



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

**held on Wednesday 29 June 2016 at 6.30pm
in Meeting Room 3 at the Richmond Town Hall**

I. ATTENDANCE

Councillor Simon Huggins (substitute for Cr Misha Coleman)
Councillor Jackie Fristacky
Councillor Geoff Barbour

Laura Condon (Senior Statutory Planner)
Tarquin Leaver (Co-ordinator Statutory Planning)
Cindi Johnston (Governance Officer)

II. APOLOGIES AND LEAVE OF ABSENCE

Councillor Misha Coleman

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

Councillor Barbour (Item 1.5)
Councillor Huggins (Item 1.3)

IV. CONFIRMATION OF MINUTES

Internal Development Approvals Committee Resolution:

Moved: Councillor Fristacky **Seconded:** Councillor Huggins

That the minutes of the meeting of the Internal Development Approvals Committee held on Wednesday 15 June 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

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 Barbour nominated Councillor Huggins as Chair.

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

Councillor Huggins assumed the Chair for Items 1.1, 1.2, 1.4 and 1.5

Councillor Barbour nominated Councillor Fristacky as Chair for Item 1.3

1. INTERNAL DEVELOPMENT APPROVALS COMMITTEE

Item		Page	Res. Page
1.1	2 Duke Street, Richmond VIC 3121 - Planning Permit Application No.PLN15/0774	6	8
1.2	486 - 496 Victoria Street, Richmond VIC 3121 - Planning Permit Application No. PL08/0806.02 (Section 72 amendment to the endorsed plans and permit preamble to allow for an additional floor level (resulting in a seven storey building) for two additional dwellings, and a further reduction in the car parking requirements of the Yarra Planning Scheme).	10	12
1.3	297 - 299 Highett Street Richmond VIC 3121 - Planning Permit Application No. PLN15/1071 (Development of the land for construction of two dwellings on the lot)	15	18
1.4	284-286 Amess Street, Carlton North VIC 3054- Planning Application No. PLN15/1215	22	24
1.5	PLN15/0641 - 61-71 Wellington Street and 37-39 Langridge Street Collingwood	26	34

1.1 2 Duke Street, Richmond VIC 3121 - Planning Permit Application No.PLN15/0774

Trim Record Number: D16/87253

Responsible Officer: Principal Statutory Planner

RECOMMENDATION

That having considered all relevant planning controls and policies, it is recommended that a Notice of Decision to Grant Planning Permit (PLN15/0774) be issued for development of the land for construction of two, three storey dwellings, at 2 Duke Street Richmond, generally in accordance with the decision plans received 12 April 2016 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 all dimensions noted and three copies must be provided showing:
 - (a) Areas within the pedestrian entries and rear courtyards to be 'permeable';
 - (b) Screening to the west-facing decks shown in elevation as being no more than 25% visually transparent;
 - (c) All obscure glazing to habitable room windows shown as 'fixed';
 - (d) The rear courtyards separated by fencing to a height of at least 1.7m and with no more than 25% visual transparency;
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. Prior to the completion of the development, subject to the relevant authority's consent, the relocation of the parking restriction sign on the west side of Duke Street necessary 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..
4. The provisions, recommendations and requirements of the endorsed Sustainability Management Plan 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 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.
7. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.

8. 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.
9. Before the buildings are 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
10. 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.
11. 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 maybe required before development is commenced. Please contact Council's Building Services on 9205 5585 to confirm.

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

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

Submissions

The Applicant, Mr Chris McKenzie addressed the Committee.

Ms Amanda Bede also addressed the Committee.

INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION

Moved: Councillor Fristacky

Seconded: Councillor Barbour

That having considered all relevant planning controls and policies, it is recommended that a Notice of Decision to Grant Planning Permit (PLN15/0774) be issued for development of the land for construction of two, three storey dwellings, at 2 Duke Street Richmond, generally in accordance with the decision plans received 12 April 2016 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 all dimensions noted and three copies must be provided showing:
 - (a) Areas within the pedestrian entries and rear courtyards to be 'permeable';
 - (b) Screening to the west-facing decks shown in elevation as being no more than 25% visually transparent;
 - (c) All obscure glazing to habitable room windows shown as 'fixed';
 - (d) The rear courtyards separated by fencing to a height of at least 1.7m and with no more than 25% visual transparency;
 - (e) A reduction in height of the southern bedroom 2 wall of Unit 2 to 2.2m.
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. Prior to the completion of the development, subject to the relevant authority's consent, the relocation of the parking restriction sign on the west side of Duke Street necessary 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..
4. The provisions, recommendations and requirements of the endorsed Sustainability Management Plan 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 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.
7. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.
8. 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.

9. Before the buildings are 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
10. 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.
11. 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 maybe required before development is commenced. Please contact Council's Building Services on 9205 5585 to confirm.

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

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

CARRIED UNANIMOUSLY

1.2 486 - 496 Victoria Street, Richmond VIC 3121 - Planning Permit Application No. PL08/0806.02 (Section 72 amendment to the endorsed plans and permit preamble to allow for an additional floor level (resulting in a seven storey building) for two additional dwellings, and a further reduction in the car parking requirements of the Yarra Planning Scheme).

Trim Record Number: D16/89002

Responsible Officer: Principal Statutory Planner

RECOMMENDATION

1. That a Notice of Decision to Grant an Amended Planning Permit No. PL08/0806 for the *'Demolition and the construction of a seven-storey building accommodating dwellings and a shop in accordance with the endorsed plans; a reduction of car parking requirements and a waiver of the loading bay requirements'* at 486 Victoria Street, Richmond subject to the following:

Amended the property address from:

- (a) 488 – 496 Victoria Street, Richmond

To:

- (b) 486 Victoria Street, Richmond

The preamble modified from:

- (a) *Demolition and the construction of a six-storey building with a roof terrace accommodating dwellings and a shop in accordance with the endorsed plans; a reduction of car parking requirements and a waiver of the loading bay requirements.*

To:

- (a) Demolition and the construction of a seven-storey building accommodating dwellings and a shop in accordance with the endorsed plans; a reduction of car parking requirements and a waiver of the loading bay requirements.

Condition 1 modified from:

1. *Before the development starts, 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 plans prepared by Rothe Lowman comprising the drawings TP0.01/B (demolition plan), TP1.01/E (ground floor plan), TP01.02/E (first floor plans), TP01.03/E (second floor plan), TP1.04/E (third floor plan), TP1.05/E (fourth floor plan), TP1.06/E (fifth floor plan), TP1.07/E (roof plan), TP2.01/D (section A), TP2.02/D (section BB), TP3.01/D (north elevation), TP3.02/D (east elevation), TP3.03/D (south elevation), TP3.04/D (west elevation), but modified to show:*

- (i) *All east facing windows to be shown as being highlight windows with a sill height of 1.7 metres above finished floor level or a suitable alternative.*

- (ii) *Details of all acoustic and noise attenuation measures to protect the amenity of the occupants of the development as required by the Acoustic Report prepared by Acoustic Logic Consultancy dated 22 October 2012.*
- (iii) *An updated schedule of all external material and finishes (including colour samples and a materials board) must be submitted prior to the endorsement of plans. The schedule must show the materials, colour and finish of all external walls, roof, fascias, window frames, glazing types, doors and include one set of coloured elevations. No reflective glass or materials are to be used on the external elevations.*

To:

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 plans received by Council on 11 December 2015 but further modified to show:
 - (a) A reduction in the overall building height to RL36.60 with the new level sitting no higher than the height of the glazed stair core to the west; and
 - (b) A "Light Grey" metallic finish to the walls of the new level.
 - (c) Storage areas in the new dwellings of no less than 3 cubic metres.

