



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

**held on Wednesday 24 June 2015 at 6.30pm  
in Meeting Room 3 at the Richmond Town Hall**

**I. ATTENDANCE**

Councillor Stephen Jolly  
Councillor Sam Gaylard

Tarquin Leaver (Co-ordinator Statutory Planning)  
Sarah Thomas (Principal Planner)  
Cindi Johnston (Governance Officer)

**II. APOLOGIES AND LEAVE OF ABSENCE**

Councillor Simon Huggins

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

**IV. CONFIRMATION OF MINUTES**

**Internal Development Approvals Committee Resolution:**

**Moved:** Councillor Jolly **Seconded:** Councillor Gaylard

That the minutes of the meeting of the Internal Development Approvals Committee held on Wednesday 10 June 2015 be confirmed.

**CARRIED**

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



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

### **POLICY**

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

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

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

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

**Governance Branch  
2008**

Councillor Jolly nominated Councillor Gaylard as Chairperson.

There being no other nominations, Councillor Gaylard was appointed Chairperson.

Councillor Gaylard assumed the Chair.

## 1. INTERNAL DEVELOPMENT APPROVALS COMMITTEE

Item		Page	Res. Page
1.1	PLN14/0861 - 153-155, 157-161, 171, 173, 175 and 177 Bridge Road, Richmond VIC 3121 - Part demolition and development of the land for the construction of a 14 storey building, plus mezzanine and 3 basement levels, use of the land for dwellings with a reduction in the car parking requirements associated with dwellings, shops and cafes, waiver of the loading bay requirement, carrying out of road works and painting	6	17
1.2	PLN14/1013 - 6 - 10 Keele Street Collingwood - Use and development of the land for the construction of residential building and an associated reduction in car parking requirements.	19	25
1.3	PLN13/1039 - 29 Brighton Street, Richmond	31	33

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**1.1 PLN14/0861 - 153-155, 157-161, 171, 173, 175 and 177 Bridge Road, Richmond VIC 3121 - Part demolition and development of the land for the construction of a 14 storey building, plus mezzanine and 3 basement levels, use of the land for dwellings with a reduction in the car parking requirements associated with dwellings, shops and cafes, waiver of the loading bay requirement, carrying out of road works and painting**

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Trim Record Number: D15/80010

Responsible Officer: Manager Statutory Planning

**RECOMMENDATION**

That had Council been in a position to determine the application, it would have issued a Notice of Decision to Grant a Permit (PLN14/0861) for 153-155, 157-161, 171, 173, 175 and 177 Bridge Road, Richmond VIC 3121 for the part demolition and development of the land for the construction of a 14 storey building, plus mezzanine and 3 basement levels, with a reduction in the car parking requirements associated with dwellings, shops and cafes, waiver of the loading bay requirement, carrying out of road works and painting 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 (TP A00.002 – TP A00.04, TP A01.09, TP A01.13 and TP A01.17, revision A, dated 22.05.15 and TP A00.09, TP A01.00 – TP A01.07, TP A01.11 – TP A01.12, TP A01.16, TP A02.01 – TP A02.04 and TP A03.01 – TP A03.04, revision B, dated 22.05.15) but modified to show:
  - (a) title boundary dimensions as per the Certificate of Title;
  - (b) the lower ground floor (easternmost segment containing townhouses) setback a minimum 3m from the northern boundary;
  - (c) levels 1 to 8 setback a minimum 2.1m from the east title boundary (built form adjacent to the 'way' easement);
  - (d) levels 6 and 7 setback a minimum 3m and levels 8 to 11 setback a minimum 4m from the north title boundary (northernmost building segment);
  - (e) levels 8 to 12 setback a minimum 4m from the west title boundary. Balconies may project within this setback, but no more than 1m beyond the building line at levels 9 to 12;
  - (f) the layout of dwellings 1.11-1.13, 2.03-2.06, 2.11-2.13, and 3.03-3.13 to be amended as per dwelling 2.13;
  - (g) dwellings 4.03, 5.03, 6.03 and 7.03 amalgamated with dwellings 4.04, 5.04, 6.04 and 7.04;
  - (h) the following treated with fixed, opaque glass to a minimum height of 1.7m or fixed, maximum 25% transparent screens (one may be treated where it addresses the overlooking issue):
    - (i) G.07 balcony and G.08 living room window;
    - (ii) G.16 and G.17 balconies;
    - (iii) 1.01 and 1.02 balconies;
    - (iv) 1.01 and 1.03 balconies;
    - (v) 2.15 living room window and the balconies below;
    - (vi) 2.01 and 2.02 balconies;
    - (vii) 2.01 and 2.03 balconies;
    - (viii) 2.13 and 2.12 and 3.08 to 3.13 dining windows (need to confirm they are fixed);
    - (ix) 2.15 balcony and the balconies below;
    - (x) 3.01 and 3.02 balconies;
    - (xi) 3.01 and 3.03 balconies;
    - (xii) delineation of the northern balcony to dwellings 6.14-6.15, 7.14-7.15 and 8.06-8.07; and

