



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

**held on Wednesday 11 May 2016 at 6.30pm  
in Meeting Room 3 at the Richmond Town Hall**

**I. ATTENDANCE**

Councillor Roberto Colanzi  
Councillor Amanda Stone  
Councillor Phillip Vlahogiannis

Matt Cohen (Co-ordinator Statutory Planning)  
John Theodosakis (Senior Statutory Planner)  
Cindi Johnston (Governance Officer)

**II. APOLOGIES AND LEAVE OF ABSENCE**

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

**IV. CONFIRMATION OF MINUTES**

**Internal Development Approvals Committee Resolution:**

**Moved:** Councillor Colanzi **Seconded:** Councillor Vlahogiannis

That the minutes of the meeting of the Internal Development Approvals Committee held on Wednesday 27 April 2016 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 Colanzi nominated Councillor Vlahogiannis as Chair.

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

Councillor Vlahogiannis assumed the Chair.

## 1. INTERNAL DEVELOPMENT APPROVALS COMMITTEE

Item		Page	Res. Page
1.1	PLN15/0947 - 1 - 3 Otter Street Collingwood - Use and development of the land for the construction of a mixed-use building (including dwellings), reduction in car parking requirements, waiver of visitor bicycle requirements and a waiver of loading bay requirements.	6	14
1.2	207 Langridge Street, Abbotsford VIC 3067 - Planning Permit Application No. PLN15/0717 (Development of the land for construction of two dwellings on the lot and reduction in the car parking requirement).	22	25
1.3	366 Smith Street, Collingwood VIC 3066 - Planning Permit Application PLN15/0554	28	34
1.4	201 Nicholson Street, Abbotsford – Planning Permit Application No. PLN15/1022 (Use and development of the land for a medical centre (dental clinic), part demolition and buildings and works, an associated reduction of the car parking requirement and construction of advertising signage).	41	43
1.5	28 Brunswick Street Fitzroy VIC 3065 - Planning Permit Application No. PLN15/1059	44	45
1.6	607-627 Victoria Street, Abbotsford - F16/116	46	47

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**1.1 PLN15/0947 - 1 - 3 Otter Street Collingwood - Use and development of the land for the construction of a mixed-use building (including dwellings), reduction in car parking requirements, waiver of visitor bicycle requirements and a waiver of loading bay requirements.**

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Trim Record Number: D16/63961

Responsible Officer: Acting Manager Statutory Planning

**RECOMMENDATION**

That having considered all objections and relevant planning policies, the Committee resolves to notify VCAT and all parties that had Council been in a position to determine the application, it would have issued a Notice of Decision to Grant a Planning Permit PLN15/0947 for use and development of the land for the construction of a mixed-use building (including dwellings), reduction in car parking requirements and a waiver of loading bay requirements at 1-3 Otter 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 Hassell Architects received by Council on 19 April 2016 but modified to show:
  - (a) All habitable room windows as openable (except when required due to screening);
  - (b) The location of all plant and equipment confirming all will be screened from external views;
  - (c) A schedule of all materials and finishes including colours and samples;
  - (d) The garage doors as being constructed of visually permeable material;
  - (e) All balconies of two and three-bedroom dwellings to have a minimum width of 1.6m and an area of no less than 8sqm;
  - (f) The wintergardens on the fifth and sixth floor are to be treated in accordance with the 'ResCode' screening techniques to prevent views into more than 50 percent of the secluded private open spaces of the fourth floor terraces;
  - (g) At least two visitor bike spaces provided in the bike store and four bike spaces provided on Otter Street;
  - (h) A 1 in 20 scale cross sectional drawing of the Bedford Street vehicle entrance from Bedford Street, showing the actual reduced levels (not interpolated levels from the application drawings) of the Bedford Street road profile, including the building line, top of kerb, invert, lip and road pavement levels. The cross-sectional drawing must demonstrate by way of a ground clearance check that vehicles can traverse the new vehicle crossing and ramp without scraping or bottoming out;
  - (i) A ground clearance check using the B99 design vehicle for the exit ramp and the Right of Way. The profile of the Right of Way must be accurately drawn (using actual reduced levels and not levels interpolated from the application plans). The grade of the exit ramp must be designed to exceed 12.5%;
  - (j) Any requirement of the endorsed Sustainable Management Plan (condition 3) (where relevant to show on plans);
  - (k) Any requirement of the endorsed Waste Management Plan (condition 5) (where relevant to show on plans); and
  - (l) Any requirement of the endorsed acoustic report (condition 7) (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.

Sustainable Management Plan

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 Norman Disney & Young, dated 1 September 2015, but modified to include or show:
  - (a) The changes as proposed within the Consultant Advice prepared by Norman Disney & Young, dated 29 March 2016 and within the amended plans provided to Council on 19 April 2016.
  - (b) Flexible external shading to all glazed areas on the fourth, fifth and sixth floors (except southern façade), including to openable doors and windows.
  - (c) A minimum STORM rating of 103% with a requirement to provide a rainwater tank with a collection area of a minimum 690m<sup>2</sup> roof area, stored in a minimum 4.5kL tank and connected to toilets of at least 60 bedrooms. If this is not provided, an alternative may be considered, subject to approval by the Responsible Authority.
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.