Condition 14 modified from:

14. *Except with the consent of the Responsible Authority, before the plans are endorsed a report prepared by a suitably qualified and experienced Environmental Sustainable Design expert must be submitted to the satisfaction of the Responsible Authority and endorsed. The report shall address the ESD principles proposed for the site including but not limited to energy, efficiency, water (retention, storage and use), waste and recycling, building materials, landscaping, ventilation, passive climate control through enclosed winter gardens / louvers and balcony overhangs, hot water system, energy and water efficient appliances and high thermal performance building skin.*

To:

14. The energy rating report prepared by Ark Resources and dated 7 November 2013 updated to reflect the provision of two additional dwellings. The report shall continue to address the ESD principles but only modified to include reference to the new dwellings permitted by this amended permit. The report must also include:
 - (a) More detail on the proposed sliding screens demonstrating adequate protection from summer sun angles and solar gain;
 - (b) A preliminary NatHERS thermal energy rating assessment of the proposed new dwellings, demonstrating that the overall standard (average rating) of thermal energy efficiency will not be compromised.

Condition 26 modified from:

26. *Prior to the occupation of the dwellings the applicant must submit for approval by the Responsible Authority a waste management plan which must address, but is not limited to:*
 - (a) *Collection of waste and recyclables;*
 - (b) *Return of bins to bin store immediately after collection;*

- (c) *Times for collection within the hours of 7.00am and 8.00pm Monday to Friday; and*
- (d) *Storage of all bins within the building and screened from external view.*

Once approved the waste management plan must be complied with.

To:

26. Prior to the occupation of the new dwellings permitted by this amended permit, the applicant must submit for approval by the Responsible Authority, an updated waste management plan for endorsement which must address, but is not limited to:

- (a) Collection of waste and recyclables;
- (b) Return of bins to bin store immediately after collection;
- (c) Times for collection within the hours of 7.00am and 8.00pm Monday to Friday; and
- (d) Storage of all bins within the building and screened from external view.

Once approved the waste management plan must be complied with.

Submission

The Applicant, Mr Tim McBride-Burgess addressed the Committee.

INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION

Moved: Councillor Fristacky

Seconded: Councillor Barbour

1. That a Notice of Decision to Grant an Amended Planning Permit No. PL08/0806 for the *'Demolition and the construction of a seven-storey building accommodating dwellings and a shop in accordance with the endorsed plans; a reduction of car parking requirements and a waiver of the loading bay requirements'* at 486 Victoria Street, Richmond subject to the following:

Amended the property address from:

- (a) *488 – 496 Victoria Street, Richmond*

To:

- (b) *486 Victoria Street, Richmond*

The preamble modified from:

- (a) *Demolition and the construction of a six-storey building with a roof terrace accommodating dwellings and a shop in accordance with the endorsed plans; a reduction of car parking requirements and a waiver of the loading bay requirements.*

To:

- (a) Demolition and the construction of a seven-storey building accommodating dwellings and a shop in accordance with the endorsed plans; a reduction of car parking requirements and a waiver of the loading bay requirements.

Condition 1 modified from:

1. *Before the development starts, 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 plans prepared by Rothe Lowman comprising the drawings TP0.01/B (demolition plan), TP1.01/E (ground floor plan), TP01.02/E (first floor plans), TP01.03/E (second floor plan), TP1.04/E (third floor plan), TP1.05/E (fourth floor plan), TP1.06/E (fifth floor plan), TP1.07/E (roof plan), TP2.01/D (section A), TP2.02/D (section BB), TP3.01/D (north elevation), TP3.02/D (east elevation), TP3.03/D (south elevation), TP3.04/D (west elevation), but modified to show:*
- (i) *All east facing windows to be shown as being highlight windows with a sill height of 1.7 metres above finished floor level or a suitable alternative.*
 - (ii) *Details of all acoustic and noise attenuation measures to protect the amenity of the occupants of the development as required by the Acoustic Report prepared by Acoustic Logic Consultancy dated 22 October 2012.*
 - (iii) *An updated schedule of all external material and finishes (including colour samples and a materials board) must be submitted prior to the endorsement of plans. The schedule must show the materials, colour and finish of all external walls, roof, fascias, window frames, glazing types, doors and include one set of coloured elevations. No reflective glass or materials are to be used on the external elevations.*

To:

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 plans received by Council on 11 December 2015 but further modified to show:
- (a) A reduction in the overall building height to RL36.60 with the new level sitting no higher than the height of the glazed stair core to the west; and
 - (b) A "Light Grey" metallic finish to the walls of the new level.
 - (c) Storage areas in the new dwellings of no less than 3 cubic metres.

New Condition 13 (c)

13. (c) The availability of share cars in the area.

Condition 14 modified from:

14. *Except with the consent of the Responsible Authority, before the plans are endorsed a report prepared by a suitably qualified and experienced Environmental Sustainable Design expert must be submitted to the satisfaction of the Responsible Authority and endorsed. The report shall address the ESD principles proposed for the site including but not limited to energy, efficiency, water (retention, storage and use), waste and recycling, building materials, landscaping, ventilation, passive climate control through enclosed winter gardens / louvers and balcony overhangs, hot water system, energy and water efficient appliances and high thermal performance building skin.*

To:

14. The energy rating report prepared by Ark Resources and dated 7 November 2013 updated to reflect the provision of two additional dwellings. The report shall continue to address the ESD principles but only modified to include reference to the new dwellings permitted by this amended permit. The report must also include:
- (a) More detail on the proposed sliding screens demonstrating adequate protection from summer sun angles and solar gain;
 - (b) A preliminary NatHERS thermal energy rating assessment of the proposed new dwellings, demonstrating that the overall standard (average rating) of thermal energy efficiency will not be compromised.

Condition 26 modified from:

26. *Prior to the occupation of the dwellings the applicant must submit for approval by the Responsible Authority a waste management plan which must address, but is not limited to:*
- (a) Collection of waste and recyclables;*
 - (b) Return of bins to bin store immediately after collection;*
 - (c) Times for collection within the hours of 7.00am and 8.00pm Monday to Friday;*
and
 - (d) Storage of all bins within the building and screened from external view.*

Once approved the waste management plan must be complied with.

To:

26. Prior to the occupation of the new dwellings permitted by this amended permit, the applicant must submit for approval by the Responsible Authority, an updated waste management plan for endorsement which must address, but is not limited to:
- (a) Collection of waste and recyclables;
 - (b) Return of bins to bin store immediately after collection;
 - (c) Times for collection within the hours of 7.00am and 8.00pm Monday to Friday;
and
 - (d) Storage of all bins within the building and screened from external view.