- (xiii) 8.08 and 8.09 balconies.
- (i) the new ground level Bridge Road façade (former National Theatre segment) to be vertically articulated;
- (j) the provision of stall bars to the new Bridge Road façade of the former National Theatre segment;
- (k) the retention of the existing façade plaque from the front of the National Theatre building and reinstated on the new façade (approximately at the same height as existing on a suitable ground floor façade element of the former National Theatre portion of the site);
- (l) demolition of the elevated area in the south west corner of the Council car park that formerly provided access to the subject site;
- (m) the western wing wall of dwellings 2.14 and 3.14 on levels 2 and 3 deleted and replaced with a glazed return balustrade;
- (n) demolition plan to match the extent of works proposed;
- (o) a minimum 3m<sup>3</sup> of storage per dwelling;
- (p) a minimum of 9 car parking spaces allocated to the shop and café tenancies (1 per tenancy);
- (q) the unallocated car parking spaces provided for resident visitor, with the option of providing shared spaces for residential visitors, café and shop uses;
- (r) the easternmost car parking spaces across basements 1, 2, 3 and the lower ground floor designed as 'small car spaces';
- (s) lower ground – With the exception of the length (which must meet table 2 at clause 52.06-8 of the Yarra planning Scheme), the disabled parking space and associated shared area must be designed in accordance with the Australian/New Zealand Standard AS/NZS 2890.6:2009;
- (t) lower ground – bays adjacent to wall must have an additional 300 mm clearance as required by diagram 1 at clause 52.06-8 of the Yarra Planning Scheme;
- (u) a wall, fence, column, or any other structure that abuts a car space must not encroach into the area marked 'clearance required' on diagram 1 of clause 52.06-8 of the Yarra Planning Scheme, other than:
  - (i) a column which may project into a space if it is within the area marked 'tree or column permitted' on diagram 1;
  - (ii) a structure, which may project into the space if it is at least 2.1 metres above the space.
- (v) all works required by the s173 agreement to be indicatively by shown on the plans;
- (w) the bicycle parking bays must meet the dimension requirements at clause 52.34-4 of the Yarra Planning Scheme;
- (x) bicycle parking signage to be provided in accordance with clause 52.34-5 of the Yarra Planning Scheme;
- (y) the 7 visitor/staff bicycle parking spaces adjacent to the car park entry on the lower ground level relocated away from the vehicular entrance ramp, yet remaining accessible to visitors and staff;
- (z) the 19 and 8 space bicycle parking bays in the south-west and south-east corner of the lower ground level relocated to the north-east corner of the lower basement with the 60 space bay;
- (aa) resident bicycle parking spaces provided behind a lockable gate;
- (bb) a minimum of 4 visitor bicycle parking spaces to be provided along the Bridge Road footpath at the Permit Holder's expense and to the satisfaction of the Responsible Authority;
- (cc) larger north facing windows to the lower ground café tenancy;
- (dd) a lighting and public artwork scheme for the laneway in the eastern end of the site, with a notation confirming lighting will meet Australian Standards;
- (ee) plans of the laneway in the eastern end of the site to show all correct grade information;
- (ff) a public lighting design scheme along the development's road frontages, demonstrating adequate lighting levels for pedestrians as per Australian Standard requirements. Notations must confirm that the lighting scheme has been approved by CitiPower and all lighting infrastructure and hardware will be funded by the Permit Holder;

- (gg) a landscape plan showing:
    - (i) the type, location, quantity, height at maturity and botanical names of all proposed plants;
    - (ii) details of design information relating to drainage, planters, paving and fencing;
    - (iii) details of irrigation and maintenance (including reuse of stormwater);
    - (iv) the location of all areas to be covered by lawn or other surface materials;
    - (v) specification of works to be undertaken prior to planting; and
    - (vi) additional landscaping to the level 8 pool deck.
  - (hh) the on-street parking spaces along Judd Street, where adjacent to street trees, increased to a minimum length of 6m;
  - (ii) any changes resultant from the endorsed SMP (where relevant to show on plan);
  - (jj) any changes resultant from the endorsed Wind Report (where relevant to show on plan);
  - (kk) any changes resultant from the endorsed Acoustic Report (where relevant to show on plan); and
  - (ll) any changes resultant from the endorsed Waste Management Plan (where relevant to show on plan);
  - (mm) A schedule of materials and colours including samples and coloured elevations to show:
    - (i) further articulation of the north and east facades (segments adjacent to the laneways and Council car park) through the use of colours and/or material variations to be commensurate with the Bridge Road facade;
    - (ii) the level 1 and 2 recessed metal spandrel elements at the former National Theatre segment of the site replaced with masonry (may be pigmented and/or textured);
    - (iii) details of the concrete finish to the part 3 and 4-7 Bridge Road façade, with details of stain protection, pigmented concrete and/or texture to ensure the façade weathers well over time;
    - (iv) the former London Baby Carriage façade re-painted as per original conditions. This is to be ascertained by undertaking a microscopic paint analysis;
    - (v) the lower ground façade to Judd Street and the northern laneway finished in a 'fine grained' material or treatment; and
    - (vi) the lower ground, eastern façade to the Council car park treated with artwork or a fine grained material to add visual interest.
2. The development and uses as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.
3. Before demolition commences, a detailed and annotated photographic record of the existing buildings (153 to 177 Bridge Road) in their context must be submitted to the satisfaction of and endorsed by the Responsible Authority as a record of the building. The photographic record and a brief historical overview of the National Theatre building must also be lodged in the local history collection at Yarra City Libraries. The photographs must:
- (a) include the interior and each external elevation of the building (including any remnants of the ceiling and exposed timber trusses within 173-177 Bridge Road);
  - (b) be submitted in black and white format;
  - (c) be taken by a suitably qualified heritage photographer; and
  - (d) the methodology should follow that set out in Photographic Recording for Heritage Places and Objects prepared by Heritage Victoria and which can be accessed at [http://www.dtpli.vic.gov.au/\\_\\_data/assets/pdf\\_file/0009/219348/Photographic\\_Recording\\_Tech\\_Note.pdf](http://www.dtpli.vic.gov.au/__data/assets/pdf_file/0009/219348/Photographic_Recording_Tech_Note.pdf).

### Structural report requirement



4. Before the demolition commences, a structural report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the structural report will be endorsed and will form part of this permit. The structural report must be prepared by a suitably qualified structural engineer, or equivalent, and demonstrate the means by which the retained portions of the building at 153 – 161 Bridge Road will be supported during demolition and construction works to ensure their retention.
5. The provisions, recommendations and requirements of the endorsed structural report must be implemented and complied with to the satisfaction of the Responsible Authority.

#### General

6. Finished floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.
7. 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.
8. All screening and other measures to prevent overlooking as shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority.
9. 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.
10. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
11. 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.
12. 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 basement car park, pedestrian walkway, laneway and dwelling entrances must be provided. Lighting must be:
  - (a) located;
  - (b) directed;
  - (c) shielded; and
  - (d) of limited intensity,
  - (e) to the satisfaction of the Responsible Authority.