#### Waste Management Plan

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

#### Acoustic report

7. 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 Acoustic Report prepared by Norman Disney & Young and provided to Council on 1 April 2016, but modified to include (or show, or address):
  - (a) Façade upgrade advice to achieve either the AS/NZS2107 'satisfactory' noise levels, or SEPP N-1 indoor limits (whichever is lower). The indoor level should include any adjustments for tonality if appropriate.
  - (b) L<sub>max</sub> noise level specified for the carpark entrance door.
  - (c) A noise level descriptor (both an Leq and L<sub>max</sub> level) been specified for the car lift, to be measured at the carpark entrance.

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.

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

#### Street Tree

9. Before the development commences, the permit holder must make a one off contribution of \$2888 to the Responsible Authority to be used for the removal of the tree and stump and the planting of three new street tree plantings that are required as a result of the development.

#### Environmental Audit

10. 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.
11. If the assessment required by condition 10 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.
12. If the assessment required by condition 10 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.

If, pursuant to condition 12, a Statement is issued:

- (a) the:
  - use; and
  - 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).

#### Road Infrastructure

- 13. 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.
- 14. 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.
- 15. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, four bike spaces must be installed on the Otter 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, a traffic management treatment at the intersection of Otter Street and Bedford Street to improve pedestrian safety must be provided:
  - (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, all building works and connections for underground utility services, the footpath immediately outside the property's Otter and Bedford Streets road frontages must be reconstructed (including kerb and channel):
  - (a) at the permit holder's cost; and
  - (b) 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 full width road pavement of Bedford Street (between Otter Street and the site's southern boundary) must be profiled and re-sheeted (with any isolated areas of pavement failure requiring full depth road pavement reconstruction):
  - (a) at the permit holder's cost; and
  - (b) 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, the Right of Way abutting the site's western boundary (between Otter Street and the southern boundary of the site) must be fully reconstructed:
  - (a) at the permit holder's cost; and
  - (b) 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, the vehicle crossing servicing the Right of Way on Otter Street shall also be reconstructed:
  - (a) at the permit holder's cost; and
  - (b) to the satisfaction of the Responsible Authority.
21. 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.

#### Car parking

22. 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.
23. 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.

24. 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.

### Lighting

25. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating access to the pedestrian and vehicular entrances must be provided on the subject site. Lighting must be:
- (a) located;
  - (b) directed;
  - (c) shielded; and
  - (d) of limited intensity,
- to the satisfaction of the Responsible Authority.

### General

26. 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.
27. 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.
28. 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.
29. 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.

### Construction Management

30. 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.

### Time expiry

31. 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 5585 for further information.

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

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.

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

Submissions

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

*The following people also addressed the Committee:*

*Mr Bernie Phelan;  
Mr Robin Quinn;  
Ms Lauren Sturgess;  
Mr Donald Madden;  
Ms Linda Jones;  
Mr Aidan Halloran; and  
Ms Sally Warhaft.*

## INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION

**Moved:** Councillor Colanzi

**Seconded:** Councillor Stone

That having considered all objections and relevant planning policies, the Committee resolves to notify VCAT and all parties that had Council been in a position to determine the application, it would have issued a Notice of Decision to Grant a Planning Permit PLN15/0947 for use and development of the land for the construction of a mixed-use building (including dwellings), reduction in car parking requirements and a waiver of loading bay requirements at 1-3 Otter 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 Hassell Architects received by Council on 19 April 2016 but modified to show:
  - (a) All habitable room windows as openable (except when required due to screening);
  - (b) The location of all plant and equipment confirming all will be screened from external views;
  - (c) A schedule of all materials and finishes including colours and samples;
  - (d) The garage doors as being constructed of visually permeable material;
  - (e) All balconies of two and three-bedroom dwellings to have a minimum width of 1.6m and an area of no less than 8sqm;
  - (f) At least two visitor bike spaces provided in the bike store and four bike spaces provided on Otter Street;
  - (g) A 1 in 20 scale cross sectional drawing of the Bedford Street vehicle entrance from Bedford Street, showing the actual reduced levels (not interpolated levels from the application drawings) of the Bedford Street road profile, including the building line, top of kerb, invert, lip and road pavement levels. The cross-sectional drawing must demonstrate by way of a ground clearance check that vehicles can traverse the new vehicle crossing and ramp without scraping or bottoming out;
  - (h) A ground clearance check using the B99 design vehicle for the exit ramp and the Right of Way. The profile of the Right of Way must be accurately drawn (using actual reduced levels and not levels interpolated from the application plans). The grade of the exit ramp must be designed to exceed 12.5%;
  - (i) Any requirement of the endorsed Sustainable Management Plan (condition 3) (where relevant to show on plans);
  - (j) Any requirement of the endorsed Waste Management Plan (condition 5) (where relevant to show on plans);
  - (k) Any requirement of the endorsed acoustic report (condition 7) (where relevant to show on plans); and
  - (l) Deletion of the two top levels.
  
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.

### Sustainable Management Plan

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 Norman Disney & Young, dated 1 September 2015, but modified to include or show:

- (a) The changes as proposed within the Consultant Advice prepared by Norman Disney & Young, dated 29 March 2016 and within the amended plans provided to Council on 19 April 2016.
- (b) Flexible external shading to all glazed areas on the fourth floor (except southern façade), including to openable doors and windows.
- (c) A minimum STORM rating of 103% with a requirement to provide a rainwater tank with a collection area of a minimum 690m<sup>2</sup> roof area, stored in a minimum 4.5kL tank and connected to toilets of at least 60 bedrooms. If this is not provided, an alternative may be considered, subject to approval by the Responsible Authority.

