

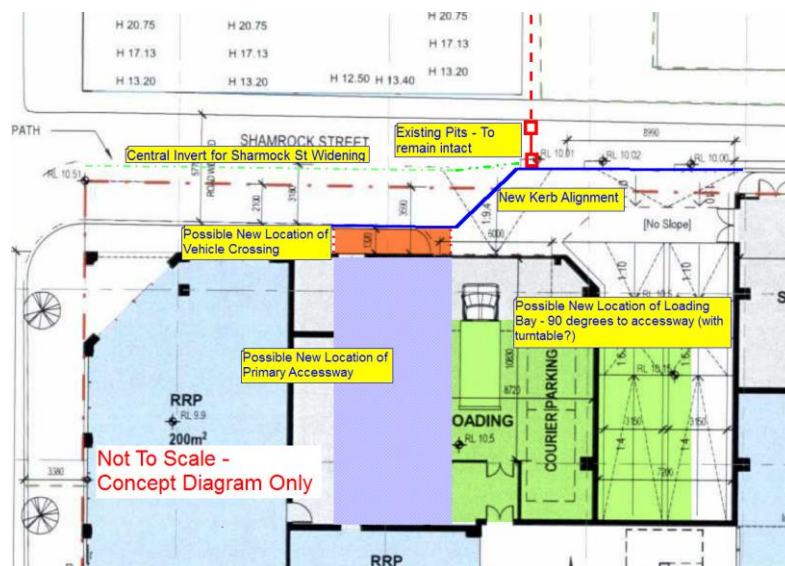
Addendum to IDAC report for PLN18/0328 – 459 – 471 Church Street & 20-26 Brighton Street Richmond

The following discussion relates to drainage matters and is an addendum to the IDAC report dated 27 February 2019.

Drainage

As outlined in the IDAC report dated 27 February 2019, drainage matters are a significant issue associated with this application. The following is an excerpt from the original delegate report:

Turning to the widening of Shamrock Street. Council's civil engineers identified this as a significant issues. As a result of the widening, two existing grated side entry pits (located 24m to the east of Church Street) would be impacted. These pits are located at the lowest point in Shamrock Street which connects into a drain that runs underneath properties on the east side of Church Street and continues to Lesney Street. The inlet capacity of the southern grated side entry pit would be reduced as a result of the widening of Shamrock Street due to the removal of the lintel and the throat. Council's civil engineers stated that it is vital that the pits remain intact as they are critical in collecting rainfall run-off for the Shamrock Street catchment area. Council's civil engineers recommended that the principal vehicular entrance be relocated further west. As the development entrance would be located in the vicinity of the low point in Shamrock Street, Council's civil engineers also recommended that a central invert be constructed in the widened section of Shamrock Street. As a result of these recommendations, the principal vehicle entrance and loading bay need to be redesigned and the length of the Shamrock Street widening be reduced from what was originally proposed. Council's civil engineers provided the following diagram:



The IDAC report dated 27 February 2019 outlined that as part of the substituted amended plans, the applicant also made changes to the widened section of Shamrock Street and provided a Drainage Investigation Report by Northrop Pty Ltd.

Following receipt of this additional material, Council's Drainage Engineer continued to have concerns with this and made the following comments on 15 February 2019:

- (a) *I have reviewed the drainage investigation report prepared by Northrop Pty Ltd. The CCTV inspection of the existing drain from Shamrock Street to Lesney Street requested by Council was not provided in the report. On page 9 of the report in section 2.2 the report states that "Based on the CCTV investigation the existing DN225 (pipe) is in reasonable condition and has a capacity of 100 litres per second. "This flow capacity is used to determine the flood level in Shamrock Street. However, a Council CCTV inspection of the drain undertaken on the 24 October 2018 indicates that a smaller diameter pipe (150mm diameter) has been inserted into the drain between Shamrock Street and Lesney Street at some time in the past. This constriction (see attached image), reduces the capacity of the existing drain and may affect the determined flood level. This section of the Council drain is under a building and cannot be accessed to remove the constriction. The provided catchment and flood analysis should be reviewed to determine if the constricted drain will affect the specified flood level and the development still has adequate protection from flooding.*
- (b) *Further to our discussion on the flood risk assessment for this development. The current report indicates the depth of flooding in the street in the vicinity of the driveway could reach 300mm. This could prevent vehicles getting into and out of the driveway while the road is flooded.*

The applicant provided Council with an additional CCTV Survey Report on 19 February 2019 prepared by Rapid Cam (and dated 2 November 2018) which included numerous photographs of the affected stormwater drains.