#### Environmental Audit

13. Before either the construction of the development authorised by this permit or the use authorised by this permit commence, an assessment of the land to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The assessment must be prepared by an environmental professional with suitable qualifications to the satisfaction of the Responsible Authority and must include:
  - (a) a description of previous land uses and activities on the land;
  - (b) an assessment of the level, nature and distribution of any contamination within, or in close proximity to, the land;
  - (c) details of any provisions, recommendations and requirements (including but not limited to, clean up, construction, ongoing maintenance or monitoring) required to effectively address and manage any contamination within the land; and

- (d) recommendations as to whether the land is suitable for the use for which the land is proposed to be developed and whether an Environmental Auditor should be appointed under section 53S of the *Environment Protection Act 1970* (**EP Act**) to undertake an Environmental Audit in accordance with the provisions of the EP Act.
14. If the assessment required by condition 13 does not result in a recommendation that an Environmental Auditor be appointed under section 53S of the EP Act to undertake an Environmental Audit in accordance with the provisions of the EP Act, all provisions, recommendations and requirements of the assessment must be implemented and complied with to the satisfaction of the Responsible Authority.
15. If the assessment required by condition 13 results in a recommendation that an Environmental Auditor be appointed under section 53S of the EP Act to undertake an Environmental Audit in accordance with the provisions of the EP Act, before the construction of the development authorised by this permit or the use authorised by this permit commence, the Environmental Auditor appointed under section 53S of the *Environment Protection Act 1970* (EP Act) must undertake an Environmental Audit in accordance with the provisions of the EP Act and issue:
- (a) a Certificate of Environmental Audit for the land in accordance with section 53Y of the EP Act (**Certificate**); or
  - (b) a Statement of Environmental Audit for the land in accordance with section 53Z of the EP Act (Statement),
- and the Certificate or Statement must be provided to the Responsible Authority.
16. If, pursuant to condition 15, a Statement is issued:
- (a) the:
    - (i) use; and
    - (ii) development,
 authorised by this permit must not be undertaken unless the Statement clearly states that the land is suitable for the sensitive use for which the land is being developed;
  - (b) the development authorised by this permit must not be undertaken until compliance is achieved with the terms and conditions that the Statement states must be complied with before the development commences (**development pre-commencement conditions**);
  - (c) the use authorised by this permit must not be undertaken until compliance is achieved with all terms and conditions that the Statement states must be complied with before the use commences (**use pre-commencement conditions**);
  - (d) before the construction of the development authorised by this permit commences, a letter prepared by the Environmental Auditor appointed under section 53S of the EP Act which states that the development pre-commencement conditions have been complied with must be submitted to the responsible authority.
  - (e) before the use authorised by this permit commences, a letter prepared by the Environmental Auditor appointed under section 53S of the EP Act which states that the use pre-commencement conditions have been complied with must be submitted to the responsible authority;
  - (f) if any term or condition of the Statement requires any ongoing maintenance or monitoring, the owner of the land (or another person in anticipation of becoming the owner) must enter into an agreement with the Responsible Authority pursuant to section 173 of the *Planning and Environment Act 1987* (**Agreement**). The Agreement must:
    - (i) provide for the undertaking of the ongoing maintenance and monitoring as required by the Statement; and
    - (ii) be executed before the sensitive use for which the land is being developed commences; and
  - (g) the owner of the land, or other person in anticipation of becoming the owner, must pay all costs and expenses (including legal expenses) of, and incidental to, the Agreement (including those incurred by the Responsible Authority).

## Section 173 Agreement

17. Before the development starts, 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:

### *Design Detail*

Within 3 months of commencement of the development, the owner of the site must submit detailed engineering documentation to the satisfaction of the Responsible Authority and at the full cost of the owner showing the following:

- (a) Widening of the carriage way of Judd Street (the section opposite the subject site and excluding adjacent to the retained saw-toothed bay) to a minimum width of 7m with no change to the western footpath and must be stripped and re-sheeted, constructed with full-depth pavement for the full width with all line and road markings. The kerb and channel along the east side of Judd Street must be constructed in bluestone.
- (b) Provide a 1.5m wide footpath on the eastern edge of Judd Street for the full length of the subject site excluding the area adjacent to the retained saw-toothed bay with no change to the western footpath.
- (c) Relocate the on street car parking spaces to the west with each bay being a minimum of 6m where adjacent to street trees.
- (d) Provide a minimum of 3 Street trees in Judd Street.
- (e) Widening of the east-west link to the north of the site (extending from Judd Street for the full width of the site approximately 26.8m) to a minimum width of 5.5 m. The east – west link must be stripped and re-sheeted, constructed with full-depth pavement for the full width and reconstruction of the crossover accessing the link from Judd Street.
- (f) Provide a 1.5m wide footpath on the southern side of the east-west link extending from Judd Street for the full width of the site approximately 26.8m.
- (g) Removal of the elevated area in the south west corner of the Council car park that formerly provided access to the subject site, with the ground resurfaced to match the surrounding levels and materials of the adjacent car park surface.
- (h) The Judd Street power lines (adjacent to the subject site at a minimum) must be relocated under the Judd Street footpath.
- (i) Widening of the access from Bridge Road to the Council car park to be 3.0 – 3.3 metres and include details of drainage, grades, lighting, materials and public art.

### *Timing of works*

- (j) Before the building is occupied, all works outlined above must be fully constructed and completed by the owner to the satisfaction of the Responsible Authority.

### *On Going Conditions*

- (k) The Owner must provide unfettered 24 hour public access over that part of the e land to be used for the new Judd Street footpath, the new east –west link footpath and the widened access from Bridge Road to the Council car park;
- (l) The owner is responsible for maintaining at all times the areas open to the public described in condition 17k) at the cost of the owners of the site and to the satisfaction of the Yarra City Council.
- (m) 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 on condition 17k).

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 the Responsible Authority.

### Wind Assessment report

18. Before the development commences, a Wind Assessment Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The report must demonstrate that the criterion for walking comfort will be achieved within the property and within surrounding public spaces as a result of the development. When approved, the Wind Assessment Report will be endorsed and will form part of this permit.
19. The provisions, recommendations and requirements of the endorsed Wind Assessment Report must be implemented and complied with to the satisfaction of the Responsible Authority.

### Acoustic report

20. 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 AECOM but modified to include:
  - (a) road traffic and tram noise ingress. Road traffic and tram noise levels within apartments must not exceed the AS/NZS2107:2000 recommended 'maximum' levels for any single hour, and 50 dBA L<sub>max</sub> indoors to bedrooms;
  - (b) mechanical plant and equipment and other anticipated noise generating activities associated with the commercial tenancies. All plant equipment must comply with SEPP N-1 and achieve acceptable levels of acoustic amenity within apartments. Refer to the AAAC 'Guideline for Apartment and Townhouses Acoustic Rating', 2010 for amenity targets;
  - (c) airborne noise and structureborne noise and vibration from the pool and shared public areas. Vibration isolation must be provided to the pool and shared decks to minimise impacts to nearby apartments;
  - (d) internal building services including the substation, carpark exhaust fans, carpark entrance door, bin chute. Noise from these items must comply with SEPP N-1. Refer to the AAAC 'Guideline for Apartment and Townhouses Acoustic Rating', 2010, for amenity targets;
  - (e) the kitchen exhaust fans at 179 Bridge Road. Noise from the existing roof mounted fans must meet SEPP N-1 at the façade of the potentially most affected apartment. If an exceedence is measured or predicted, options for achieving compliance with SEPP N-1 or managing the noise impacts must be provided in the report;
  - (f) noise transfer between apartments via shared lightwells. Windows of apartments overlooking a common lightwell must be provided with glazing rated not less than Rw 38 if the lightwell includes openable windows to habitable areas, and Rw 33 if all windows from habitable rooms to the lightwell are fixed.
21. The provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.
22. The development must comply at all times with the State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N-1).