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.

#### Waste Management Plan

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

#### Acoustic report

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  - (a) Façade upgrade advice to achieve either the AS/NZS2107 'satisfactory' noise levels, or SEPP N-1 indoor limits (whichever is lower). The indoor level should include any adjustments for tonality if appropriate.
  - (b) L<sub>max</sub> noise level specified for the carpark entrance door.
  - (c) A noise level descriptor (both an Leq and L<sub>max</sub> level) been specified for the car lift, to be measured at the carpark entrance.

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.

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

#### Street Tree

9. Before the development commences, the permit holder must make a one off contribution of \$2888 to the Responsible Authority to be used for the removal of the tree and stump and the planting of three new street tree plantings that are required as a result of the development.

## Environmental Audit

10. 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.
11. If the assessment required by condition 10 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.
12. If the assessment required by condition 10 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.

If, pursuant to condition 12, a Statement is issued:

- (a) the:
  - use; and
  - 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).

### Road Infrastructure

13. 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.
14. 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.
15. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, four bike spaces must be installed on the Otter 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, a traffic management treatment at the intersection of Otter Street and Bedford Street to improve pedestrian safety must be provided:
  - (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, all building works and connections for underground utility services, the footpath immediately outside the property's Otter and Bedford Streets road frontages must be reconstructed (including kerb and channel):
  - (a) at the permit holder's cost; and

- (b) 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 full width road pavement of Bedford Street (between Otter Street and the site's southern boundary) must be profiled and re-sheeted (with any isolated areas of pavement failure requiring full depth road pavement reconstruction):
- (a) at the permit holder's cost; and
  - (b) 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, the Right of Way abutting the site's western boundary (between Otter Street and the southern boundary of the site) must be fully reconstructed:
- (a) at the permit holder's cost; and
  - (b) 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, the vehicle crossing servicing the Right of Way on Otter Street shall also be reconstructed:
- (a) at the permit holder's cost; and
  - (b) to the satisfaction of the Responsible Authority.
21. 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.

#### Car parking

22. 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.
23. 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.
24. 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.

#### Lighting

25. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating access to the pedestrian and vehicular entrances must be provided on the subject site. Lighting must be:
- (a) located;
  - (b) directed;
  - (c) shielded; and
  - (d) of limited intensity,
- to the satisfaction of the Responsible Authority.

### General

26. 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.
27. 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.
28. 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.
29. 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.

### Construction Management

30. 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.

### Time expiry

31. 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 5585 for further information.

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

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.

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

**CARRIED UNANIMOUSLY**

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**1.2 207 Langridge Street, Abbotsford VIC 3067 - Planning Permit Application No. PLN15/0717 (Development of the land for construction of two dwellings on the lot and reduction in the car parking requirement).**

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Trim Record Number: D16/62518

Responsible Officer: Coordinator 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 PLN15/0717 for development of the land for construction of two dwellings on the lot and reduction in the car parking requirement at 207 Langridge Street, Abbotsford, generally in accordance with the decision plans and subject to the following conditions:

1. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions, and three copies must be provided. The plans must be generally in accordance with the decision plans but modified to show:
  - (a) Deletion of the vertical glass feature in the north-west corner;
  - (b) Water tanks noted as being connected to toilets for flushing;
  - (c) External shading devices to north and west facing windows where they are not cantilevered over by a balcony or roof. Any devices may project no more than 300mm outside the title boundary of the subject site.
  - (d) All windows having an operable element;
  - (e) The south-facing second floor window of the Langridge Street dwelling noted as fixed up to at least 1.7m above finished floor level;
  - (f) The location of all external air-conditioning and heating units;
  - (g) The location of letter boxes and street numbers at each pedestrian entry;
  - (h) The east balcony at second floor of the Langridge Street dwelling with an area of at least 8sqm;
  - (i) The location of services including gas, water and electricity meters;
  - (j) The location (including dimensions) of the crossover on Raphael Street;
  - (k) Lighting to each dwelling entrance as per condition 10;
  - (l) Screens on the eastern side of the first and second floor balconies of the Langridge Street dwelling as achieving compliance with Standard B22 of clause 55.04-6 (Overlooking) of the Yarra Planning Scheme; and
  - (m) Screens on the southern side of the first and second floor balconies of the Raphael Street dwelling as achieving compliance with Standard B22 of clause 55.04-6 (Overlooking) of the Yarra Planning Scheme.
  
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, an amended Sustainable Design Assessment to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Sustainable Design Assessment will be endorsed and will form part of this permit. The amended Sustainable Design Assessment must be generally in accordance with the Sustainable Design Assessment prepared by Priority Planning Council date stamped 8 September 2015 but modified to include or show:
  - (a) Preliminary FirstRate assessment demonstrating that the development meets an average Star rating of 10% above the minimum NCC requirements.
  - (b) An updated STORM report demonstrating that the development achieves a score of at least 100%.

4. The provisions, recommendations and requirements of the endorsed Sustainable Design Assessment must be implemented and complied with to the satisfaction of the Responsible Authority.
5. 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.
6. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the asphalt footpath and bluestone kerb and channel outside the full width/length of the site's Langridge Street frontage must be reconstructed:
  - (a) at the permit holder's cost; and
  - (b) to the satisfaction of the Responsible Authority.
7. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the asphalt footpath outside the full width/length of the site's Raphael Street frontage must be reconstructed:
  - (a) at the permit holder's cost; and
  - (b) to the satisfaction of the Responsible Authority.
8. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, 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.
9. 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.
10. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating 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.