Once approved the waste management plan must be complied with.

CARRIED UNANIMOUSLY

1.3 297 - 299 Highett Street Richmond VIC 3121 - Planning Permit Application No. PLN15/1071 (Development of the land for construction of two dwellings on the lot)

Trim Record Number: D16/81865

Responsible Officer: Coordinator Statutory Planning

RECOMMENDATION

That having considered all relevant planning policies and objections, the Committee resolves to issue a Notice of Decision to Grant Planning Permit PLN15/1071 for construction of two dwellings on a lot at 297-299 Highett Street, Richmond 3121, subject to the following conditions:

1. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions, and three copies must be provided. The plans must be generally in accordance with the decision plans but modified to show:
 - (a) The location of the waters tanks for each dwelling and details of their connections including for toilet flushing;
 - (b) External shading to the ground and second floor north-facing windows and glazed doors;
 - (c) The location of solar PV panels and solar hot water systems confirmed on the roof plan (i.e. not noted as 'suggested');
 - (d) The provision of at least 6 cubic meters of storage for each dwelling;
 - (e) The street tree to immediate west of the crossover to dwelling 1 noted as being removed;
 - (f) The dimensions (height, length and width) of the bin enclosures shown on the floor plans and elevations;
 - (g) The height of the north-facing screening to the first floor terraces being consistent between floor plans, elevations and sections. The screening must be at least 1.7m above finished floor levels;
 - (h) The dimension of the height of the wall/screen between the north-facing terraces of each dwelling (must be at least 1.7m above finished floor level). The wall/screen must also be noted as solid or no more than 25% transparent;
 - (i) The location of all external air-conditioning and heating units. All units must be located away from habitable room windows on adjoining lots;
 - (j) The laundry of dwelling 1 replaced with either a study or other habitable room or the entries to both dwellings widened to provide a more active frontage at ground floor. Either option must include at least two ground floor windows generally behind the central landscaped area;
 - (k) The 'timber look' battens above the garage doors replaced with another material to clearly differentiate between the garage doors and the wall above;
 - (l) The existing vehicle crossover to dwelling 2 shown with its current width;
 - (m) The proposed vehicle crossover to dwelling 1 as being 3m in width and constructed to the satisfaction of the Responsible Authority;
 - (n) The location of the ground floor north facing door and window on the eastern side of No. 295 Highett Street, Richmond.

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 Keystone Alliance and dated December 2015, but modified to include or show:

- (a) The development achieving an energy rating of at least BCA/NCC 6 Star + 10%; and
- (b) Any updates/modifications as a result of the amended plans.

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 buildings are occupied, or by such later date as approved in writing by the Responsible Authority, the landscaping works shown on the endorsed Landscape Plan must be carried out and completed to the satisfaction of the Responsible Authority. The landscaping shown on the endorsed Landscape Plan must be maintained by:

- (a) implementing and complying with the provisions, recommendations and requirements of the endorsed Landscape Plan;
- (b) not using the areas set aside on the endorsed Landscape Plan for landscaping for any other purpose; and
- (c) replacing any dead, diseased, dying or damaged plants,

to the satisfaction of the Responsible Authority.

6. Before the development commences, the permit holder must make a one off contribution of \$1500 to the Responsible Authority to be used for replacement and new street tree plantings that are required as a result of the development.

7. Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating access to the dwelling entrances and driveways must be provided within the property boundary. Lighting must be:

- (a) located;
- (b) directed;
- (c) shielded; and
- (d) of limited intensity,

to the satisfaction of the Responsible Authority.

8. 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.

9. Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, all new on-boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.

10. Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated:

- (a) at the permit holder's cost; and
- (b) to the satisfaction of the Responsible Authority.

11. Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, the footpath immediately outside the property's Hihett Street road frontage must be stripped and re-sheeted:
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
12. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.
13. Before the buildings are 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; andto the satisfaction of the Responsible Authority.
14. 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.
15. 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 maybe 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 5585 for further information.

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

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.

Councillor Huggins left the meeting for this matter due to conflict of interest.

Submissions

The Applicant, Mr Tim Radisish addressed the Committee.

The following people also addressed the Committee:

Mr Steve O'Brien;

Ms Ros Wilson;

Ms Sonia Haroutunian; and

Ms Jo Murphy.

INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION

Moved: Councillor Barbour

Seconded: Councillor Fristacky

That having considered all relevant planning policies and objections, the Committee resolves to issue a Notice of Decision to Grant Planning Permit PLN15/1071 for construction of two dwellings on a lot at 297-299 Highett Street, Richmond 3121, subject to the following conditions:

1. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions, and three copies must be provided. The plans must be generally in accordance with the decision plans but modified to show:
 - (a) The location of the waters tanks for each dwelling and details of their connections including for toilet flushing;
 - (b) External shading to the ground and second floor north-facing windows and glazed doors;
 - (c) The location of solar PV panels and solar hot water systems confirmed on the roof plan (i.e. not noted as 'suggested');
 - (d) The provision of at least 6 cubic meters of storage for each dwelling;
 - (e) The street tree to immediate west of the crossover to dwelling 1 noted as being removed;
 - (f) The dimensions (height, length and width) of the bin enclosures shown on the floor plans and elevations;
 - (g) The height of the north-facing screening to the first floor terraces being consistent between floor plans, elevations and sections. The screening must be at least 1.7m above finished floor levels;
 - (h) The dimension of the height of the wall/screen between the north-facing terraces of each dwelling (must be at least 1.7m above finished floor level). The wall/screen must also be noted as solid or no more than 25% transparent;
 - (i) The location of all external air-conditioning and heating units. All units must be located away from habitable room windows on adjoining lots;
 - (j) The laundry of dwelling 1 replaced with either a study or other habitable room or the entries to both dwellings widened to provide a more active frontage at ground floor. Either option must include at least two ground floor windows generally behind the central landscaped area;
 - (k) The 'timber look' battens above the garage doors replaced with another material to clearly differentiate between the garage doors and the wall above;
 - (l) The existing vehicle crossover to dwelling 2 shown with its current width;
 - (m) The proposed vehicle crossover to dwelling 1 as being 3m in width and constructed to the satisfaction of the Responsible Authority;
 - (n) The location of the ground floor north facing door and window on the eastern side of No. 295 Highett Street, Richmond.

(o) Bedroom 2 of dwelling 2 set back an additional 1m from the southern boundary.