This information was forwarded to Council's Drainage Engineer who provided the following supplementary advice on 26 February 2019:

- (a) *The CCTV report (R.A.P.I.D CAM) provided in your e-mail dated 19 February 2019 does not have a plan showing the location of the pits as a reference. Can a plan be provided please?*
- (b) *The photo I previously provided showing the PVC pipe in Council's drain was directly from the CCTV footage Council's contractor provided. This gave a better view of the PVC pipe than the photos in the CCTV report. The size of the pipe was also specified in the report.*
- (c) *I referred the CCTV report from the applicant to Council's Drainage Management Officer for comment with regard to the PVC pipe size issue. After reviewing the CCTV report from the applicant it is considered that the PVC pipe is a 200mm diameter pipe. The flood risk assessment should be reviewed to determine if this will affect the flood level results given in the Northrop Pty Ltd Drainage Investigation report.*
- (d) *It should be noted that the Drainage Investigation Report prepared by Northrop Pty Ltd is based on assumptions regarding the likely storm event duration and intensity and the resultant extent of flooding. It also assumes that the stormwater drainage in the street is functioning adequately. However it should be recognised that a storm event outside these parameters could occur and that the stormwater pits in the street could block during a severe storm event. Pit blockages due to debris catching on the pit grates is a frequent occurrence. As there is no overland flow path available, these factors should be considered and a back-up system such as a flood gate at the driveway or an internal pump system which discharges to Church street through the property stormwater drain should be incorporated in the development. It should be*

noted that the report indicates the corner of Church Street and Shamrock Street (RL10.45) is higher than the apex of the driveway (RL10.4).

- (e) The Northrop Drainage Report contains the ground level plan for the development and indicates that Shamrock Street will be widened which will provide additional storage for surface water. However at this stage a design for Shamrock Street has not been submitted and it is not known if the civil road design used by Northrop Pty Ltd to determine the Shamrock Street flood level will be acceptable to Council and if any modifications to the road design required by Council at the detailed design stage will affect the determined flood level. This reinforces the need for the development to have a flood back-up system.*
- (f) It should be noted that Northrop Pty Ltd was asked to provide an engineering design for Shamrock Street was by Council's Road Development Engineer in December 2018.*
- (g) Also if the driveway is located where the existing stormwater pits are, the existing grated side entry street pits will need to be modified to grated pits. This will reduce the inlet capacity and increase the chances of the pits blocking. Additional pits may be required adjacent to the driveway to compensate. The applicant should be required to install additional drainage pits and associated connecting drainage to Council satisfaction as part of the proposed road modifications.*

As a result of these comments, Council's planning officers propose to amend the proposed *Recommendation* section of the report to include the following as conditions on any permit:

Amended Condition 1 requirements

- (a) a notation confirming the use of a back-up system to reduce the risk of flooding such as a flood gate at the driveway or an internal pump system which discharges to Church Street through the property stormwater;**
- (b) in the event that vehicle access from Shamrock Street is located where the existing stormwater pits are positioned, the existing grated side entry pits must be modified to grated pits (with the installation of any additional drainage pits and associated connecting drainage to the satisfaction of the Responsible Authority);**

New Condition 36

Before the development commences, an amended Drainage Investigation report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Drainage Investigation report will be endorsed and will form part of this permit. The amended Drainage Investigation report must be generally in accordance with the Drainage Investigation prepared by Northrop Pty Ltd prepared on 31 January 2019, but modified to include (or show, or address):

- (a) a plan showing the location of the pits referenced in the CCTV report prepared by Rapid Cam dated 2 November 2018;**

- (b) the use of a back-up system such as a flood gate at the driveway or an internal pump system which discharges to Church Street through the property stormwater; and
- (c) an updated flood risk assessment using a 200mm diameter pipe to determine if this will affect the flood level results.

Amended Condition 37

Before the development commences, the design of the widened section of Shamrock Street must be prepared by an independent and suitably qualified engineering professional to the satisfaction of the Responsible Authority and in consultation with the Responsible Authority. The design must be submitted to and approved by the Responsible Authority. The design of the widening of Shamrock Street must provide details including pavement widths, surface treatment, road infrastructure items, landscaping (where applicable) and drainage **(including the installation of any additional drainage pits and associated connecting drainage to the satisfaction of the Responsible Authority).**

Additional matters

Childcare Centre Use – numbers of children

The applicant has confirmed with Council planning officers that the number of children sought is 80 (down from 100). As such, the number of children will need to be rectified within the appropriate corresponding condition of Council's Recommendation which is Condition 6.

Condition Corrections

In addition to the conditions required to resolve the drainage issues and update the amended child care centre numbers, Council planning officers also wish to clarify Condition 1(c) which related to the building separation between Buildings A and B.