11. 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.
12. 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.
13. 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.
14. This permit will expire if:
  - (a) the development is not commenced within two years of the date of this permit; or
  - (b) the development is not completed within four years of the date of this permit.

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

**Notes:**

A building permit may be required before development is commenced. Please contact Council's Building Services on 9205 5585 to confirm.

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.

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.

A local law permit (e.g. Asset Protection Permit, Road Occupation Permit) may be required before development is commenced. Please contact Council's Construction Management Branch on Ph. 9205 5585 to confirm.

Submissions

*The Applicant, Mr Louis Petrentsis addressed the Committee.*

*The following people also addressed the Committee:*

*Ms Lindsey Bulot;  
Mr Guy Bulot;  
Mr Stephen Fearn;  
Ms Suzanne Brane;  
Mr Colin Gomm;  
Ms Rebecca Gebert;  
Ms Suzanne Shearer  
Ms Olga Anyaogu.*



## INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION

**Moved:** Councillor Stone

**Seconded:** Councillor Vlahogiannis

That having considered all objections and relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant a Planning Permit PLN15/0717 for development of the land for construction of two dwellings on the lot and reduction in the car parking requirement at 207 Langridge Street, Abbotsford, generally in accordance with the decision plans and subject to the following conditions:

1. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions, and three copies must be provided. The plans must be generally in accordance with the decision plans but modified to show:
  - (a) Deletion of the vertical glass feature in the north-west corner;
  - (b) Water tanks noted as being connected to toilets for flushing;
  - (c) External shading devices to north and west facing windows where they are not cantilevered over by a balcony or roof. Any devices may project no more than 300mm outside the title boundary of the subject site.
  - (d) All windows having an operable element;
  - (e) The south-facing second floor window of the Langridge Street dwelling noted as fixed up to at least 1.7m above finished floor level;
  - (f) The location of all external air-conditioning and heating units;
  - (g) The location of letter boxes and street numbers at each pedestrian entry;
  - (h) The east balcony at second floor of the Langridge Street dwelling with an area of at least 8sqm;
  - (i) The location of services including gas, water and electricity meters;
  - (j) The location (including dimensions) of the crossover on Raphael Street;
  - (k) Lighting to each dwelling entrance as per condition 10;
  - (l) Screens on the eastern side of the first and second floor balconies of the Langridge Street dwelling as achieving compliance with Standard B22 of clause 55.04-6 (Overlooking) of the Yarra Planning Scheme;
  - (m) Screens on the southern side of the first and second floor balconies of the Raphael Street dwelling as achieving compliance with Standard B22 of clause 55.04-6 (Overlooking) of the Yarra Planning Scheme; and
  - (n) Modifications to the building so that there is no increased overshadowing impact within the secluded private open space areas of 2 Raphael Street, Abbotsford at 2.00pm and 12 Bloomburg Street, Abbotsford at 2pm and 3pm.
  
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, an amended Sustainable Design Assessment to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Sustainable Design Assessment will be endorsed and will form part of this permit. The amended Sustainable Design Assessment must be generally in accordance with the Sustainable Design Assessment prepared by Priority Planning Council date stamped 8 September 2015 but modified to include or show:
  - (a) Preliminary FirstRate assessment demonstrating that the development meets an average Star rating of 10% above the minimum NCC requirements.
  - (b) An updated STORM report demonstrating that the development achieves a score of at least 100%.

4. The provisions, recommendations and requirements of the endorsed Sustainable Design Assessment must be implemented and complied with to the satisfaction of the Responsible Authority.
5. 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.
6. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the asphalt footpath and bluestone kerb and channel outside the full width/length of the site's Langridge Street frontage must be reconstructed:
  - (a) at the permit holder's cost; and
  - (b) to the satisfaction of the Responsible Authority.
7. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the asphalt footpath outside the full width/length of the site's Raphael Street frontage must be reconstructed:
  - (a) at the permit holder's cost; and
  - (b) to the satisfaction of the Responsible Authority.
8. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, 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.
9. 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.
10. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating 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.

11. 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.
12. 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.
13. 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.
14. This permit will expire if:
  - (a) the development is not commenced within two years of the date of this permit; or
  - (b) the development is not completed within four years of the date of this permit.

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

**Notes:**

A building permit may be required before development is commenced. Please contact Council's Building Services on 9205 5585 to confirm.

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.

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.

A local law permit (e.g. Asset Protection Permit, Road Occupation Permit) may be required before development is commenced. Please contact Council's Construction Management Branch on Ph. 9205 5585 to confirm.