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 Keystone Alliance and dated December 2015, but modified to include or show:

- (a) The development achieving an energy rating of at least BCA/NCC 6 Star + 10%; and
 - (b) Any updates/modifications as a result of the amended plans.
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 buildings are occupied, or by such later date as approved in writing by the Responsible Authority, the landscaping works shown on the endorsed Landscape Plan must be carried out and completed to the satisfaction of the Responsible Authority. The landscaping shown on the endorsed Landscape Plan must be maintained by:
 - (a) implementing and complying with the provisions, recommendations and requirements of the endorsed Landscape Plan;
 - (b) not using the areas set aside on the endorsed Landscape Plan for landscaping for any other purpose; and
 - (c) replacing any dead, diseased, dying or damaged plants,to the satisfaction of the Responsible Authority.
 6. Before the development commences, the permit holder must make a one off contribution of \$1500 to the Responsible Authority to be used for replacement and new street tree plantings that are required as a result of the development.
 7. Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating access to the dwelling entrances and driveways must be provided within the property boundary. Lighting must be:
 - (a) located;
 - (b) directed;
 - (c) shielded; and
 - (d) of limited intensity,to the satisfaction of the Responsible Authority.
 8. 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.

9. Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, all new on-boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.
10. Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated:
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
11. Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, the footpath immediately outside the property's Highbury Street road frontage must be stripped and re-sheeted:
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
12. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.
13. Before the buildings are 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; andto the satisfaction of the Responsible Authority.
14. The development must comply at all times with the State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N-1).
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; 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 maybe 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 5585 for further information.

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

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 UNANIMOUSLY

1.4 284-286 Amess Street, Carlton North VIC 3054- Planning Application No. PLN15/1215

Trim Record Number: D16/86876

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 PLN15/1215 for development of the land for the construction of a ground floor extension and a first floor addition, including partial demolition, at 284-286 Amess Street, Carlton North, subject to the following conditions:

1. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the Sketch Plans (SK01 to SK08 - dated 12 May, 2016), which show:
 - (a) SK.TP03 Proposed Floor Plans:
 - (i) Ground floor southern side wall to the light court increased to 1.2m from 1m;
 - (ii) Corrected window locations to the southern property's north-facing windows; and
 - (iii) Addition of a canopy tree to the north-east corner of the site.
 - (b) SK.TP04 Proposed First Floor Plan and Elevations:
 - (i) First floor rear setback increased to 3.50m from 3.12m;
 - (ii) Obscure glazing added to east-facing windows of the master bedroom and ensuite; and
 - (iii) Decrease the height of the southern wall to the light court to 3.3m from 3.5m.

And further modified to show:

- (c) The addition of a restrictor mechanism to the first floor east-facing master bedroom windows.
 - (d) The colour of the garage façade and door to match the colour of the façade of the main dwelling.
 - (e) A reduction to the height of the dwelling by 600mm;
 - (f) The existing front window to be replaced with a double-hung timber framed bay window of the configuration that generally matches that shown on the MMBW Plan of the property dated 1901;
 - (g) The existing front awning to be replaced with a verandah of typical Late Victorian architectural style, constructed using typical materials in a configuration that generally matches that shown on the MMBW Plan of the property dated 1901;
 - (h) The front fence modified to be consistent with the Late Victorian architectural period of the heritage dwelling.
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 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.

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

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

Notes:

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

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

A local law permit may be required for tree removal. Please contact Council's Compliance Branch on 9205 5166.

Submissions

The Applicant, Mr George Espanos addressed the Committee.

The following people also addressed the Committee:

*Ms Jill Bloom; and
Mr Graeme Halperin.*

INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION

Moved: Councillor Fristacky

Seconded: Councillor Barbour

That having considered all objections and relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant a Planning Permit PLN15/1215 for development of the land for the construction of a ground floor extension and a first floor addition, including partial demolition, at 284-286 Amess Street, Carlton North, subject to the following conditions:

1. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the Sketch Plans (SK01 to SK08 - dated 12 May, 2016), which show:
 - (a) SK.TP03 Proposed Floor Plans:
 - (i) Ground floor southern side wall to the light court increased to 1.2m from 1m;
 - (ii) Corrected window locations to the southern property's north-facing windows; and
 - (iii) Addition of a canopy tree to the north-east corner of the site.
 - (b) SK.TP04 Proposed First Floor Plan and Elevations:
 - (i) First floor rear setback increased to 3.50m from 3.12m;
 - (ii) Obscure glazing added to east-facing windows of the master bedroom and ensuite; and
 - (iii) Decrease the height of the southern wall to the light court to 3.3m from 3.5m.

And further modified to show:

- (c) The addition of a restrictor mechanism to the first floor east-facing master bedroom windows, to comply with the objective of the overlooking standard.
 - (d) The colour of the garage façade and door to match the colour of the façade of the main dwelling.
 - (e) A reduction to the height of the dwelling by 600mm;
 - (f) The existing front window to be replaced with a double-hung timber framed bay window of the configuration that generally matches that shown on the MMBW Plan of the property dated 1901;
 - (g) The existing front awning to be replaced with a verandah of typical Late Victorian architectural style, constructed using typical materials in a configuration that generally matches that shown on the MMBW Plan of the property dated 1901;
 - (h) The front fence modified to be consistent with the Late Victorian architectural period of the heritage dwelling.
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 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.

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

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

Notes:

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

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

A local law permit may be required for tree removal. Please contact Council's Compliance Branch on 9205 5166.

CARRIED UNANIMOUSLY

1.5 PLN15/0641 - 61-71 Wellington Street and 37-39 Langridge Street Collingwood

Trim Record Number: D16/91489

Responsible Officer: Coordinator Statutory Planning

RECOMMENDATION

That Council notify VCAT that had it been in a position, based on the recently circulated amended plans, it would have issued a Notice of Decision to Grant a Permit for the construction of 2 or more dwellings on a lot; the construction and use of the land as offices; the reduction in the number of car parking spaces; the waiver of the loading/unloading bay requirement; the removal of registered restrictive covenant contained in conveyance no. 536112 from Certificate of Title Volume 8055 Folio 952 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 substituted plans (TP1001 dated 24/03/16 and TP1002 – TP1008, TP1013-TP1018, TP3000-TP3003, TP3500 and TP3501 dated 31/05/16) prepared by John Wardle Architects but modified to show:
 - (a) provide a splay on the corner of the room within the ground floor car park level containing the gas meters;
 - (b) pedestrian doors must not obstruct vehicular carriageways;
 - (c) a 1 in 20 scale cross sectional drawing of the development's vehicular entrance, showing the actual reduced levels (not interpolated levels from the application drawings) of the Derby Street road profile, the building line, the lip of the channel, the invert of the channel and the top of kerb. The existing road profile of Derby Street (from the centre line of the road to the north kerb line) and the ramp inside the property must be accurately drawn. (The Derby Street kerb and channel and the road profile may need to be reviewed to facilitate access into the site [the use of plates or culverts will not be permitted]). The new kerb must also be shown. The applicant must demonstrate by way of a ground clearance check that vehicles can traverse the new vehicle crossing and ramp without scraping or bottoming out;
 - (d) the vehicular crossing as one contiguous span (not two separate crossings);
 - (e) all pedestrian access to a level no steeper than 1 in 40 from the building line to the top of kerb;
 - (f) a minimum of 6 on-site residential visitor car parking spaces;
 - (g) bicycle parking signage as per clause 52.34-5 of the Yarra Planning Scheme;
 - (h) minimum 1.8m corridor widths adjacent to dwelling entrances;
 - (i) where a habitable room window, balcony or terrace will overlook an adjacent/adjoining habitable room window, balcony or terrace within a 45 degree arc and 9 metre radius, screening must be provided to the satisfaction of the Responsible Authority to ensure no unreasonable inter overlooking;
 - (j) details of the layout of the communal area and terrace (including any fixed furniture);
 - (k) a schedule of colours and materials, including samples (where relevant);
 - (l) details of spacing between balcony balustrades, demonstrating they would have reduced separation where required to screen air conditioner units;
 - (m) additional spandrel panels behind glazing to minimise solar heat gains;
 - (n) ramp grades annotated on the plans (detailing the centreline grade);
 - (o) internal studies and bathrooms swapped, where this would result in the studies being closer to the external daylight source; and
 - (p) recommendations of the endorsed waste, acoustic and wind reports and SMP (where relevant to show on the plans).