### Sustainable Management Plan

23. 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 Simpson Kotzman dated 16 September 2014, but modified to:
- (a) reflect the decision plans;
  - (b) reflect the changes required as per condition 1 (where relevant);
  - (c) detail pool equipment and efficiency, including considering UV treatment of rainwater to top up the pool;
  - (d) provide sensor activated lighting for common areas; and
  - (e) include the additional commitments outlined in the letter prepared by Simpson Kotzman dated 20 May 2015.
24. The provisions, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

#### Waste Management Plan

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

#### Landscaping

26. Before the building is occupied, or such later date as is approved by the Responsible Authority, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.
27. The landscaping shown on the endorsed plans 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.
28. Before the development is occupied, the 3 street trees in Judd Street must be planted. The 3 street trees in Judd Street must not be planted over services. Planting must be carried out at the expense of the Permit Holder, (cost of approximately \$2,400, including 2 years of maintenance), to the satisfaction of the Responsible Authority.

#### Car parking

29. Before the development commences, 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 number and location of car parking spaces allocated to each tenancy;
  - (b) the number and location of car spaces for shared use, including time of shared use;
  - (c) the management of visitor car parking spaces and security arrangements for occupants of the development, including details on how residential visitors are to access car parking;
  - (d) details of way-finding, cleaning and security of end of trip bicycle facilities;
  - (e) any policing arrangements and formal agreements;

- (f) 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;
  - (g) 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 22; and
  - (h) details regarding the management of loading and unloading of goods and materials.
30. 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.
31. Before the building is occupied, 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; and
  - (b) formed to such levels and drained so that they can be used in accordance with the endorsed plans.
- to the satisfaction of the Responsible Authority.

### Green Travel Plan

32. Before the occupation of the development, a 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 Green Travel Plan must include, but not be limited to, the following:
- (a) describe the location in the context of alternative modes of transport;
  - (b) the provision of real time passenger information displays for nearby stops within each residential lobby;
  - (c) employee / resident welcome packs (e.g. provision of Met Cards/Myki);
  - (d) a designated 'manager' or 'champion' responsible for co-ordination and implementation;
  - (e) details of bicycle parking and bicycle routes;
  - (f) details of GTP funding and management responsibilities; and
  - (g) include provisions to be updated not less than every 5 years.
33. The provisions, recommendations and requirements of the endorsed Green Travel Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

### Construction Management

34. 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 (including Leggo Place);
  - (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; and
    - (v) other relevant considerations.
35. During the construction:
- (a) any stormwater discharged into the stormwater drainage system must be in compliance with Environment Protection Authority guidelines;
  - (b) stormwater drainage system protection measures must be installed as required to ensure that no solid waste, sediment, sand, soil, clay or stones from the land enters the stormwater drainage system;
  - (c) vehicle borne material must not accumulate on the roads abutting the land;
  - (d) the cleaning of machinery and equipment must take place on the land and not on adjacent footpaths or roads; and
  - (e) all litter (including items such as cement bags, food packaging and plastic strapping) must be disposed of responsibly.
36. 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.
37. Any damaged roads, footpaths and other road related infrastructure adjacent to the development site as a result of the construction works, including trenching and excavation for utility service connections, must be reconstructed to Council's satisfaction and at the Permit holder's expense.
38. 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 the permit holder's cost; and

- (b) to the satisfaction of the Responsible Authority.
39. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.
40. After the connections for underground utility services and prior to the occupation of the development, the footpath immediately outside the property's Judd Street and Bridge Road frontages must be reconstructed (matching existing levels and materials) to Council standard and at the Permit holder's expense.
41. Prior to the occupation of the development, all areas of pavement failure and deterioration in Judd Street must be reinstated with full-depth asphalt and the full width surface of the entire road pavement is to be stripped and re-sheeted with a 30 mm thick size 10 bituminous concrete as per Council requirements, at the expense of the Permit Holder and to the satisfaction of the Responsible Authority.
42. Prior to the occupation of the development, the footpath adjacent to the site along Bridge Road must be reconstructed to Council standards and must be DDA compliant. The new footpath must have a cross-fall of no steeper than in 40, with the top of the kerb levels as control points. The cost of the footpath must be at the expense of the Permit Holder and to the satisfaction of the Responsible Authority.
43. Pit lids and levels are to be readjusted to match the surface of the footpath, to the satisfaction of the Responsible Authority.
44. No parking restriction signs are to be removed, adjusted, changed or relocated without approval or authorisation from the Responsible Authority.
45. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
- (a) before 7 am or after 6 pm, Monday-Friday (excluding public holidays);
  - (b) before 9 am or after 3 pm, Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday); or
  - (c) at any time on Sundays, ANZAC Day, Christmas Day and Good Friday.

#### Public Transport Victoria Condition

46. The permit holder must take all reasonable steps to ensure that disruption to tram operation along Bridge Road 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 YarraTrams and Public Transport Victoria fourteen days (14) prior. Any damage to public transport infrastructure must be rectified to the satisfaction of Public Transport Victoria at the full cost of the permit holder.

#### Time expiry

47. This permit will expire if:
- (a) the development is not commenced within two years of the date of this permit;
  - (b) the development is not completed within four years of the date of this permit; or
  - (c) the uses are not commenced within five years from 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.

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



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

NOTE: A building permit maybe required before development is commenced. Please contact Council's Building Services on 9205 5095 to confirm.

NOTE: All future residents, employees and occupiers residing within the development approved under this permit will not be permitted to obtain resident, employee or visitor parking permits.

NOTE: 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.

NOTE: The Permit Holder must check and ensure that the building and any balconies or architectural features have adequate clearances from overhead power lines, transformers, substations or any other electrical assets as per CitiPower requirements. The developer must contact CitiPower and seek advice on EMF and clearances from electrical assets.

NOTE: Separate consent or approval may be required for the relocation of power lines.

NOTE: Any changes to on-street parking must be approved by Council's Parking Services Unit.

VICROADS NOTE: Separate consent may be required from VicRoads (the Roads Corporation) under the *Road Management Act 2004* for al buildings and works (i.e. canopies) undertaken outside the title boundary within the Road Zone Category 1.