**CARRIED**

Call for a division

**For:** Crs Stone and Vlahogiannis

**Against:** Cr Colanzi

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**1.3 366 Smith Street, Collingwood VIC 3066 - Planning Permit Application  
PLN15/0554**

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Trim Record Number: D16/68707

Responsible Officer: Coordinator Statutory Planning

**RECOMMENDATION**

That the Committee resolves to issue a Notice of Decision to Grant a Permit (PLN15/0554) for the development of the land for the construction of a multi-storey building (plus basement), including part demolition and reduction in the car parking requirement associated with offices and dwellings and waiver of the loading bay requirement at 366 Smith Street, Collingwood VIC based on the decision plans (TP-A05 to TP-A16, received by Council 16 February 2016, prepared by 52<sup>nd</sup> Street Design Studio) and subject to the following conditions:

1. Before the development starts, 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 the 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-A05 to TP-A16, received by Council 16 February 2016, prepared by 52<sup>nd</sup> Street Design Studio) but modified to show:
  - (a) the southern side of the roof above the level 1 light court covered in a transparent, corrugated roof (profile to match the existing roof);
  - (b) the horizontal reveals in the precast concrete and the spandrel forms across the windows shown in the elevations as per the perspectives;
  - (c) plant and equipment, with associated screening;
  - (d) the windows to the easternmost bedrooms across levels 3-6 treated to minimise overlooking opportunities in the rooms and balconies below (treatment only required to the section of window not adjacent to the balconies);
  - (e) 3 visitor bicycle parking spaces on the Smith Street footpath;
  - (f) resident bicycle parking spaces secured behind a lockable gate;
  - (g) a schedule of colours and materials (including samples, where relevant); and
  - (h) the residential entry via Smith Street is DDA compliant.
2. The development as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.

**General**

3. Finished floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.
4. 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.
5. 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.
6. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.

7. 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.
8. 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,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, 3 bike racks must be installed on the Smith Street footpath:
  - (a) at the permit holder's cost; and
  - (b) in a location and manner,to the satisfaction of the Responsible Authority.

#### Environmental Audit

10. Before the construction of the development authorised by this permit commences, 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.
11. If the assessment required by condition 10 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.
12. If the assessment required by condition 10 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 commences, the Environmental Auditor appointed under section 53S of the 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.

13. If, pursuant to condition 12, a Statement is issued:
- (a) the 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 (**pre-commencement conditions**);
  - (c) 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 pre-commencement conditions have been complied with must be submitted to the responsible authority.
  - (d) 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 of the land) 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
  - (e) 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).

#### Acoustic report

14. Before the development commences, an Acoustic Report to the satisfaction of the Responsible Authority must be prepared by a suitably qualified acoustic engineer and must be submitted to and approved by the Responsible Authority. When approved, the Acoustic Report will be endorsed and will form part of this permit. The Acoustic Report must assess the following:
- (a) the impact of nearby commercial tenancies on the proposed dwellings; and
  - (b) the impact of proposed ancillaries and services on the proposed and adjacent dwellings.

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.

15. The provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.

#### Sustainable Management Plan

16. 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 Eco Results dated 25 March 2015, but modified to confirm:
- (a) a minimum 6.5 star energy rating.

17. 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

18. Before the development commences, an amended Waste Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Waste Management Plan will be endorsed and will form part of this permit. The amended Waste Management Plan must be generally in accordance with the Waste Management Plan prepared by Eco Results and dated 23 March 2015, but modified to include:
  - (a) confirmation that the waste collection arrangements will comply with Council Local Laws.
19. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

#### Car parking

20. 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 plansto the satisfaction of the Responsible Authority.
21. 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.
22. 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.

#### Construction Management

23. 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.
24. 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.

#### General construction

- 25. Prior to the occupation of the development, the Right of Way extending from the site to Sackville Street must be reconstructed at the Permit Holder's expense and to the satisfaction of the Responsible Authority.
- 26. Prior to the occupation of the development, the vehicle crossing servicing the Right of Way extending from the site to Sackville Street must be reconstructed at the Permit Holder's expense and to the satisfaction of the Responsible Authority.



27. Prior to the commencement of the development, plans detailing the works required by conditions 25 and 26 of this permit 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.
28. Prior to the occupation of the development and after the Right of Way is reconstruction, the 'No Stopping' signs in the Right of Way must be reinstated to the satisfaction of the Responsible Authority.
29. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any 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.
30. 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.
31. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.
32. Prior to the completion of the development, subject to the relevant authority's consent, the relocation of any necessary assets to facilitate the development must be undertaken:
  - (a) in accordance with any requirements or conditions imposed by the relevant authority;
  - (b) at the permit holder's cost; and
  - (c) to the satisfaction of the Responsible Authority.
33. 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.

#### Time expiry

34. 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.

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.

### Submissions

*The Applicant, Ms Virginia Jackson addressed the Committee.*

*Ms Paige Harris also addressed the Committee.*

## **INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION**

**Moved:** Councillor Stone

**Seconded:** Councillor Colanzi

That the Committee resolves to issue a Notice of Decision to Grant a Permit (PLN15/0554) for the development of the land for the construction of a multi-storey building (plus basement), including part demolition and reduction in the car parking requirement associated with offices and dwellings and waiver of the loading bay requirement at 366 Smith Street, Collingwood VIC based on the decision plans (TP-A05 to TP-A16, received by Council 16 February 2016, prepared by 52<sup>nd</sup> Street Design Studio) and subject to the following conditions:

1. Before the development starts, 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 the 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-A05 to TP-A16, received by Council 16 February 2016, prepared by 52<sup>nd</sup> Street Design Studio) but modified to show:
  - (a) the southern side of the roof above the level 1 light court covered in a transparent, corrugated roof (profile to match the existing roof);
  - (b) the horizontal reveals in the precast concrete and the spandrel forms across the windows shown in the elevations as per the perspectives;
  - (c) plant and equipment, with associated screening;
  - (d) the windows to the easternmost bedrooms across levels 3-6 treated to minimise overlooking opportunities in the rooms and balconies below (treatment only required to the section of window not adjacent to the balconies);
  - (e) 3 visitor bicycle parking spaces on the Smith Street footpath;
  - (f) resident bicycle parking spaces secured behind a lockable gate;
  - (g) a schedule of colours and materials (including samples, where relevant);
  - (h) the residential entry via Smith Street is DDA compliant;
  - (i) the light court in the north-eastern corner to have a minimum width of 4.5m from the balcony edge to the eastern boundary at level 3 and above; and
  - (j) the deletion of one level.
2. The development as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.