2. The development and uses as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
3. The owner of the land must retain John Wardle Architects (or another suitably qualified architect to the satisfaction of the Responsible Authority) to complete the design and provide architectural oversight of the delivery of the detailed design as shown in the endorsed plans and endorsed schedule of materials and finishes during construction unless with the prior written approval of the Responsible Authority.

Office Use

4. Except with the prior written consent of the Responsible Authority, the use authorised by this permit may only operate between the hours of 7.30am and 7.30pm, seven days.

General

5. 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.
6. Before the development 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.
7. The amenity of the area must not be detrimentally affected by the development or office 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,all to the satisfaction of the Responsible Authority.
8. The development and office use must comply at all times with the State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade), No. N-1 (SEPP N-1).
9. Finished floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.
10. Before the development is occupied, any wall located on a boundary facing public property must be treated with a graffiti proof finish to the satisfaction of the Responsible Authority.
11. All pipes, fixtures, fittings and vents servicing any building on the land must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.

Landscape plan

12. Before the development commences, a Landscape Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Landscape Plan will be endorsed and will form part of this permit. The Landscape Plan must include (or show):
 - (a) information regarding proposed plants, the number of plants proposed (for each type), including the name, location, and plant size.
 - (b) detailed design information regarding the proposed drainage, planters, and paving;

- (c) information regarding irrigation and maintenance, including the reuse of stormwater where possible; and
 - (d) landscaping to level 9.
13. Before the development is occupied, or by such later date as approved in writing by the Responsible Authority, the landscaping works shown on the endorsed Landscape Plan must be carried out and completed to the satisfaction of the Responsible Authority. The landscaping shown on the endorsed Landscape Plan must be thereafter maintained by:
- (a) implementing and complying with the provisions, recommendations and requirements of the endorsed Landscape Plan;
 - (b) not using the areas set aside on the endorsed Landscape Plan for landscaping for any other purpose; and
 - (c) replacing any dead, diseased, dying or damaged plants, all to the satisfaction of the Responsible Authority.

Street trees and landscaping

14. Before the development commences, the permit holder must make a one off contribution of \$2,600 to the Responsible Authority to be used for street tree planting on Derby, Wellington and Langridge Streets.

Acoustic report

15. Before the plans are endorsed, an amended Acoustic Report prepared to the satisfaction of the Responsible Authority by a suitably qualified acoustic engineer 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 Renzo Tonin and Associates and dated 25 June 2015, but modified to include (or show, or address):
- (a) consideration of carpark entry door noise (structure borne noise and airborne noise issues);
 - (b) provision of more guidance on maximum allowable sound power or sound pressure levels from balcony mounted condensing units; and
 - (c) potential structure borne impacts from the café. This may require heavy masonry walls rather than lightweight walls, etc; and
 - (d) consideration of noise from communal areas to apartments.

The 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.

16. The provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority and any ongoing recommendations or requirements must be complied with at all times.

Sustainable Management Plan

17. Before the plans are endorsed, 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 WSP Built Ecology and dated 10/02/2015, but modified to include or show:
- (a) a sample daylight modelling report to confirm that best practice daylight levels to habitable rooms will be achieved;

- (b) a sample energy modelling report for both, podium apartments and upper level apartments, facing all directions. North-west and north-east corner apartments must be included to demonstrate worst case scenario heat loads;
 - (c) gas-fired hot water systems;
 - (d) a sample energy modelling report demonstrating that a minimum NatHERS cooling load of 30 MJ/m² is achieved;
 - (e) a commitment to install systems where air conditioner units are automatically 'shut off' when doors/windows are open and when rooms are vacant;
 - (f) a commitment to sub-metering per apartment/tenancy;
 - (g) landscaping will be irrigated by rainwater;
 - (h) recirculation of fire testing water will be included in the design;
 - (i) drainage points will be provided in the commercial tenancies so occupants could install showers, where desired; and
 - (j) an assessment of the reflectivity of the glass, demonstrating compliance with relevant EPA regulations.
18. The provisions, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority and any ongoing recommendations or requirements must be complied with at all times.

Waste management plan

19. Before the plans are endorsed, 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 Waste Tech Services P/L and dated 23 June 2015, but modified to show/include:
- (a) all changes detailed in the Waste Management Plan prepared by Waste Tech Services P/L and dated 7 October 2015 including:
 - (i) on-site collection by a commercial contractor;
 - (ii) the location of café and residential bins storage in the ground level basement with and other commercial bins stored in the ground level basement bin room adjacent to the vehicular entry;
 - (iii) collection to occur between 6am to 6pm Monday to Saturday and between 7am to 6pm Sunday and public holidays;
 - (iv) for on-site collection within the car park, contractors would use a 6.4m small rigid vehicle; and
 - (v) no more than 2 collections would occur for each of the residential and commercial uses per week.
20. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and all ongoing obligations must be complied with to the satisfaction of the Responsible Authority.

Wind impact assessment

21. Before the plans are endorsed, an amended Wind Assessment Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Wind Assessment Report will be endorsed and will form part of this permit. The amended Wind Assessment Report must be generally in accordance with the Wind Assessment Report prepared by MEL Consultants and dated 27 January 2016, but modified to include (or show):
- (a) An assessment of potential wind impacts (including on walking comfort) of the development shown in plans required by condition 1 of this planning permit.