The wording of the condition as per the *Recommendation* section of the IDAC report dated 27 February 2019 is as follows:

an increase in the width of the separation of Buildings A and B to a minimum of 9.8m;

However the levels associated with this building separation were not specified which results in ambiguity in the condition. The amended plans show a reduction in the building separation of Buildings A and B from the second floor and above. Previously this operation was 9.8m in the original plans, however this has now been reduced to 7.5m. Accordingly, Councils planning officers propose a clarification to Condition 1(c) with the condition amended to read as follows:

*an increase in the width of the separation of Buildings A and B to a minimum of 9.8m **from the second floor and above;***

Amended Recommendation

That having considered all objections and relevant planning policies, Council resolve to advise the Victorian Civil and Administrative Tribunal that it supports the substituted amended plans, and that had Council been in a position to it would have issued a Notice of

Decision to Grant a Planning Permit PLN18/0328 for the use and development of the land for the construction of three mixed use buildings (including a childcare centre), reduction in car parking requirement, and alteration of access and building and works to a Road Zone Category 1 Road at 459 – 471 Church Street and 20-26 Brighton Street, Richmond, generally in accordance with the architectural plans prepared by Architectus dated 3 and 4 February 2019 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 architectural plans prepared by Architectus dated 3 and 4 February 2019 but modified to show:
 - (a) a setback of at least 3m provided for Building B from level 3 and above from the eastern boundary (associated with the section of wall to the north of the lift area where it is attached to Building C);
 - (b) deletion of any glazing along the eastern boundary wall of Building B;
 - (c) an increase in the width of the separation of Buildings A and B to a minimum of 9.8m **from the second floor and above**;
 - (d) confirmation (via a sectional diagram) that there is no unreasonable overlooking opportunities from the north-facing podium walls of Building B into the private open space of No. 9 Shamrock Street within 9m;
 - (e) **a notation confirming the use of a back-up system to reduce the risk of flooding such as a flood gate at the driveway or an internal pump system which discharges to Church Street through the property stormwater;**
 - (f) **in the event that vehicle access from Shamrock Street is located where the existing stormwater pits are positioned, the existing grated side entry pits must be modified to grated pits (with the installation of any additional drainage pits and associated connecting drainage to the satisfaction of the Responsible Authority);**
 - (g) the allocation of car spaces for each use on the basement floor plans;
 - (h) the allocation of any car spaces for child care drop offs/pickups within the basement of Building C on the basement floor plans;
 - (i) the width of the Shamrock Street footpath annotated on plans;
 - (j) the dimension of the doorway width of the Brighton Street vehicle entrance;
 - (k) sight triangles superimposed and dimensioned for the exit lanes of all vehicular entrances;
 - (l) the loading facility dimensioned including the entrance and vehicle crossing;
 - (m) swept path diagrams to confirm truck access and egress from the loading bay;
 - (n) the widened section of Shamrock Street dimensioned from the face of the kerb, to the face of the kerb;

- (o) accessible parking spaces and associated shared areas dimensioned and as satisfying the Australian/New Zealand Standard AS/NZS 2890.1:2004 with bollards inserted as required;
- (p) column depths and locations to satisfy *Diagram 1 Clearances to car parking spaces* or AS/NZS 2890.1:2004 (where applicable);
- (q) the dimensions of clearances to walls (and be no less than 300mm);
- (r) the dimensions of each ramp grade length;
- (s) a pedestrian refuge (minimum 1.3m in span) in between the vehicle crossings of the development entrance and the loading bay;
- (t) the inside edge of the ninety-degree bend of the ramped accessway connecting Basement 2 with Basement 1 with a minimum clearance of 300 mm from the column as required by AS/NZS 2890.1:2004;
- (u) swept path diagrams of passing movements for a B85 design vehicle and an oncoming B99 design vehicle along the ninety-degree bend of the ramped accessway connecting Basement 2 with Basement 1, demonstrating satisfactory passing movements;
- (v) the boundary between private and public property delineated through the use of alternative surface materials or “banding”;
- (w) confirmation that none of the utility services in Wright Street are required;
- (x) the provision of a clear travel path for pedestrians along the south side of Shamrock Street between Church Street and the eastern side of the car park entrance;
- (y) a pram ramp at the Shamrock Street kerb, aligned with the northern courtyard entrance;
- (z) dimensions of bicycle storage spaces, and relevant access ways demonstrating compliance with Australian Standard AS2890.3 or to the satisfaction of the Responsible Authority;
- (aa) visitor bicycle parking provided at a rate of at least 1 space to each 500sqm of net office floor space, in a location easily accessed by visitors to the site (i.e. spaces must not be located within a secure facility) and for at least 80 percent visitor bicycle parking facilities to be ground level (horizontal) spaces;
- (bb) employee bicycle parking facilities (provided at a rate of a minimum of 1 space to each 100sqm of net office floor space) located at ground-floor or basement 1, each within a secure facility (bicycle locker or lockable compound), with reasonable proximity and access to:
 - (i) building entrances and/or lift shafts;
 - (ii) end of trip facilities, including showers and change rooms.
- (cc) at least 20% of bicycle storage spaces provided as horizontal storage spaces as required under AS2890.3;

