials notated on relevant plans and included in the materials schedule;
 - (d) The colour finish of the acoustic screens and frame below the acoustic screens on the Freeman Street frontage to be white or a light to mid grey and the colour decals to the acoustic glass updated to match;
 - (e) The material of PT-04 included in the materials schedule;
 - (f) Demonstrate compliance with the objective of Clause 54.04-6 (Overlooking) of the Yarra Planning Scheme in relation to views from the eastern perimeter of the terrace to the west-facing habitable room window of No. 6 Freeman Street, with subsequent modifications to the screening to mitigate impacts if necessary; and
 - (g) Proposed plans updated to show the title boundary dimensions in metric format.
2. The development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
3. Before the first-floor terrace is occupied, or by such later date as approved in writing by the Responsible Authority, all screening and other measures to prevent overlooking as shown on the endorsed plans must be installed to the satisfaction of the Responsible Authority. Once installed the screening and other measures must be maintained to the satisfaction of the Responsible Authority.
4. Within 2 months of the completion of the development, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated:
 - (a) At the permit holder's cost; and
 - (b) To the satisfaction of the Responsible Authority.

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

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

Notes

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

Provision must be made for drainage of the site to a legal point of discharge. Please contact Council's Building Services on 9205 5555 for further information.

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.

Public Submissions

The following people addressed the committee:

Louis Petrentsis, Priority Planning;

Andrew Hayes;

Steven Anthony, also spoke on behalf of Brenda Partridge;

Russell Allen; and

Samuel Woff.

PLANNING DECISIONS COMMITTEE RESOLUTION

Moved: Councillor Crossland

Seconded: Councillor Stone

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CARRIED

The meeting closed at 7.17pm

Confirmed at the meeting held on Tuesday 23 September 2024.

Chair