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

Car Park Management Plan

23. Before the development is occupied, a Car Park Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Car Park Management Plan will be endorsed and will form part of this permit. The Car Park Management Plan must address, but not be limited to, the following:
- (a) the number and location of car parking spaces allocated to each tenancy;
 - (b) the allocation of tandem spaces to one tenancy;
 - (c) the management of visitor car parking spaces and security arrangements for occupants of the development, including details on how residential visitors are to access car parking;
 - (d) details of way-finding, cleaning and security of end of trip bicycle facilities;
 - (e) policing arrangements and any consequential formal agreements;
 - (f) a schedule of all proposed signage including directional arrows and signage, informative signs indicating location of disabled bays and bicycle parking, exits, restrictions, pay parking system etc.;
 - (g) the collection of waste and garbage including the separate collection of organic waste and recyclables, which must be in accordance with the Waste Management Plan required by Condition 19; and
 - (h) details regarding the management of loading and unloading of goods and materials.
24. The provisions, recommendations and requirements of the endorsed Car Park Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Green Travel Plan

25. Before the development is occupied, a Green Travel Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Green Travel plan will be endorsed and will form part of this permit. The Green Travel Plan must include, but not be limited to, the following:
- (a) describe the location in the context of alternative modes of transport;
 - (b) employee / resident welcome packs (e.g. provision of Met Cards/Myki);
 - (c) details of bicycle parking and bicycle routes;
 - (d) details of GTP funding and management responsibilities; and
 - (e) include provisions to be updated not less than every 5 years.
26. The provisions, recommendations and requirements of the endorsed Green Travel Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Construction management

27. Before the development commences, a Construction Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will form part of this permit. The plan must provide for:
- (a) a pre-conditions survey (dilapidation report) of the land and all adjacent Council roads frontages and nearby road infrastructure;
 - (b) works necessary to protect road and other infrastructure;
 - (c) remediation of any damage to road and other infrastructure;
 - (d) containment of dust, dirt and mud within the land and method and frequency of clean up procedures to prevent the accumulation of dust, dirt and mud outside the land,
 - (e) facilities for vehicle washing;

- (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) if any existing public lighting assets require temporary disconnection, alternative lighting must be provided to maintain adequate lighting levels. A temporary lighting scheme can only be approved by Council and relevant power authority;
- (r) confirmation that existing public lighting would only be disconnected once temporary alternative lighting scheme becomes operational;
- (s) confirmation that the temporary lighting scheme will remain operational until a permanent lighting scheme is reinstated; and
- (t) during the construction of the approved development:
 - (i) any stormwater discharged into the stormwater drainage system must be in compliance with Environment Protection Authority guidelines;
 - (ii) 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;
 - (iii) vehicle borne material must not accumulate on the roads abutting the land;
 - (iv) 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.

28. 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.

Civil works

29. Council assets must not be altered in any way except with the prior written consent of the Responsible Authority.
30. Before the development is occupied, or by such later date as approved in writing by the Responsible Authority, the following works must be carried out, at the permit holder's cost and to the satisfaction of the Responsible Authority:
- (a) streetscape improvements generally as per the 'proposed streetscape and public realm' plan, dated 30.05.2016, prepared by Tract;
 - (b) reconstruct the kerb and channel immediately outside the property's Derby Street road frontage. When reconstructing the kerb and channel in Derby Street, the invert levels along the channel must be raised to improve the road profile and allow easier access into the development (see condition 1);
 - (c) reconstruct the footpath along the full width of the site's Derby Street frontage. The dressed kerb stone must be exposed and not covered over in asphalt;
 - (d) profile and re-sheet the half width road pavement (centre line of road to north side of Derby Street). Any isolated areas of pavement failure will require full depth road pavement reconstruction;
 - (e) the underground drain connecting to Wellington Street must be extended along the north side to Derby Street to just beyond Cambridge Street. The culvert at the north side of Derby Street/Cambridge Street must also be removed;
 - (f) reconstruct the footpath, kerb and channel immediately outside the property's Cambridge Street road frontage;
 - (g) profile and re-sheet the half width road pavement (centre line of road to east side of Cambridge Street). Any isolated areas of pavement failure will require full depth road pavement reconstruction;
 - (h) construct an underground drain on the south side of Langridge Street from Cambridge Street and extending to the existing drainage infrastructure at Wellington Street;
 - (i) strip and re-sheet the footpath immediately outside the property's Wellington Street and Langridge Street road frontages.
31. Prior to the commencement of works required by condition 30, the applicant must engage a suitably qualified engineer to undertake a stormwater catchment analysis for the design of the required drainage improvements in Derby Street and Cambridge Street:
- (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
32. Prior to the commencement of the development, the developer must prepare and submit detailed design drawings of all road infrastructure works and drainage works associated with this development (outlined in condition 30) for assessment and endorsement to the satisfaction of the Responsible Authority.
33. Before the development 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.

34. Before the development 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.
35. Before the development 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, nature strip, and kerb and channel:
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
36. Before the development is occupied, or by such later date as approved in writing by the Responsible Authority, the area set aside on the endorsed plans for the car parking spaces, access lanes, driveways and associated works must be:
 - (a) constructed and available for use in accordance with the endorsed plans;
 - (b) formed to such levels and drained so that they can be used in accordance with the endorsed plans;
 - (c) treated with an all-weather seal or some other durable surface; and
 - (d) line-marked or provided with some adequate means of showing the car parking spaces,all to the satisfaction of the Responsible Authority.
37. Before the development 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, and dwelling entrances must be provided. Lighting must be:
 - (a) located;
 - (b) directed;
 - (c) shielded; and
 - (d) of limited intensity,all to the satisfaction of the Responsible Authority.
38. Before the development is occupied, or by such later date as is approved by the Responsible Authority in writing, a public lighting plan must be prepared to the satisfaction of the Responsible Authority and submitted to the Responsible Authority for approval. Once approved, the plan will be endorsed and will then form part of the permit. The permit holder must provide for the lighting of the pedestrian and vehicle access ways to the satisfaction of the Responsible Authority.

Covenant removal

39. Before any building is constructed over the land burdened by the covenant identified as Y008576A dated 25 May 1938 recorded on Certificate of Title Volume 8055 Folio 952 must be removed.

Expiry

40. This permit will expire if the removal of the registered restrictive covenant is not registered with the Registrar of Titles within 2 years of the date of this permit.
41. This permit will expire if:
 - (a) the development is not commenced within four years of the date of this permit;
 - (b) the development is not completed within six 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:

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

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

The permit holder must obtain approval from the relevant authorities to remove and/or build over the easement(s).

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.

Councillor Barbour left the meeting for this matter due to conflict of interest.

Submissions

The Applicants, Mr Lloyd Elliot and Mr John Ward addressed the Committee.

The following people also addressed the Committee:

*Ms Jenny Port;
Mr Brett Robertson;
Ms Melinda Stephens;
Ms Karen Delvin; and
Ms Vivien Carroll.*

INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION

Moved: Councillor Fristacky

Seconded: Councillor Huggins

That Council notify VCAT that had it been in a position, based on the recently circulated amended plans, it would have issued a Notice of Decision to Grant a Permit for the construction of 2 or more dwellings on a lot; the construction and use of the land as offices; the reduction in the number of car parking spaces; the waiver of the loading/unloading bay requirement; the removal of registered restrictive covenant contained in conveyance no. 536112 from Certificate of Title Volume 8055 Folio 952 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 substituted plans (TP1001 dated 24/03/16 and TP1002 – TP1008, TP1013-TP1018, TP3000-TP3003, TP3500 and TP3501 dated 31/05/16) prepared by John Wardle Architects but modified to show:
 - (a) deletion of levels 6 and 7 from the middle section of the building;
 - (b) deletion of level 12 from the upper levels of the building;
 - (c) provide a splay on the corner of the room within the ground floor car park level containing the gas meters;
 - (d) pedestrian doors must not obstruct vehicular carriageways;
 - (e) a 1 in 20 scale cross sectional drawing of the development's vehicular entrance, showing the actual reduced levels (not interpolated levels from the application drawings) of the Derby Street road profile, the building line, the lip of the channel, the invert of the channel and the top of kerb. The existing road profile of Derby Street (from the centre line of the road to the north kerb line) and the ramp inside the property must be accurately drawn. (The Derby Street kerb and channel and the road profile may need to be reviewed to facilitate access into the site [the use of plates or culverts will not be permitted]). The new kerb must also be shown. The applicant must demonstrate by way of a ground clearance check that vehicles can traverse the new vehicle crossing and ramp without scraping or bottoming out;
 - (f) the vehicular crossing as one contiguous span (not two separate crossings);
 - (g) all pedestrian access to a level no steeper than 1 in 40 from the building line to the top of kerb;
 - (h) a minimum of 10 on-site residential visitor car parking spaces;
 - (i) bicycle parking signage as per clause 52.34-5 of the Yarra Planning Scheme;
 - (j) minimum 1.8m corridor widths adjacent to dwelling entrances;
 - (k) where a habitable room window, balcony or terrace will overlook an adjacent/adjoining habitable room window, balcony or terrace within a 45 degree arc and 9 metre radius, screening must be provided to the satisfaction of the Responsible Authority to ensure no unreasonable inter overlooking;
 - (l) details of the layout of the communal area and terrace (including any fixed furniture);
 - (m) a schedule of colours and materials, including samples (where relevant);
 - (n) details of spacing between balcony balustrades, demonstrating they would have reduced separation where required to screen air conditioner units;
 - (o) additional spandrel panels behind glazing to minimise solar heat gains;
 - (p) ramp grades annotated on the plans (detailing the centreline grade);
 - (q) internal studies and bathrooms swapped, where this would result in the studies being closer to the external daylight source; and
 - (r) recommendations of the endorsed waste, acoustic and wind reports and SMP (where relevant to show on the plans).
 - (s) a parking space available for deliveries, loading and unloading.
2. The development and uses as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
3. The owner of the land must retain John Wardle Architects (or another suitably qualified architect to the satisfaction of the Responsible Authority) to complete the design and provide architectural oversight of the delivery of the detailed design as shown in the endorsed plans and endorsed schedule of materials and finishes during construction unless with the prior written approval of the Responsible Authority.

Office Use

4. Except with the prior written consent of the Responsible Authority, the use authorised by this permit may only operate between the hours of 7.30am and 7.30pm, seven days.

General

5. 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.
6. Before the development 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.
7. The amenity of the area must not be detrimentally affected by the development or office 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,all to the satisfaction of the Responsible Authority.
8. The development and office use must comply at all times with the State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade), No. N-1 (SEPP N-1).
9. Finished floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.
10. Before the development is occupied, any wall located on a boundary facing public property must be treated with a graffiti proof finish to the satisfaction of the Responsible Authority.
11. All pipes, fixtures, fittings and vents servicing any building on the land must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.

Landscape plan

12. Before the development commences, a Landscape Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Landscape Plan will be endorsed and will form part of this permit. The Landscape Plan must include (or show):
 - (a) information regarding proposed plants, the number of plants proposed (for each type), including the name, location, and plant size.
 - (b) detailed design information regarding the proposed drainage, planters, and paving;
 - (c) information regarding irrigation and maintenance, including the reuse of stormwater where possible; and
 - (d) landscaping to level 9.
13. Before the development is occupied, or by such later date as approved in writing by the Responsible Authority, the landscaping works shown on the endorsed Landscape Plan must be carried out and completed to the satisfaction of the Responsible Authority. The landscaping shown on the endorsed Landscape Plan must be thereafter maintained by:
 - (a) implementing and complying with the provisions, recommendations and requirements of the endorsed Landscape Plan;
 - (b) not using the areas set aside on the endorsed Landscape Plan for landscaping for any other purpose; and

- (c) replacing any dead, diseased, dying or damaged plants, all to the satisfaction of the Responsible Authority.

Street trees and landscaping

14. Before the development commences, the permit holder must make a one off contribution of \$2,600 to the Responsible Authority to be used for street tree planting on Derby, Wellington and Langridge Streets.

Acoustic report

15. Before the plans are endorsed, an amended Acoustic Report prepared to the satisfaction of the Responsible Authority by a suitably qualified acoustic engineer 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 Renzo Tonin and Associates and dated 25 June 2015, but modified to include (or show, or address):
- (a) consideration of carpark entry door noise (structure borne noise and airborne noise issues);
 - (b) provision of more guidance on maximum allowable sound power or sound pressure levels from balcony mounted condensing units; and
 - (c) potential structure borne impacts from the café. This may require heavy masonry walls rather than lightweight walls, etc; and
 - (d) consideration of noise from communal areas to apartments.

The 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.

16. The provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority and any ongoing recommendations or requirements must be complied with at all times.

Sustainable Management Plan

17. Before the plans are endorsed, 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 WSP Built Ecology and dated 10/02/2015, but modified to include or show:
- (a) a sample daylight modelling report to confirm that best practice daylight levels to habitable rooms will be achieved;
 - (b) a sample energy modelling report for both, podium apartments and upper level apartments, facing all directions. North-west and north-east corner apartments must be included to demonstrate worst case scenario heat loads;
 - (c) gas-fired hot water systems;
 - (d) a sample energy modelling report demonstrating that a minimum NatHERS cooling load of 30 MJ/m² is achieved;
 - (e) a commitment to install systems where air conditioner units are automatically 'shut off' when doors/windows are open and when rooms are vacant;
 - (f) a commitment to sub-metering per apartment/tenancy;
 - (g) landscaping will be irrigated by rainwater;
 - (h) recirculation of fire testing water will be included in the design;

- (i) drainage points will be provided in the commercial tenancies so occupants could install showers, where desired; and
- (j) an assessment of the reflectivity of the glass, demonstrating compliance with relevant EPA regulations.

18. The provisions, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority and any ongoing recommendations or requirements must be complied with at all times.

Waste management plan

19. Before the plans are endorsed, 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 Waste Tech Services P/L and dated 23 June 2015, but modified to show/include:
- (a) all changes detailed in the Waste Management Plan prepared by Waste Tech Services P/L and dated 7 October 2015 including:
 - (i) on-site collection by a commercial contractor;
 - (ii) the location of café and residential bins storage in the ground level basement with and other commercial bins stored in the ground level basement bin room adjacent to the vehicular entry;
 - (iii) collection to occur between 6am to 6pm Monday to Saturday and between 7am to 6pm Sunday and public holidays;
 - (iv) for on-site collection within the car park, contractors would use a 6.4m small rigid vehicle; and
 - (v) no more than 2 collections would occur for each of the residential and commercial uses per week.
20. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and all ongoing obligations must be complied with to the satisfaction of the Responsible Authority.