- (dd) details of the number of showers and change-rooms;
 - (ee) confirmation on plans that the car park areas are electrically wired with a minimum 40A single phase electrical sub circuit for 'EV readiness';
 - (ff) a materials sample board of external colours, materials and finishes;
 - (gg) any requirement of the endorsed Sustainable Management Plan (condition 7) (where relevant to show on plans);
 - (hh) any requirement of the endorsed Waste Management Plan (condition 10) (where relevant to show on plans);
 - (ii) any requirement of the endorsed Landscape Plan Report (condition 13) (where relevant to show on plans);
 - (jj) any requirement of the endorsed Wind Report (condition 17) (where relevant to show on plans);
 - (kk) any requirement of the endorsed Acoustic Report (condition 19) (where relevant to show on plans); and
 - (ll) any requirement of the endorsed Streetscapes Improvements plan (condition 33) (where relevant to show on plans).
- 2 The use and development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
- 3 As part of the ongoing consultant team, Architectus or an architectural firm to the satisfaction of the Responsible Authority must be engaged to:
- (a) oversee the design and construction of the development; and
 - (b) ensure the design quality and appearance of the development is realised as shown in the endorsed plans or otherwise to the satisfaction of the Responsible Authority.

Childcare Centre Use

- 4 Except with the prior written consent of the Responsible Authority, the childcare centre use authorised by this permit may only operate between the hours of 7am and 7pm, Monday to Friday.
- 5 Except with the prior written consent of the Responsible Authority, no more than 22 staff are permitted on the land at any one time.
- 6 Except with the prior written consent of the Responsible Authority, no more than **80** children are permitted on the land at any one time.

Sustainable Management Plan

- 7 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 Cundall in April 2018, but modified to include or show:

- (a) fresh air supply in excess of AS1668 air flow rates by at least 50%;
- (b) more information on the expected daylight performance of the buildings and ensure that 30% of floor area can reach a minimum 2% df standard, and provide a suitable VLT for each area to assist achieve this standard;
- (c) increased external shading systems to reduce heat gain, rather than rely on glazing. If not, include the SGHC proposed including the minimum VLT noted in the SMP, and demonstrate that the 30% energy reduction can be met;
- (d) a completed JV3 energy modelling report, or equivalent, demonstrating the 6 points or 30% improvement in NCC requirements;
- (e) include all MUSIC model inputs and outputs including catchment area, storage locations and volume and location and number of toilet connections to ensure that best practice in WSUD can be met;
- (f) mark approximate size and location of solar PV array on roof and elevations;
- (g) details of proposed type and efficiency of hot water system. Recommend gas boosted solar hot water or gas storage hot water with a minimum 85% efficiency / 5 Star equivalent;
- (h) ensure that the WMP has sufficient spaces allocated to recycling and all waste streams. Ensure that recycling is just as convenient as general garbage;
- (i) a COP for HVAC (VRV) within one Star or 85% of best available of suitably designed size and capacity;
- (j) the provision of a composting system; and
- (k) the provision of electric vehicle charging facilities.

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

SMP Implementation Report

9 Before the development is occupied, a report from the author of the Sustainability Management Plan, approved under this permit, or similarly qualified person or company, must be submitted to the Responsible Authority. The report must be to the satisfaction of the Responsible Authority and must confirm all measures specified in the Sustainability Management Plan have been implemented in accordance with the approved plan.

Waste Management Plan

10 Before the development commences, an amended Waste Management Plan prepared to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Waste Management Plan will be endorsed and will form part of this permit. The amended Waste Management Plan must be generally in accordance with the Waste Management Plan prepared by Irwin Consult (dated 4 May 2018), but modified to include:

- (a) collection for the waste associated with Building C to occur within title boundaries; and
 - (b) details of how food waste will be diverted from the waste stream from the remaining areas of the development.
- 11 The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
- 12 The collection of waste from the site must be by private collection, unless with the prior written consent of the Responsible Authority.