## General

3. Finished floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.
4. 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.
5. 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.
6. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
7. 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.
8. 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,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, 3 bike racks must be installed on the Smith Street footpath:
  - (a) at the permit holder's cost; and
  - (b) in a location and manner,to the satisfaction of the Responsible Authority.

## Environmental Audit

10. Before the construction of the development authorised by this permit commences, 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.

11. If the assessment required by condition 10 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.
  
12. If the assessment required by condition 10 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 commences, the Environmental Auditor appointed under section 53S of the 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.
  
13. If, pursuant to condition 12, a Statement is issued:
  - (a) the 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 (**pre-commencement conditions**);
  - (c) 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 pre-commencement conditions have been complied with must be submitted to the responsible authority.
  - (d) 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 of the land) 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
  - (e) 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).

#### Acoustic report

14. Before the development commences, an Acoustic Report to the satisfaction of the Responsible Authority must be prepared by a suitably qualified acoustic engineer and must be submitted to and approved by the Responsible Authority. When approved, the Acoustic Report will be endorsed and will form part of this permit. The Acoustic Report must assess the following:
  - (a) the impact of nearby commercial tenancies on the proposed dwellings; and
  - (b) the impact of proposed ancillaries and services on the proposed and adjacent dwellings.

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.

15. The provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.

#### Sustainable Management Plan

16. 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 Eco Results dated 25 March 2015, but modified to confirm:
  - (a) a minimum 6.5 star energy rating.
17. 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

18. Before the development commences, an amended Waste Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Waste Management Plan will be endorsed and will form part of this permit. The amended Waste Management Plan must be generally in accordance with the Waste Management Plan prepared by Eco Results and dated 23 March 2015, but modified to include:
  - (a) confirmation that the waste collection arrangements will comply with Council Local Laws.
19. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

#### Car parking

20. 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 plansto the satisfaction of the Responsible Authority.
21. 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.
22. 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.

Construction Management

23. 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.
24. 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.

### General construction

- 25. Prior to the occupation of the development, the Right of Way extending from the site to Sackville Street must be reconstructed at the Permit Holder's expense and to the satisfaction of the Responsible Authority.
- 26. Prior to the occupation of the development, the vehicle crossing servicing the Right of Way extending from the site to Sackville Street must be reconstructed at the Permit Holder's expense and to the satisfaction of the Responsible Authority.
- 27. Prior to the commencement of the development, plans detailing the works required by conditions 25 and 26 of this permit 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.
- 28. Prior to the occupation of the development and after the Right of Way is reconstruction, the 'No Stopping' signs in the Right of Way must be reinstated to the satisfaction of the Responsible Authority.
- 29. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any 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.
- 30. 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.
- 31. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.
- 32. Prior to the completion of the development, subject to the relevant authority's consent, the relocation of any necessary assets to facilitate the development must be undertaken:
  - (a) in accordance with any requirements or conditions imposed by the relevant authority;
  - (b) at the permit holder's cost; and
  - (c) to the satisfaction of the Responsible Authority.
- 33. 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.

### Time expiry

34. 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.

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.

**CARRIED UNANIMOUSLY**

Councillor Stone left the meeting after this matter was heard.



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**1.4 201 Nicholson Street, Abbotsford – Planning Permit Application No. PLN15/1022 (Use and development of the land for a medical centre (dental clinic), part demolition and buildings and works, an associated reduction of the car parking requirement and construction of advertising signage).**

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Trim Record Number: D16/67021

Responsible Officer: Coordinator 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 PLN15/1022 for use and development of the land for a medical centre, part demolition and buildings and works, an associated reduction of the car parking requirement and advertising signage at 201 Nicholson Street, Abbotsford, subject to the following conditions:

1. 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.
2. No more than one (1) practitioner is permitted to operate from the land at any one time.
3. Except with the prior written consent of the Responsible Authority, the use authorised by this permit may only operate between the hours of 8.00am to 5.00pm from Monday to Saturday.
4. 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.
5. The use must comply at all times with the State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N-1).
6. All infectious waste must be removed by a commercial waste contractor which holds an appropriate commercial waste licence to the satisfaction of the Responsible Authority.
7. Except with the prior written consent of the Responsible Authority, delivery and collection of goods to and from the land may only occur during operating hours.

Signage (conditions 8-13)

8. The location and details of the signs, including the supporting structure, as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
9. The signs must be constructed, displayed and maintained to the satisfaction of the Responsible Authority.
10. Illumination of the signs must not occur between 9.00pm and 7.00am on any given day.

11. The signs must not include any flashing or intermittent light.
12. External sign lighting must be designed, baffled and located to the satisfaction of the Responsible Authority.
13. The signage component of this permit expires 15 years from the date of the permit.
14. Within 2 months of the completion of the development, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated:
  - (a) at the permit holder's cost; and
  - (b) to the satisfaction of the Responsible Authority.
15. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
  - (a) Monday-Friday (excluding public holidays) before 7 am or after 6 pm,;
  - (b) 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.
16. 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 use is 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 may be required before development is commenced. Please contact Council's Building Services on 9205 5585 to confirm.