Wind impact assessment

21. Before the plans are endorsed, an amended Wind Assessment Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Wind Assessment Report will be endorsed and will form part of this permit. The amended Wind Assessment Report must be generally in accordance with the Wind Assessment Report prepared by MEL Consultants and dated 27 January 2016, but modified to include (or show):
- (a) An assessment of potential wind impacts (including on walking comfort) of the development shown in plans required by condition 1 of this planning permit.
22. The provisions, recommendations and requirements of the endorsed Wind Assessment Report must be implemented and complied with to the satisfaction of the Responsible Authority.

Car Park Management Plan

23. Before the development is occupied, a Car Park Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Car Park Management Plan will be endorsed and will form part of this permit. The Car Park Management Plan must address, but not be limited to, the following:
- (a) the number and location of car parking spaces allocated to each tenancy;

- (b) the allocation of tandem spaces to one tenancy;
- (c) the management of visitor car parking spaces and security arrangements for occupants of the development, including details on how residential visitors are to access car parking;
- (d) details of way-finding, cleaning and security of end of trip bicycle facilities;
- (e) policing arrangements and any consequential formal agreements;
- (f) a schedule of all proposed signage including directional arrows and signage, informative signs indicating location of disabled bays and bicycle parking, exits, restrictions, pay parking system etc.;
- (g) the collection of waste and garbage including the separate collection of organic waste and recyclables, which must be in accordance with the Waste Management Plan required by Condition 19; and
- (h) details regarding the management of loading and unloading of goods and materials.

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

Green Travel Plan

25. Before the development is occupied, a Green Travel Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Green Travel plan will be endorsed and will form part of this permit. The Green Travel Plan must include, but not be limited to, the following:

- (a) describe the location in the context of alternative modes of transport;
- (b) employee / resident welcome packs (e.g. provision of Met Cards/Myki);
- (c) details of bicycle parking and bicycle routes;
- (d) details of GTP funding and management responsibilities; and
- (e) include provisions to be updated not less than every 5 years.

26. The provisions, recommendations and requirements of the endorsed Green Travel Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Construction management

27. Before the development commences, a Construction Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will form part of this permit. The plan must provide for:

- (a) a pre-conditions survey (dilapidation report) of the land and all adjacent Council roads frontages and nearby road infrastructure;
- (b) works necessary to protect road and other infrastructure;
- (c) remediation of any damage to road and other infrastructure;
- (d) containment of dust, dirt and mud within the land and method and frequency of clean up procedures to prevent the accumulation of dust, dirt and mud outside the land,
- (e) facilities for vehicle washing;
- (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) if any existing public lighting assets require temporary disconnection, alternative lighting must be provided to maintain adequate lighting levels. A temporary lighting scheme can only be approved by Council and relevant power authority;
- (r) confirmation that existing public lighting would only be disconnected once temporary alternative lighting scheme becomes operational;
- (s) confirmation that the temporary lighting scheme will remain operational until a permanent lighting scheme is reinstated; and
- (t) during the construction of the approved development:
 - (i) any stormwater discharged into the stormwater drainage system must be in compliance with Environment Protection Authority guidelines;
 - (ii) 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;
 - (iii) vehicle borne material must not accumulate on the roads abutting the land;
 - (iv) 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.

28. 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.

Civil works

29. Council assets must not be altered in any way except with the prior written consent of the Responsible Authority.

30. Before the development is occupied, or by such later date as approved in writing by the Responsible Authority, the following works must be carried out, at the permit holder's cost and to the satisfaction of the Responsible Authority:
- (a) streetscape improvements generally as per the 'proposed streetscape and public realm' plan, dated 30.05.2016, prepared by Tract;
 - (b) reconstruct the kerb and channel immediately outside the property's Derby Street road frontage. When reconstructing the kerb and channel in Derby Street, the invert levels along the channel must be raised to improve the road profile and allow easier access into the development (see condition 1);
 - (c) reconstruct the footpath along the full width of the site's Derby Street frontage. The dressed kerb stone must be exposed and not covered over in asphalt;
 - (d) profile and re-sheet the half width road pavement (centre line of road to north side of Derby Street). Any isolated areas of pavement failure will require full depth road pavement reconstruction;
 - (e) the underground drain connecting to Wellington Street must be extended along the north side to Derby Street to just beyond Cambridge Street. The culvert at the north side of Derby Street/Cambridge Street must also be removed;
 - (f) reconstruct the footpath, kerb and channel immediately outside the property's Cambridge Street road frontage;
 - (g) profile and re-sheet the half width road pavement (centre line of road to east side of Cambridge Street). Any isolated areas of pavement failure will require full depth road pavement reconstruction;
 - (h) construct an underground drain on the south side of Langridge Street from Cambridge Street and extending to the existing drainage infrastructure at Wellington Street;
 - (i) strip and re-sheet the footpath immediately outside the property's Wellington Street and Langridge Street road frontages.
31. Prior to the commencement of works required by condition 30, the applicant must engage a suitably qualified engineer to undertake a stormwater catchment analysis for the design of the required drainage improvements in Derby Street and Cambridge Street:
- (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
32. Prior to the commencement of the development, the developer must prepare and submit detailed design drawings of all road infrastructure works and drainage works associated with this development (outlined in condition 30) for assessment and endorsement to the satisfaction of the Responsible Authority.
33. Before the development 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.
34. Before the development 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.
35. Before the development 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, nature strip, and kerb and channel:
- (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.

36. Before the development is occupied, or by such later date as approved in writing by the Responsible Authority, the area set aside on the endorsed plans for the car parking spaces, access lanes, driveways and associated works must be:
- (a) constructed and available for use in accordance with the endorsed plans;
 - (b) formed to such levels and drained so that they can be used in accordance with the endorsed plans;
 - (c) treated with an all-weather seal or some other durable surface; and
 - (d) line-marked or provided with some adequate means of showing the car parking spaces,
- all to the satisfaction of the Responsible Authority.
37. Before the development 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, and dwelling entrances must be provided. Lighting must be:
- (a) located;
 - (b) directed;
 - (c) shielded; and
 - (d) of limited intensity,
- all to the satisfaction of the Responsible Authority.
38. Before the development is occupied, or by such later date as is approved by the Responsible Authority in writing, a public lighting plan must be prepared to the satisfaction of the Responsible Authority and submitted to the Responsible Authority for approval. Once approved, the plan will be endorsed and will then form part of the permit. The permit holder must provide for the lighting of the pedestrian and vehicle access ways to the satisfaction of the Responsible Authority.

Covenant removal

39. Before any building is constructed over the land burdened by the covenant identified as Y008576A dated 25 May 1938 recorded on Certificate of Title Volume 8055 Folio 952 must be removed.

Expiry

40. This permit will expire if the removal of the registered restrictive covenant is not registered with the Registrar of Titles within 2 years of the date of this permit.
41. This permit will expire if:
- (a) the development is not commenced within four years of the date of this permit;
 - (b) the development is not completed within six 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:

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

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

The permit holder must obtain approval from the relevant authorities to remove and/or build over the easement(s).

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.

CARRIED UNANIMOUSLY

The meeting closed at 10.57pm.

Confirmed at the meeting held on Wednesday 13 July 2016

Chair