### Submissions

*The Applicants, Mr Tim McBride-Burgess and Mr Michael Fox addressed the Committee.*

*The following people also addressed the Committee:*

*Ms Linda Kearley;  
Mr Chris Toussaint; and  
Mr David Hedley.*

## **INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION**

**Moved:** Councillor Gaylard

**Seconded:** Councillor Jolly

That had Council been in a position to determine the application, it would have issued a Notice of Refusal to Grant a Permit (PLN14/0861) for 153-155, 157-161, 171, 173, 175 and 177 Bridge Road, Richmond VIC 3121 for the part demolition and development of the land for the construction of a 14 storey building, plus mezzanine and 3 basement levels, with a reduction in the car parking requirements associated with dwellings, shops and cafes, waiver of the loading bay requirement, carrying out of road works and painting on the following grounds:

1. The demolition of the building at 171, 173, 175 and 177 Bridge Road and the part demolition of the building at 153—155 and 157-161 Bridge Road would unreasonably impact the heritage significance of the site and the Bridge Road, Richmond Heritage Precinct, contrary to clauses 43.01 (Heritage Overlay), 15.03 (Heritage), 21.05-1 (Heritage) and 22.02 (Development Guidelines for Sites Subject to Heritage Overlay) of the Yarra Planning Scheme.

2. The height, design and setbacks of the proposal would unreasonably impact the heritage significance of the site and the Bridge Road, Richmond Heritage Precinct, contrary to clauses 43.01 (Heritage Overlay), 15.03 (Heritage), 21.05-1 (Heritage) and 22.02 (Development Guidelines for Sites Subject to Heritage Overlay) of the Yarra Planning Scheme.
3. The height, design and setbacks of the proposal would create unreasonable visual bulk when viewed from the surrounding public realm, contrary to clauses 15.01-1 (Urban design), 15.01-2 (Urban Design Principles), 21.05-2 (Urban design), 22.07 (Development Abutting laneways Policy) and 22.10 (Built form and design policy) of the Yarra Planning Scheme and the DSE Guidelines for Higher Density Residential Development.

**CARRIED UNANIMOUSLY**

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**1.2 PLN14/1013 - 6 - 10 Keele Street Collingwood - Use and development of the land for the construction of residential building and an associated reduction in car parking requirements.**

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Trim Record Number: D15/78468

Responsible Officer: Manager Statutory Planning

**RECOMMENDATION**

That having considered all objections and relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant a Planning Permit PLN14/0860 for the use and development of the land for the construction of residential building and an associated reduction in car parking requirements at 6 – 10 Keele Street Collingwood, subject to the following conditions:

1. Before the use and development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the decision plans by SJB Architects received by Council on 1 December 2014 and 4 May 2015 but modified to show:
  - (a) The southern portion of the western boundary wall from the third floor and above (above the podium) setback a distance of 4.5m from the centre of the laneway.
  - (b) The portion of the western boundary wall to the north of the laneway setback at least 4.5m from the western boundary from the third floor and above.
  - (c) A door to the bike store directly to the lobby area.
  - (d) A roof plan showing all plant and equipment to be screened from views from the public realm.
  - (e) The balcony of apartment 2.02 to be screened to limit any views to the east in accordance with Standard B22 of Clause 55 or Objective 2.9 of DSE Design Guidelines for Higher Density Residential Development.
  - (f) All habitable room windows as openable (except when required due to screening).
  - (g) All common area corridor and lift lobby windows on the western and eastern ends as openable.
  - (h) A 1 in 20 scale cross sectional drawing of the new vehicle crossing and the proposed ramp profile and existing road profile of Keele Street. The drawing must include actual reduced levels of the building line, invert level, kerb levels, and pavement levels.
  - (i) Swept path diagrams for stacker platforms and visitor car parking spaces demonstrating access and egress.
  - (j) A cross sectional drawing of the ramp showing the minimum headroom clearances and ground clearance checks at critical points along the ramp.
  - (k) Any requirement of the endorsed ESD report (condition 3) (where relevant to show on plans).
  - (l) Any requirement of the endorsed WMP report (condition 5) (where relevant to show on plans).
  - (m) Any requirement of the endorsed acoustic report (condition 10) (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. Before the use and development commences, an amended Sustainable Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Sustainable Management Plan will be endorsed and will form part of this permit. The amended Sustainable Management Plan must be generally in accordance with the Sustainable Management Plan prepared by Ark Resources and dated 31 March 2015, but modified to include or show:

- (a) Ceiling fans installed in all single aspect living rooms.
4. The provisions, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
5. Before the plans are endorsed, an updated 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 plan must be generally in accordance with the WMP (prepared by Leigh Design dated 9 October 2014), but modified to include:
  - (a) Deletion of commercial waste section; and
  - (b) The amended location of the refuse room.
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. In the event that the proposed loading zone is not approved by Council, the Waste Management Plan must be amended to provide an alternative pick-up location to the satisfaction of the Responsible Authority
7. Before the development commences, updated landscape plans generally in accordance with the Landscape Plan prepared by Site Image Landscape Architects (October 2014) to the satisfaction of the Responsible Authority must be prepared by a suitably qualified person. When approved, the landscape plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and three copies must be provided. The plan must show:
  - (a) Confirmation that any new services for the development are not located underneath the proposed street trees;
  - (b) The location of planter boxes as per the amended plans received by Council on 4 May 2015;
  - (c) The street tree species as *Tristaniopsis laurina* in 100Lt containers;
  - (d) The deletion of the use of *Gunnera manicata* from the planters;
  - (e) The deletion of *Pheonix canariensis* (based on location shown Section 4 on LA202) from the narrow planters or alternatively, enlarge the planer boxes; and
  - (f) Smaller species being added to the plant list for the smaller planters, particularly those on Level 3.
8. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the landscaping works shown on the endorsed Landscape Plan must be carried out and completed to the satisfaction of the Responsible Authority. The landscaping shown on the endorsed Landscape Plan must be maintained by:
  - (a) implementing and complying with the provisions, recommendations and requirements of the endorsed Landscape Plan;
  - (b) not using the areas set aside on the endorsed Landscape Plan for landscaping for any other purpose; and
  - (c) replacing any dead, diseased, dying or damaged plants,to the satisfaction of the Responsible Authority.
9. Before the development commences, the permit holder must make a one off contribution of \$1,800 to the Responsible Authority to be used for the planting and maintenance of the street tree plantings that are required as a result of the development.