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

All future business owners and employees within the development approved under this permit will not be permitted to obtain employee or visitor parking permits.

Submissions

*The Applicant, Ms Anne Tsa addressed the Committee.*

*Mr Fred Allen also addressed the Committee.*

**INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION**

**Moved:** Councillor Colanzi

**Seconded:** Councillor Vlahogiannis

That the Recommendation be adopted.

**CARRIED UNANIMOUSLY**

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**1.5 28 Brunswick Street Fitzroy VIC 3065 - Planning Permit Application No. PLN15/1059**

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Trim Record Number: D16/65724

Responsible Officer: Coordinator 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 PLN15/1059 for the sale and consumption of liquor and car parking reduction associated with a tavern at 28 Brunswick Street Fitzroy, 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 the permit. The plans must be drawn to scale with all dimensions noted and three copies must be provided. The plans must be generally in accordance with the advertised plans but modified to show:
  - (a) The licensed area to be clearly defined by a red line around the area.
2. The sale and consumption of liquor 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.
4. The provisions recommendation and requirements of the endorsed Noise and Amenity Action Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
5. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
6. Before the commencement of the sale and consumption of liquor, the applicant must, to the satisfaction of the Responsible Authority, display a sign at the exit of the licensed premises advising patrons to respect the amenity of adjacent residential areas and to leave in a quiet and orderly manner.
7. Except with the prior written consent of the Responsible Authority, the sale and consumption of liquor may only occur between the hours of Monday to Sunday between 11am and 11pm.
8. No more than 20 patrons are permitted on the land at any one time.
9. Access to and from the premises after 6pm must only be via Brunswick Street.
10. The provision of music and entertainment on the land must be at a background noise level.
11. The use must comply at all times with the State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N-1).
12. The use must comply at all times with the State Environment Protection Policy – Control of Music Noise from Public Premises (SEPP N-2).
13. Except with the prior written consent of the Responsible Authority, delivery and collection of goods to and from the land may only occur between 7am and 10pm on any day.

14. Emptying of bottles and cans into bins may only occur between 7am and 10pm on any day.
15. 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.

16. This permit will expire if the sale and consumption of liquor is not commenced within two 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.

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.

These premises will be required to comply with the Food Act 1984. The use must not commence until approval has been granted by Council's Health Protection Unit.

All future business owners and employees within the development approved under this permit will not be permitted to obtain employee or visitor parking permits.

Submissions

*The Applicant, Mr Max Michelli addressed the Committee.*

*Mr Laurence Aboukhater also addressed the Committee.*

**INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION**

**Moved:** Councillor Colanzi

**Seconded:** Councillor Vlahogiannis

That the Recommendation be adopted.

**CARRIED UNANIMOUSLY**

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**1.6 607-627 Victoria Street, Abbotsford - F16/116**


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Trim Record Number: D16/66472

Responsible Officer: Manager Statutory Planning

**RECOMMENDATION**

1. It is recommended that Council respond to the Department of Environment, Land, Water and Planning outlining that while there are aspects of the development plan that can be addressed by way of conditions, the proposal as submitted includes a number of fundamental and outstanding issues that must be addressed prior to any further resolution of Council these include:
2. Updated plans addressing the following concerns:
  - (a) Reduction in the height of the roof top services and lift core so that it projects no more than 2m above the maximum building height of RL45 and reconsider screen treatment to better integrate with the overall design.
  - (b) Apply upper level setbacks for Buildings A & B in accordance with the building envelope plan and revisit material and design composition of the upper level forms.
  - (c) Revisit the massing of the upper levels to achieve a 1:1 ratio separation between built form.
  - (d) Reduce the massing of the central spine of Building B.
  - (e) Improve the level of integration between Building B and the riverbank.
  - (f) Further analysis of the potential impact upon the skipping girl sign.
  - (g) The north, northeast and eastern facades of Building A to be amended with a lighter appearance in form and higher level of transparency to avoid a "wall-like effect when seen from a distance.
  - (h) A greater level of activation and public realm amenity to the Yarra River interface.
  - (i) Re-design/delete A208 (and corresponding apartment above).
  - (j) Re-design/delete B128 (and corresponding apartment above).
  - (k) Delete apartment A316.
  - (l) Re-design Building A to accommodate the court bowl to the northern end of Shamrock Street.
  - (m) Layout of balconies and habitable room windows be revisited to avoid unreasonable overlooking whilst minimising the need for screening in building B.
  - (n) Location of the drain within Walmer Plaza and details of points of access.
3. An amended landscape plan to include:
  - (a) Further tree planting within the revegetated embankment area – with a focus on protecting the Yarra from visual intrusion by built form.
  - (b) A greater provision for indigenous trees local to the Abbotsford area.
  - (c) Greater detail on the species and their location on the plans.
  - (d) Deletion of the riverbank lookout.
  - (e) Clarification on surface material within Davison Street Plaza (i.e. sawcut concrete paving or stone paved in sections) and improved design language to detail this space as a 'shared zone'.
  - (f) Design for Walmer Street Plaza which has involved appropriate consultation with Council.
  - (g) Redesign of the bike paths to improve legibility.
  - (h) Design detail of the car park retaining wall and how it interfaces with the Yarra river open space areas.
4. An amended Traffic Impact Assessment with updated figures and SIDRA analysis which assesses the increase in vehicle movements within Shamrock Street and the intersection of Flockhart and Victoria Street. If such analysis determines that additional movements will exceed capacity, redesign of the car park is required to prevent access to Shamrock Street is required.