Landscape Plan

- 13 Before the development is occupied, a 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:
- (a) be updated in accordance with the most recent architectural drawings;
 - (b) provide further detail on the design of the outdoor playspace for the childcare facility;
 - (c) provide further details on the vertical green systems across the development;
 - (d) provide details on how the feature tree in the deck area will be incorporated into the deck surface to ensure sufficient growing width is provided. Details on the nominal depth to be included;
 - (e) provide information on the landscape feature proposed at the corner of Church and Shamrock Streets;
 - (f) provide information in the Technical Notes on how the grade of the proposed garden beds in relation to their mounded nature will be maintained over time;
 - (g) provide details of allowances in the basement parking plans to accommodate the drop in the slabs for the proposed garden beds, ensuring there is sufficient headroom as well as depth for tree and plant growth;
 - (h) include more green infrastructure on the northern façade to Building B such as vertical climbing structures or planting beds;
 - (i) provide detailed planting plans for the development and show the type, location, quantity, height at maturity and botanical names of all proposed plants;
 - (j) show the type, location, quantity, height at maturity and botanical names of all proposed plants;
 - (k) detail the design and layout of the common area, outdoor terraces, planters and any ground level planting;
 - (l) provide a specification of works to be undertaken prior to planting; and
 - (m) detail plant/planting maintenance schedules and requirements.

- 14 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,
- all to the satisfaction of the Responsible Authority.

Street Tree

- 15 Before the development commences, the permit holder must provide an Asset Protection Bond of \$10,000 (ex GST) for the three (3) trees in Church Street adjacent the frontage of the development and one (1) tree opposite 22 Brighton Street to the Responsible Authority. The security bond:
- (a) must be provided in a manner, and on terms, to the satisfaction of the Responsible Authority;
 - (b) may be held by the Responsible Authority until the works are completed to the satisfaction of the Responsible Authority; and
 - (c) in accordance with the requirements of this permit; or
 - (d) otherwise to the satisfaction of the Responsible Authority.
- 16 Before the development commences, the permit holder must make a one off contribution of 17,633.25 to the Responsible Authority to be used for:
- (a) the cost of supply, planting and establishment maintenance four trees (one in Church St and three in Brighton St).

Wind

- 17 Before the development commences, an amended Wind Assessment Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Wind Assessment Report will be endorsed and will form part of this permit. The amended Wind Assessment Report must be generally in accordance with the Wind Assessment Report prepared by MEL Consultants and prepared on 1 May 2018, but modified to include (or show):
- (a) a wind tunnel model study of the environmental wind conditions which must explore the wind conditions of the ground floor and the terraces and whether additional mitigation treatments are required to satisfy the relevant criteria.
- 18 The provisions, recommendations and requirements of the endorsed Environmental Wind Assessment must be implemented and complied with to the satisfaction of the Responsible Authority.

Acoustic report

- 19 Before the development commences, an amended Acoustic Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Acoustic Report will be endorsed and will form part of this permit. The amended Acoustic Report must be generally in accordance with the Acoustic Report prepared by Cundall prepared on 27 April 2018, but modified to include (or show, or address):
- (a) confirmation of the following:
 - (i) that rail noise has been predicted to upper levels of the building, and that the advice provided will achieve the indoor design targets.
 - (ii) that noise from children playing in the rooftop outdoor play area has been predicted to the proposed overlooking office spaces, and that the glazing proposed will achieve appropriate indoor targets for this noise source.
 - (iii) that a review of façade upgrade treatments to offices overlooking the rooftop plant room on Building C will be undertaken during the detailed design to ensure that the indoor targets will be met.
 - (b) The sound power level used for children’s voices in each of the outdoor play areas, or sufficient information included in the report to calculate them. A 3-D image of the noise model used in calculations must be provided.
 - (c) Assessments of the childcare centre noise impacts to (with the receiver locations included):
 - (i) No. 28 Brighton Street (the high level north facing windows, and the outdoor private open space) and
 - (ii) Upper levels of the approved townhouses at No. 16 Brighton Street.

The acoustic report must make recommendations to limit the noise impacts in accordance with the State Environment Protection Policy (Control of noise from industry, commerce and trade) No. N-1 (SEPP N-1), State Environment Protection Policy (Control of music noise from public premises) No. N-2 (SEPP N-2) or any other requirement to the satisfaction of the Responsible Authority.

- 20 The provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.
- 21 Within 3 months of the occupation of the building, updated post-occupation Acoustic Report to the satisfaction of the Responsible Authority must be prepared by a suitably qualified acoustic engineer and must be generally in accordance with the endorsed acoustic report. The report must be submitted to and approved by the Responsible Authority. When approved, the updated post-occupation Acoustic Report will be endorsed and will form part of this permit. The Acoustic Report must (assess) address the following:
- (a) Confirm that the recommendations of the endorsed acoustic report required as part of Condition 19 have been implemented;
 - (b) Assess mechanical plant noise to SEPP N-1; and

- (c) If non-compliance with Condition 21b is measured, additional acoustic measures as recommended by the amended post-occupation acoustic report are to be implemented within one month of the date of the amended acoustic report.
- 22 The provisions, recommendations and requirements of the endorsed post-occupation Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.