10. Before the use and 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 two Acoustic Reports prepared by Renzo Tonin & Associates and dated October 2014 and March 2015, but modified to include (or show, or address):
  - (a) Internal building services (including but not limited to the substation, carpark exhaust fans, carpark entrance door, car stackers and bin chute) to comply with SEPP N-1 and that they achieve acceptable levels of acoustic amenity within apartments (with reference to the AAAC 'Guideline for Apartment and Townhouses Acoustic Rating', 2010, for amenity targets). Leq and Lmax criteria to be considered.

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.

11. The provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.
12. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any new vehicle crossing must be constructed:
  - (a) in accordance with any requirements or conditions imposed by Council;
  - (b) at the permit holder's cost; and
  - (c) to the satisfaction of the Responsible Authority.
13. 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 the permit holder's cost; and
  - (b) to the satisfaction of the Responsible Authority.
14. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the western Right of Way must be reconstructed:
  - (a) to match-in with the abutting private car park;
  - (b) to ensure there is sufficient drainage;
  - (c) at the permit holder's cost; and
  - (d) to the satisfaction of the Responsible Authority.
15. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, 6 bike spaces must be installed on the Keele Street footpath:
  - (a) at the permit holder's cost; and
  - (b) in a location and manner,

to the satisfaction of the Responsible Authority.
16. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, 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.

17. 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;to the satisfaction of the Responsible Authority.
18. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the car stackers must be installed in accordance with the manufacturer's specifications by a suitably qualified person. The car stackers must be maintained thereafter to the satisfaction of the Responsible Authority.
19. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating access to the car park, pedestrian and vehicular entrances, dwelling entrances must be provided. Lighting must be:
  - (a) located;
  - (b) directed;
  - (c) shielded; and
  - (d) of limited intensity,to the satisfaction of the Responsible Authority.
20. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, 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.
21. The amenity of the area must not be detrimentally affected by the 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.to the satisfaction of the Responsible Authority.
22. 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.
23. 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.
24. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:

- (a) Monday-Friday (excluding public holidays) before 7 am or after 6 pm;
- (b) Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday) before 9 am or after 3 pm; or
- (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.

25. Before the use and 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
- (q) any site-specific requirements.

During the construction:

- (r) any stormwater discharged into the stormwater drainage system must be in compliance with Environment Protection Authority guidelines;
- (s) 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;
- (t) vehicle borne material must not accumulate on the roads abutting the land;
- (u) the cleaning of machinery and equipment must take place on the land and not on adjacent footpaths or roads; and
- (v) all litter (including items such as cement bags, food packaging and plastic strapping) must be disposed of responsibly.

26. 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 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.

Notes:

A building permit maybe required before development is commenced. Please contact Council's Building Services on 9205 5095 to confirm.

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

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

The site is located within an Environmental Audit Overlay. Pursuant to Clause 45.03 of the Yarra Planning Scheme, the requirements of the Environmental Audit Overlay must be met prior to the commencement of development permitted under the permit.

All future 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.

### Submissions

*The Applicant, Mr James Dougherty addressed the Committee.*

*The following people also addressed the Committee:*

*Mr John Louin;  
Mr Peter Newbury; and  
Ms Candice Preslin.*



**INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION****Moved:** Councillor Jolly**Seconded:** Councillor Gaylard

That having considered all objections and relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant a Planning Permit PLN14/0860 for the use and development of the land for the construction of residential building and an associated reduction in car parking requirements at 6 – 10 Keele Street Collingwood, subject to the following conditions:

1. Before the use and development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the decision plans by SJB Architects received by Council on 1 December 2014 and 4 May 2015 but modified to show:
  - (a) The southern portion of the western boundary wall from the third floor and above (above the podium) setback a distance of 4.5m from the centre of the laneway.
  - (b) The portion of the western boundary wall to the north of the laneway setback at least 4.5m from the western boundary from the third floor and above.
  - (c) A door to the bike store directly to the lobby area.
  - (d) A roof plan showing all plant and equipment to be screened from views from the public realm.
  - (e) The balcony of apartment 2.02 to be screened to limit any views to the east in accordance with Standard B22 of Clause 55 or Objective 2.9 of DSE Design Guidelines for Higher Density Residential Development.
  - (f) All habitable room windows as openable (except when required due to screening).
  - (g) All common area corridor and lift lobby windows on the western and eastern ends as openable.
  - (h) A 1 in 20 scale cross sectional drawing of the new vehicle crossing and the proposed ramp profile and existing road profile of Keele Street. The drawing must include actual reduced levels of the building line, invert level, kerb levels, and pavement levels.
  - (i) Swept path diagrams for stacker platforms and visitor car parking spaces demonstrating access and egress.
  - (j) A cross sectional drawing of the ramp showing the minimum headroom clearances and ground clearance checks at critical points along the ramp.
  - (k) Any requirement of the endorsed ESD report (condition 3) (where relevant to show on plans).
  - (l) Any requirement of the endorsed WMP report (condition 5) (where relevant to show on plans).
  - (m) Any requirement of the endorsed acoustic report (condition 10) (where relevant to show on plans).
  - (n) Reduction in height of two levels, to a maximum of six-storeys.
  
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. Before the use and development commences, an amended Sustainable Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Sustainable Management Plan will be endorsed and will form part of this permit. The amended Sustainable Management Plan must be generally in accordance with the Sustainable Management Plan prepared by Ark Resources and dated 31 March 2015, but modified to include or show:
  - (a) Ceiling fans installed in all single aspect living rooms.

4. The provisions, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
5. Before the plans are endorsed, an updated 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 plan must be generally in accordance with the WMP (prepared by Leigh Design dated 9 October 2014), but modified to include:
  - (a) Deletion of commercial waste section; and
  - (b) The amended location of the refuse room.
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. In the event that the proposed loading zone is not approved by Council, the Waste Management Plan must be amended to provide an alternative pick-up location to the satisfaction of the Responsible Authority
7. Before the development commences, updated landscape plans generally in accordance with the Landscape Plan prepared by Site Image Landscape Architects (October 2014) to the satisfaction of the Responsible Authority must be prepared by a suitably qualified person. When approved, the landscape plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and three copies must be provided. The plan must show:
  - (a) Confirmation that any new services for the development are not located underneath the proposed street trees;
  - (b) The location of planter boxes as per the amended plans received by Council on 4 May 2015;
  - (c) The street tree species as *Tristaniopsis laurina* in 100Lt containers;
  - (d) The deletion of the use of *Gunnera manicata* from the planters;
  - (e) The deletion of *Pheonix canariensis* (based on location shown Section 4 on LA202) from the narrow planters or alternatively, enlarge the planer boxes; and
  - (f) Smaller species being added to the plant list for the smaller planters, particularly those on Level 3.
8. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the landscaping works shown on the endorsed Landscape Plan must be carried out and completed to the satisfaction of the Responsible Authority. The landscaping shown on the endorsed Landscape Plan must be maintained by:
  - (a) implementing and complying with the provisions, recommendations and requirements of the endorsed Landscape Plan;
  - (b) not using the areas set aside on the endorsed Landscape Plan for landscaping for any other purpose; and
  - (c) replacing any dead, diseased, dying or damaged plants,to the satisfaction of the Responsible Authority.
9. Before the development commences, the permit holder must make a one off contribution of \$1,800 to the Responsible Authority to be used for the planting and maintenance of the street tree plantings that are required as a result of the development.