5. A revised waste management plan to include:
  - (a) Additional details and corrections are also required relating to the author of the report and correct address of the land.
  - (b) The WMP also needs to be amended to include plans of the path of access and demonstrating compliant truck turning movements.
  
6. A revised acoustic report:
  - (a) to consider the potential noise sources associated with plant equipment to 611 Victoria Street;
  - (b) Specify the Rw rating for doors as windows;
  - (c) Including a statement that noise controls for mechanical services will be developed by the acoustical consultant during the detailed design phase and will be signed to comply with SEPP N-1'.
  
7. A revised wind impact assessment that includes:
  - (a) Recommendations for improving the wind conditions within the riverbank between the central and east towers;
  - (b) Measures of wind speeds at the front of main entrances, undertaken to achieve Standard criteria in these locations.
  
8. A Cultural Heritage Management Plan (CHMP) or alternatively demonstrate through supporting documentation for an Cultural Heritage Consultant that a CHMP is not required.

### Submissions

*The Applicant, Mr Lloyd Elliott addressed the Committee.*

*The following people also addressed the Committee:*

*Mr Trevor Flett; and  
Ms Sue Donovan.*

## **INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION**

**Moved:** Councillor Colanzi

**Seconded:** Councillor Vlahogiannis

1. The recommendations of this report are that while the building footprint generally complies with the provisions of the Priority Development Zone, there are fundamental concerns with the setbacks, internal amenity, road capacity and the Yarra River environs. The report also finds that these matters cannot be addressed by conditions and would necessitate a redesign of the proposal. As such, until the issues are remedied Council cannot support the proposal.
  
2. It is recommended that Council respond to the Department of Environment, Land, Water and Planning outlining that while there are aspects of the development plan that can be addressed by way of conditions, the proposal as submitted includes a number of fundamental and outstanding issues that must be addressed prior to any further resolution of Council these include:
  
3. Updated plans addressing the following concerns:

- (a) Reduction in the height of the roof top services and lift core so that it projects no more than 2m above the maximum building height of RL45 and reconsider screen treatment to better integrate with the overall design.
- (b) Apply upper level setbacks for Buildings A & B in accordance with the building envelope plan and revisit material and design composition of the upper level forms.
- (c) Revisit the massing of the upper levels to achieve a 1:1 ratio separation between built form.
- (d) Reduce the massing of the central spine of Building B.
- (e) Improve the level of integration between Building B and the riverbank.
- (f) Further analysis of the potential impact upon the skipping girl sign.
- (g) The north, northeast and eastern facades of Building A to be amended with a lighter appearance in form and higher level of transparency to avoid a “wall-like effect when seen from a distance.
- (h) A greater level of activation and public realm amenity to the Yarra River interface.
- (i) Re-design/delete A208 (and corresponding apartment above).
- (j) Re-design/delete B128 (and corresponding apartment above).
- (k) Delete apartment A316.
- (l) Re-design Building A to accommodate the court bowl to the northern end of Shamrock Street.
- (m) Layout of balconies and habitable room windows be revisited to avoid unreasonable overlooking whilst minimising the need for screening in building B.
- (n) Location of the drain within Walmer Plaza and details of points of access.

4. An amended landscape plan to include:

- (a) Further tree planting within the revegetated embankment area – with a focus on protecting the Yarra from visual intrusion by built form.
- (b) A greater provision for indigenous trees local to the Abbotsford area.
- (c) Greater detail on the species and their location on the plans.
- (d) Deletion of the riverbank lookout.
- (e) Clarification on surface material within Davison Street Plaza (i.e. sawcut concrete paving or stone paved in sections) and improved design language to detail this space as a ‘shared zone’.
- (f) Design for Walmer Street Plaza which has involved appropriate consultation with Council.
- (g) Redesign of the bike paths to improve legibility.
- (h) Design detail of the car park retaining wall and how it interfaces with the Yarra river open space areas.

5. An amended Traffic Impact Assessment with updated figures and SIDRA analysis which assesses the increase in vehicle movements within Shamrock Street and the intersection of Flockhart and Victoria Street. If such analysis determines that additional movements will exceed capacity, redesign of the car park is required to prevent access to Shamrock Street is required.

6. A revised waste management plan to include:

- (a) Additional details and corrections are also required relating to the author of the report and correct address of the land.
- (b) The WMP also needs to be amended to include plans of the path of access and demonstrating compliant truck turning movements.

7. A revised acoustic report:

- (a) to consider the potential noise sources associated with plant equipment to 611 Victoria Street;
- (b) Specify the Rw rating for doors as windows;
- (c) Including a statement that noise controls for mechanical services will be developed by the acoustical consultant during the detailed design phase and will be signed to comply with SEPP N-1’.



8. A revised wind impact assessment that includes:

  - (a) Recommendations for improving the wind conditions within the riverbank between the central and east towers;
  - (b) Measures of wind speeds at the front of main entrances, undertaken to achieve Standard criteria in these locations.
  
9. A Cultural Heritage Management Plan (CHMP) or alternatively demonstrate through supporting documentation for an Cultural Heritage Consultant that a CHMP is not required.

**CARRIED UNANIMOUSLY**

The meeting closed at 10.18pm.

**Confirmed at the meeting held on Wednesday 25 May 2016**

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**Chair**