Transport for Victoria Conditions (Condition 23 and 24)

- 23 The permit holder must take all reasonable steps to ensure that disruption to tram operation along Church Street is kept to a minimum during the construction of the development. Foreseen disruptions to tram operations during construction and mitigation measures must be communicated to Yarra Trams and Public Transport Victoria thirty five days (35) prior.
- 24 The permit holder must ensure that all track, tram and overhead infrastructure is not damaged. Any damage to public transport infrastructure must be rectified to the satisfaction of the Public Transport Victoria at the full cost of the permit holder.

VicRoads Conditions (Conditions 25 to 27)

- 25 Before the use approved by this permit commences the following roadworks on Church Street, Richmond must be completed at no cost to and to the satisfaction of the Roads Corporation:
- (a) The provision of Keep Clear line-marking at the intersection of Church Street and Shamrock Street, Richmond.
- 26 Prior to the commencement of the development, excluding demolition works, an Engineering report from a suitably qualified Engineer outlining the design, management and construction techniques to be implement prior, during and following excavation to prevent any impact on the Burnley Tunnel is to be submitted to VicRoads and CityLink for approval. Once approved, the Engineering Report will form part of the planning permit. Without limiting the scope of the report, it must consider all relevant structural and geotechnical issues, including, but not limited to, demonstrating:
- (a) That the development will not compromise the structural integrity of the Burnley Tunnel;
 - (b) What is the load applied to the ground by the development;
 - (c) What is the depth of the excavation;
 - (d) That the development will not cause changes to groundwater conditions that will result in adverse effect on the Burnley Tunnel.
 - (e) Any holding points requiring VicRoads and CityLink inspection and approval prior to releasing the hold points.
- 27 Prior to the commencement of and during the course of construction the following details must be submitted to the satisfaction of VicRoads and CityLink for approval:
- (a) Initial groundwater level;

- (b) Expected and confirmation of actual flows and total volume drained during the construction of the basement;
- (c) if the completed basement is tanked or drained;
- (d) If drained, confirm flow rate into the basement and the height and extent of the permanent lowering of the watertable.
- (e) Temporary or permanent groundwater drawdown greater than 2 metres below existing levels requires the developer to demonstrate the impact of the proposed development on the regional groundwater regime. The developer shall describe how groundwater drawdown will be managed, and demonstrate that there will be an insignificant impact on CityLink assets.

Road Infrastructure

- 28 Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any redundant vehicular crossing must be demolished and re-instated as standard footpath and kerb and channel:
- (a) at no cost to the Responsible Authority (inclusive of the cost of modifying any parking signs or road markings for parking bays (where required)); and
 - (b) to the satisfaction of the Responsible Authority.
- 29 Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any roads, footpaths and other road related infrastructure adjacent to the development site damaged as a result of the construction works, including trenching and excavation for utility service connections must be reconstructed and re-sheeted as single full width areas (with any areas of pavement failure as a consequence of construction traffic must be reinstated with full depth pavement):
- (a) at no cost to the Responsible Authority; and
 - (b) to the satisfaction of the Responsible Authority.
- 30 Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the footpath immediately outside the subject site's the Brighton Street, Shamrock Street and Church Street road frontages must be reconstructed:
- (a) with the footpath having a cross-fall of 1 in 40 or unless otherwise specified by Council;
 - (b) at no cost to the Responsible Authority; and
 - (c) to the satisfaction of the Responsible Authority.
- 31 Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the kerb and channel along the Brighton Street and Church Street road frontages are to be reconstructed:
- (a) at no cost to the Responsible Authority; and
 - (b) to the satisfaction of the Responsible Authority.

- 32 Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the full width of Shamrock Street along the development frontage must be profiled (grinded to a depth of 50mm) and re-sheeted:
- (a) at no cost to the Responsible Authority; and
 - (b) to the satisfaction of the Responsible Authority.
- 33 Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the new vehicular crossing on the west side of Brighton Street and the new vehicle crossing on the properties Shamrock Street road frontage must be constructed:
- (a) to satisfy the vehicle ground clearance requirements for the B99 design vehicle;
 - (b) at no cost to the Responsible Authority; and
 - (c) to the satisfaction of the Responsible Authority.

Streetscape Improvement Plan

- 34 Before the development commences, or by such later date as approved in writing by the Responsible Authority, a Streetscape Improvement plan for the development's Shamrock Street frontage (inclusive of the widening of Shamrock Street) to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority.
- 35 Before the building is occupied, all works associated with the Streetscape Improvement plan as shown on the endorsed plans and Streetscapes Improvement plan (referred to in Condition 33) must be fully constructed and completed by the permit holder, at no cost to the Responsible Authority and to the satisfaction of the Responsible Authority.

