



Minutes

Planning Decisions Committee

6.30pm, Wednesday 28 April 2021

MICROSOFT TEAMS

1. Appointment of Chair

Cr Stone nominated Cr Nguyen as chair.

There being no other nominations, Cr Nguyen was elected chair.

Cr Nguyen assumed the chair.

2. Statement of recognition of Wurundjeri Woi-wurrung Land

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

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

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

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

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

3. Attendance and apologies

Councillors

Cr Claudia Nguyen

Cr Amanda Stone

Council officers

Danielle Connell (Senior Co-ordinator Statutory Planning)

Laura Condon (Senior Planner)

Rhys Thomas (Senior Governance Advisor)

Cindi Johnston (Governance Officer)

Apology

Cr Anab Mohamud

4. Declarations of conflict of interest

Rhys Thomas declared that his wife is a Director of Urbis Pty Ltd, who are acting for the applicant for 63-67 Gipps Street Collingwood and stated that his role in the meeting is purely administrative and that he has played no role in preparing the reports or officer advice.

5. Confirmation of Minutes

RESOLUTION

Moved: Cr Stone **Seconded:** Cr Nguyen

1. That the minutes of the meeting of the Planning Decisions Committee held on Wednesday 7 April 2021 be confirmed.

CARRIED UNANIMOUSLY

6 PLANNING DECISIONS COMMITTEE

Item		Page	Res. Page
6.1	PLN20/0414 - 63-67 Gipps Street, Collingwood	4	13
6.2	PLN20/0563 - 66 Lord Street Richmond - Construction of one triple storey dwelling	23	24
6.3	PLN20/0084-No's 129-135 Bridge Road, Richmond-Development of the land for partial demolition, construction of a multi-storey building and a reduction in the carparking requirements of the Yarra Planning Scheme.	27	35
6.4	PLN19/0892 - 157-161 Burnley Street, Richmond CONFIDENTIAL ITEM		
6.5	PLN19/0539 - 193 Queens Parade, Clifton Hill CONFIDENTIAL ITEM		

Reference	D21/23037
Author	Michelle King - Principal Planner
Authoriser	Senior Coordinator Statutory Planning

RECOMMENDATION

That having considered all objections and relevant planning policies, the Planning Decisions Committee resolves to issue a Notice of Decision to Grant a Planning Permit for the construction of a multi-storey building and a reduction in the statutory car parking requirement at 63-67 Gipps Street, Collingwood 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, prepared by NTF Architecture P/L, Sheets TP101-TP1-103, TP2-100-TP2-101 and TP3-100 all Revision B and TP1-100 Revision D dated 06/04/2020 and DR5-200 Revision B dated 23/03/2020 but modified to include:
 - (a) The changes as depicted on the "Sketch" plans prepared by NTF Architecture P/L, Sheets TP1-100 Revision E, TP101-TP1-103 Revision C and TP2-100-TP2-101 Revision D dated 06/04/2020 which generally show:
 - (i) Reduction in the street wall height by one level, from a height of 23.425 metres to maximum 20.025 metres.
 - (ii) Reduction in the overall height by 1 metre, from 33.025 metres to maximum 32.025 metres, with the lift core along the western boundary protruding 1 metre above.
 - (iii) The columns around the north-eastern corner modified due to the introduction of a 2.6 metre (Gipps St) x 3.3 metre (Rupert Street) splay.
 - (iv) The northern, eastern and southern elevations of the upper levels, above the podium, modified from a blue-grey colour to a red-brown colour.

But further modified to show:

- (b) Food/drink tenancy labelled as a café.
- (c) Title boundary dimensions reinstated.
- (d) All existing site and footpath features to be shown on the ground floor plan including: street lights, parking signs, electrical poles, telephone pillar, utility service pits and the like.
- (e) Relative levels (RL's) of finished floor levels inside and outside building entrances.
- (f) Removal of the proposed DDA car park with the existing public realm conditions along Gipps Street (including on-street parking and existing footpath) shown.
- (g) Vehicle crossover required to enable access to the car park apron from Rupert Street shown.
- (h) The levels above the podium setback from the south a minimum 3 metres from the centreline of the right-of-way.
- (i) Horizontal coloured rebate lines added onto the pre-cast concrete panels on the western elevation in 'REN1' in line with the FFL of each podium level.
- (j) Lighting to the pedestrian and vehicular entrances must be provided on the subject site.
- (k) The operability of the garage door along the eastern boundary shown and accommodated within the boundaries of the site.