10. Before the use and 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 two Acoustic Reports prepared by Renzo Tonin & Associates and dated October 2014 and March 2015, but modified to include (or show, or address):
  - (a) Internal building services (including but not limited to the substation, carpark exhaust fans, carpark entrance door, car stackers and bin chute) to comply with SEPP N-1 and that they achieve acceptable levels of acoustic amenity within apartments (with reference to the AAAC 'Guideline for Apartment and Townhouses Acoustic Rating', 2010, for amenity targets). Leq and Lmax criteria to be considered.

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.

11. The provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.
12. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any new vehicle crossing must be constructed:
  - (a) in accordance with any requirements or conditions imposed by Council;
  - (b) at the permit holder's cost; and
  - (c) to the satisfaction of the Responsible Authority.
13. 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 the permit holder's cost; and
  - (b) to the satisfaction of the Responsible Authority.
14. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the western Right of Way must be reconstructed:
  - (a) to match-in with the abutting private car park;
  - (b) to ensure there is sufficient drainage;
  - (c) at the permit holder's cost; and
  - (d) to the satisfaction of the Responsible Authority.
15. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, 6 bike spaces must be installed on the Keele Street footpath:
  - (a) at the permit holder's cost; and
  - (b) in a location and manner,

to the satisfaction of the Responsible Authority.
16. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, 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.

17. 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;to the satisfaction of the Responsible Authority.
18. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the car stackers must be installed in accordance with the manufacturer's specifications by a suitably qualified person. The car stackers must be maintained thereafter to the satisfaction of the Responsible Authority.
19. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating access to the car park, pedestrian and vehicular entrances, dwelling entrances must be provided. Lighting must be:
  - (a) located;
  - (b) directed;
  - (c) shielded; and
  - (d) of limited intensity,to the satisfaction of the Responsible Authority.
20. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, 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.
21. The amenity of the area must not be detrimentally affected by the 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.to the satisfaction of the Responsible Authority.
22. 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.
23. 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.
24. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:

- (a) Monday-Friday (excluding public holidays) before 7 am or after 6 pm;
- (b) Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday) before 9 am or after 3 pm; or
- (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.

25. Before the use and 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
- (q) any site-specific requirements.

During the construction:

- (r) any stormwater discharged into the stormwater drainage system must be in compliance with Environment Protection Authority guidelines;
- (s) 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;
- (t) vehicle borne material must not accumulate on the roads abutting the land;
- (u) the cleaning of machinery and equipment must take place on the land and not on adjacent footpaths or roads; and
- (v) all litter (including items such as cement bags, food packaging and plastic strapping) must be disposed of responsibly.

26. 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 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.

Notes:

A building permit maybe required before development is commenced. Please contact Council's Building Services on 9205 5095 to confirm.

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

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

The site is located within an Environmental Audit Overlay. Pursuant to Clause 45.03 of the Yarra Planning Scheme, the requirements of the Environmental Audit Overlay must be met prior to the commencement of development permitted under the permit.

All future 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.

**CARRIED UNANIMOUSLY**

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**1.3          PLN13/1039 - 29 Brighton Street, Richmond**


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Trim Record Number: D15/78241

Responsible Officer: Coordinator Statutory Planning

**RECOMMENDATION**

That having considered all relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant Planning Permit PLN13/1039 for full demolition of the existing dwelling, construction of two double-storey dwellings, plus basements and roof terraces and a reduction in the car parking requirement at 29 Brighton Street, Richmond, subject to the following conditions:

1. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the decision plans but modified to show:
  - (a) The external first-floor privacy screens on the north elevation of both dwellings to be deleted and replaced either with screening flush to the windows or opaque glazing to a height of 1.7m above the finished floor level. The transparency of these screens must be no greater than 25% and compliant with Standard B22 of the Scheme.
  - (b) Privacy screens or opaque glazing to a height of 1.7m above the finished floor level must be provided to the first-floor north-facing kitchen windows and internal east and west-facing dining-room windows of both dwellings. The transparency of these screens must be no greater than 25% and compliant with Standard B22 of the Scheme.
  - (c) A fence with a minimum height of 1.7m to be constructed within the ground level courtyard, to separate the dwellings.
  - (d) The east balustrade of dwelling 1 roof terrace and the west balustrade of dwelling 2 roof terrace to be increased to a height of 1.7m above the finished floor level. The transparency of these screens must be no greater than 25% and compliant with Standard B23 of the Scheme.
  - (e) An amended diagram demonstrating that overlooking from dwelling 2 roof terrace will be suitably restricted to the east, north and south. The roof terrace may be amended in design in order to meet the requirements of Standard B22. If compliance cannot be adequately demonstrated, the east, north and south balustrades of this terrace must be increased in height to 1.7m above the finished floor level. The transparency of these screens must be no greater than 25% and compliant with Standard B22 of the Scheme.
  - (f) The first-floor façade (east wall) of dwelling 2 to be setback in line with the ground floor façade below.
  - (g) The location of all proposed mechanical equipment, with this equipment to be located so as to reduce amenity impacts to adjacent sites and to be screened from Brighton Street.
  - (h) All of the relevant plans and elevations amended to include;
    - (i) The correct notation for FT1 – ‘1.5m high timber pickets with gate and red face brick piers’.
    - (ii) The retention of the southern half of the chimney associated with No. 31 Brighton Street.
  - (i) The west balustrade of the roof terrace of dwelling 1 to be;
    - (i) Setback a minimum of 5.5m from the Brighton Street boundary;
    - (ii) Composed of a solid material with grey colouring.
  - (j) The design of the east boundary pedestrian gate amended to provide a minimum degree of permeability of 25%, to the satisfaction of the Responsible Authority.
  - (k) A notation to confirm that a minimum of 6 cubic metres of storage is provided for each dwelling.