Drainage

- 36 **Before the development commences, an amended Drainage Investigation report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Drainage Investigation will be endorsed and will form part of this permit. The amended Drainage Investigation must be generally in accordance with the Drainage Investigation prepared by Northrop Pty Ltd prepared on 31 January 2019, but modified to include (or show, or address):**
- (d) **a plan showing the location of the pits referenced in the CCTV report prepared by Rapid Cam dated 2 November 2018;**
 - (e) **the use of a back-up system such as a flood gate at the driveway or an internal pump system which discharges to Church Street through the property stormwater; and**
 - (f) **an updated flood risk assessment using a 200mm diameter pipe to determine if this will affect the flood level results.**

Widened section of Shamrock Street

- 37 Before the development commences, the design of the widened section of Shamrock Street must be prepared by an independent and suitably qualified engineering professional to the satisfaction of the Responsible Authority and in consultation with the Responsible Authority. The design must be submitted to and approved by the Responsible Authority. The design of the widening of Shamrock Street must provide details including pavement widths, surface treatment, road infrastructure items, landscaping (where applicable) and drainage **(including the installation of any additional drainage pits and associated connecting drainage to the satisfaction of the Responsible Authority).**
- 38 Before the building is occupied, all works associated with the widening of Shamrock Street (referred to in Condition 36) must be carried out, at the permit holder's cost and to the satisfaction of the Responsible Authority.
- 39 Within six months of the commencement of works, the owner (or another person in anticipation of becoming the owner) must enter into an agreement with the Responsible Authority under section 173 of the *Planning and Environment Act 1987*, providing for the following:
- (a) The Owner must provide unfettered 24 hour public access over (and inclusive of the provision of lighting) over that part of the land to be used for the widened section of Shamrock Street between Church Street and the eastern boundary of the development's Shamrock Street frontage;
 - (b) The owner is responsible for maintaining at all times the areas that are private land open to the public described in condition 38(a) at the cost of the owners of the site and to the satisfaction of the Yarra City Council;
 - (c) The owner(s) must obtain and maintain insurance, approved by Yarra City Council, for the public liability and indemnify Yarra City Council against all claims resulting from any damage, loss, death or injury in connection with the public accessing the land described in condition 38(a).
- 40 The owner, or other person in anticipation of becoming the owner, must meet all of the expenses of the preparation and registration of the agreement, including the reasonable costs borne by the Responsible Authority.

Car parking

- 41 Before the development is occupied, a Car Park Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Car Park Management Plan will be endorsed and will form part of this permit. The Car Park Management Plan must address, but not be limited to, the following:
- (a) the management of any visitor car parking spaces and security arrangements for occupants of the development, including details on how visitors are to access car parking;
 - (b) details of way-finding, cleaning and security of end of trip bicycle facilities;
 - (c) the number and allocation of storage spaces;
 - (d) any policing arrangements and formal agreements;

- (e) a schedule of all proposed signage including directional arrows and signage, informative signs indicating location of disabled bays and bicycle parking, exits, restrictions, pay parking system etc;
 - (f) the collection of waste and garbage including the separate collection of organic waste and recyclables, which must be in accordance with the Waste Management Plan required by Condition 10; and
 - (g) details regarding the management of loading and unloading of goods and materials.
- 42 The provisions, recommendations and requirements of the endorsed Car Park Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
- 43 Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the area set aside on the endorsed plans for the car parking spaces, access lanes, driveways and associated works must be:
- (a) constructed and available for use in accordance with the endorsed plans;
 - (b) formed to such levels and drained so that they can be used in accordance with the endorsed plans;
 - (c) treated with an all-weather seal or some other durable surface; and
 - (d) line-marked or provided with some adequate means of showing the car parking spaces,
- all to the satisfaction of the Responsible Authority.
- 44 Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, a notice showing the location of car parking must be placed in a clearly visible position near the entry to the land. The notice must be maintained thereafter to the satisfaction of the Responsible Authority.

Green Travel Plan

- 45 Before the development is occupied, an amended Green Travel Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Green Travel plan will be endorsed and will form part of this permit. The amended Green Travel Plan must be generally in accordance with the Green Travel Plan prepared by Impact Traffic Engineering prepared on 2 July 2018, but modified to include (or show, or address):
- (a) deletion of any language such as 'could be introduced' and instead of 'should' or otherwise committing to a particular action;
 - (b) the Action Plan at Appendix A to references to all actions included in the report, including any carpooling actions;
 - (c) the promotion of various public transport smartphone apps such as the Public Transport Victoria app and/or train or tram tracker;
 - (d) a description of the location in the context of alternative modes of transport;
 - (e) employee welcome packs (e.g. provision of Myki/transport ticketing);