- (l) The removal of the tree within the site to the north. If approval to remove this tree is not given by the owner of this site, the methods outlined within the Arborist Report to minimise damage to this tree must be undertaken or the design of dwelling 2 must be altered, with a Tree Management Plan to be submitted in accordance with Condition 3 to outline how this will occur.
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 development commences (if the Sweet Pittosporum is to be retained), a Tree Management Plan to the satisfaction of the Responsible Authority must be prepared by a suitably qualified Arborist and must be submitted to and approved by the Responsible Authority. When approved the Tree Management Plan will be endorsed and will form part of this permit. The Tree Management Plan must make recommendations for:
  - (a) the protection of the Sweet Pittosporum within the site to the north;
    - (i) pre-construction;
    - (ii) during construction; and
    - (iii) post construction
  - (b) the provision of any barriers;
  - (c) any pruning necessary; and
  - (d) watering and maintenance regimes,to the satisfaction of the Responsible Authority.
4. The provisions, recommendations and requirements of the endorsed Tree Management Plan must be complied with and implemented to the satisfaction of the Responsible Authority.
5. The provisions, recommendations and requirements of the endorsed Sustainable Design Assessment must be implemented and complied with to the satisfaction of the Responsible Authority.
6. Before the buildings are 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.
7. Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating access to the dwelling entrances must be provided. Lighting must be:
  - (a) located;
  - (b) directed;
  - (c) shielded; and
  - (d) of limited intensity,to the satisfaction of the Responsible Authority.
8. Before the buildings are 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.
9. Before the buildings are 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.



10. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.
11. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
  - (a) before 7.00 am or after 6 .00 pm, Monday-Friday (excluding public holidays);
  - (b) before 9.00 am or after 3.00 pm, Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday); or
  - (c) at any time on Sundays, ANZAC Day, Christmas Day and Good Friday.
12. This permit will expire if:
  - (a) the development is not commenced within two years of the date of this permit; or
  - (b) the development is not completed within four years of the date of this permit.

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

Notes:

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

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

All future residents residing within the development approved under this permit will not be permitted to obtain resident or visitor parking permits.

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

Submissions

*The Applicants, Mr James Cassily and Mr Prakash addressed the Committee.*

*The following people also addressed the Committee:*

*Mr Norm Irvington;  
Ms Wendy Sala-Wenzel; and  
Mr Alan Stewart.*

**INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION**

**Moved:** Councillor Jolly

**Seconded:** Councillor Gaylard

That having considered all relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant Planning Permit PLN13/1039 for full demolition of the existing dwelling, construction of two double-storey dwellings, plus basements and roof terraces and a reduction in the car parking requirement at 29 Brighton Street, Richmond, subject to the following conditions:

1. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the decision plans but modified to show:
  - (a) The external first-floor privacy screens on the north elevation of both dwellings to be deleted and replaced either with screening flush to the windows or opaque glazing to a height of 1.7m above the finished floor level. The transparency of these screens must be no greater than 25% and compliant with Standard B22 of the Scheme.
  - (b) Privacy screens or opaque glazing to a height of 1.7m above the finished floor level must be provided to the first-floor north-facing kitchen windows and internal east and west-facing dining-room windows of both dwellings. The transparency of these screens must be no greater than 25% and compliant with Standard B22 of the Scheme.
  - (c) A fence with a minimum height of 1.7m to be constructed within the ground level courtyard, to separate the dwellings.
  - (d) Delete the roof terraces from both units 1 and 2.
  - (e) The first-floor façade (east wall) of dwelling 2 to be setback 4.0 metres from the eastern boundary to project no further forward than the property at 31 Brighton Street.
  - (f) The location of all proposed mechanical equipment, with this equipment to be located so as to reduce amenity impacts to adjacent sites and to be screened from Brighton Street.
  - (g) All of the relevant plans and elevations amended to include;
    - (i) The correct notation for FT1 – ‘1.5m high timber pickets with gate and red face brick piers’.
    - (ii) The retention of the southern half of the chimney associated with No. 31 Brighton Street.
  - (h) The design of the east boundary pedestrian gate amended to provide a minimum degree of permeability of 25%, to the satisfaction of the Responsible Authority.
  - (i) A notation to confirm that a minimum of 6 cubic metres of storage is provided for each dwelling.
  - (j) The removal of the tree within the site to the north. If approval to remove this tree is not given by the owner of this site, the methods outlined within the Arborist Report to minimise damage to this tree must be undertaken or the design of dwelling 2 must be altered, with a Tree Management Plan to be submitted in accordance with Condition 3 to outline how this will occur.
  
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 development commences (if the Sweet Pittosporum is to be retained), a Tree Management Plan to the satisfaction of the Responsible Authority must be prepared by a suitably qualified Arborist and must be submitted to and approved by the Responsible Authority. When approved the Tree Management Plan will be endorsed and will form part of this permit. The Tree Management Plan must make recommendations for:
  - (a) the protection of the Sweet Pittosporum within the site to the north;
    - (i) pre-construction;
    - (ii) during construction; and
    - (iii) post construction
  - (b) the provision of any barriers;
  - (c) any pruning necessary; and
  - (d) watering and maintenance regimes,

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

5. The provisions, recommendations and requirements of the endorsed Sustainable Design Assessment must be implemented and complied with to the satisfaction of the Responsible Authority.
6. Before the buildings are 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.
7. Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating access to the dwelling entrances must be provided. Lighting must be:
  - (a) located;
  - (b) directed;
  - (c) shielded; and
  - (d) of limited intensity,to the satisfaction of the Responsible Authority.
8. Before the buildings are 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.
9. Before the buildings are 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.
10. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.
11. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
  - (a) before 7.00 am or after 6 .00 pm, Monday-Friday (excluding public holidays);
  - (b) before 9.00 am or after 3.00 pm, Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday); or
  - (c) at any time on Sundays, ANZAC Day, Christmas Day and Good Friday.
12. This permit will expire if:
  - (a) the development is not commenced within two years of the date of this permit; or
  - (b) the development is not completed within four years of the date of this permit.

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

Notes:

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

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

All future residents residing within the development approved under this permit will not be permitted to obtain resident or visitor parking permits.

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

**CARRIED UNANIMOUSLY**

The meeting closed at 8.05 pm.

**Confirmed at the meeting held on Wednesday 15 July 2015**

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**Chairperson**