- (f) the provision of real time passenger information displays for nearby stops within each lobby;
 - (g) sustainable transport goals linked to measurable targets, performance indicators and monitoring timeframes;
 - (h) a designated 'manager' or 'champion' responsible for coordination and implementation;
 - (i) details of bicycle parking and bicycle routes;
 - (j) details of GTP funding and management responsibilities;
 - (k) the types of bicycle storage devices proposed to be used for employee and visitor spaces (i.e. hanging or floor mounted spaces);
 - (l) the types of lockers proposed within the change-room facilities, with at least 50% of lockers providing hanging storage space;
 - (m) security arrangements to access the employee bicycle storage spaces;
 - (n) signage and wayfinding information for bicycle facilities and pedestrians pursuant to Australian Standard AS2890.3;
 - (o) reference to a minimum 40A single phase electrical sub circuit should be installed to the car park areas for 'EV readiness'; and
 - (p) provisions for the Green Travel Plan to be updated not less than every 5 years.
- 46 The provisions, recommendations and requirements of the endorsed Green Travel Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Lighting

- 47 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,
- all to the satisfaction of the Responsible Authority.

General

- 48 Finished floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.
- 49 The amenity of the area must not be detrimentally affected by the construction and use, including through:
- (a) the transport of materials, goods or commodities to or from land;
 - (b) the appearance of any buildings, works or materials;

- (c) the emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or
 - (d) the presence of vermin.
- 50 The use and development must comply at all times with the State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N-1).
- 51 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.
- 52 All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
- 53 All pipes, fixtures, fittings and vents servicing any building on the land must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.
- 54 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 9am or after 3pm; or
 - (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.

Construction Management

- 55 Before the development commences, a Construction Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will form part of this permit. The plan must provide for:
- (a) a pre-conditions survey (dilapidation report) of the land and all adjacent Council roads frontages and nearby road infrastructure;
 - (b) works necessary to protect road and other infrastructure;
 - (c) remediation of any damage to road and other infrastructure;
 - (d) containment of dust, dirt and mud within the land and method and frequency of clean up procedures to prevent the accumulation of dust, dirt and mud outside the land;
 - (e) facilities for vehicle washing, which must be located on the land;
 - (f) the location of loading zones, site sheds, materials, cranes and crane/hoisting zones, gantries and any other construction related items or equipment to be located in any street;
 - (g) site security;
 - (h) management of any environmental hazards including, but not limited to,:
 - (i) contaminated soil;

- (ii) materials and waste;
 - (iii) dust;
 - (iv) stormwater contamination from run-off and wash-waters;
 - (v) sediment from the land on roads;
 - (vi) washing of concrete trucks and other vehicles and machinery; and
 - (vii) spillage from refuelling cranes and other vehicles and machinery;
- (i) the construction program;
 - (j) preferred arrangements for trucks delivering to the land, including delivery and unloading points and expected duration and frequency;
 - (k) parking facilities for construction workers;
 - (l) measures to ensure that all work on the land will be carried out in accordance with the Construction Management Plan;
 - (m) an outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services;
 - (n) an emergency contact that is available for 24 hours per day for residents and the Responsible Authority in the event of relevant queries or problems experienced;
 - (o) the provision of a traffic management plan to comply with provisions of AS 1742.3-2002 Manual of uniform traffic control devices - Part 3: Traffic control devices for works on roads;
 - (p) a Noise and Vibration Management Plan showing methods to minimise noise and vibration impacts on nearby properties and to demonstrate compliance with Noise Control Guideline 12 for Construction (Publication 1254) as issued by the Environment Protection Authority in October 2008. The Noise and Vibration Management Plan must be prepared to the satisfaction of the Responsible Authority.

In preparing the Noise and Vibration Management Plan, consideration must be given to:

- (i) using lower noise work practice and equipment;
- (ii) the suitability of the land for the use of an electric crane;
- (iii) silencing all mechanical plant by the best practical means using current technology;
- (iv) fitting pneumatic tools with an effective silencer;
- (v) other relevant considerations; and
- (vi) any site-specific requirements.

During the construction:

- (q) any stormwater discharged into the stormwater drainage system must be in compliance with Environment Protection Authority guidelines;

- (r) stormwater drainage system protection measures must be installed as required to ensure that no solid waste, sediment, sand, soil, clay or stones from the land enters the stormwater drainage system;
- (s) vehicle borne material must not accumulate on the roads abutting the land;
- (t) the cleaning of machinery and equipment must take place on the land and not on adjacent footpaths or roads; and
- (u) all litter (including items such as cement bags, food packaging and plastic strapping) must be disposed of responsibly.

Time expiry

56 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; or
- (c) the child care centre use has not commenced within five years of the date of this permit.

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