- (l) A notation on the ground floor plan identifying that 1 car parking space will be provided for the food and drinks premises, 1 to a car share and 9 to the office use.
 - (m) The floor-to-ceiling height inside the car park dimensioned;
 - (n) The depth of the stacker pit dimensioned.
 - (o) The setback of the canopy from the edge of the kerb dimensioned.
 - (p) Corner splay dimensioned and shown to be finished in a material consistent with the surrounding footpath.
 - (q) The aisle width of the employee bicycle room to comply with AS2890.3 and the requirements of the bicycle rack specifications (Cora Bike Rack E3DT-GP and Ned Kelly or similar).
 - (r) The location of the EV car-share space.
 - (s) The car parking area to be electrically wired to be 'EV ready,' with a notation included on the plans identifying this.
 - (t) Any changes required by the Façade Strategy and Materials and Finishes Plan at Condition 3;
 - (u) Any changes required by the Landscape Plan at Condition 5.
 - (v) Any changes required by the amended Sustainable Management Plan at Condition 7.
 - (w) Any changes required by the amended Wind Tunnel Study at Condition 9.
 - (x) Any changes required by the amended Waste Management Plan at Condition 11.
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. In conjunction with the submission of development plans under Condition 1, a Façade Strategy and Materials and Finishes Plan to the satisfaction of the Responsible Authority must be submitted to and be approved by the Responsible Authority. When approved, the Façade Strategy and Materials and Finishes Plan will be endorsed and will then form part of this permit. This must detail:
 - (a) elevations at a scale of 1:20 illustrating typical podium details, entries and doors, and utilities and typical mid-level and tower facade details;
 - (b) section drawings to demonstrate façade systems, including fixing details and joints between materials or changes in form;
 - (c) information about how the façade will be maintained, including any vegetation; and
 - (d) a sample schedule and coloured drawings outlining colours, materials and finishes specifying the following:
 - (i) Details of material 'BRK01' including the colour and particulars of the product chosen;
 - (ii) Details of material 'SCN01,' ensuring the material provides a high degree of depth and texture;
 - (iii) Details of material 'BC1;'
 4. As part of the ongoing consultant team, NTF Architecture P/L or an architectural firm to the satisfaction of the Responsible Authority must be engaged to:
 - (a) oversee design and construction of the development; and
 - (b) ensure the design quality and appearance of the development is realised as shown in the endorsed plans or otherwise to the satisfaction of the Responsible Authority.

Landscape Plan

5. In conjunction with the submission of development plans under Condition 1, an amended 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 amended Landscape Plan must be generally in accordance with the Landscape Plans prepared by Peachy Green dated May 2020 (TP01) and Aug 2020 (TP02, TP03 and TP04) but modified to include (or show):

- (a) Assess the proposal as referenced and amended pursuant to Condition 1.
6. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the landscaping works shown on the endorsed Landscape Plan must be carried out and completed to the satisfaction of the Responsible Authority. The landscaping shown on the endorsed Landscape Plan must be maintained by:
- (a) implementing and complying with the provisions, recommendations and requirements of the endorsed Landscape Plan;
 - (b) not using the areas set aside on the endorsed Landscape Plan for landscaping for any other purpose; and
 - (c) replacing any dead, diseased, dying or damaged plants,
- to the satisfaction of the Responsible Authority.

Sustainable Management Plan

7. In conjunction with the submission of development plans under Condition 1, an amended Sustainable Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Sustainable Management Plan will be endorsed and will form part of this permit. The amended Sustainable Management Plan must be generally in accordance with the Sustainable Management Plan prepared by Ark Resources dated 19 June 2020, but modified to include or show:
- (a) Assess the proposal as referenced and amended pursuant to Condition 1.
 - (b) Clarification on the provision of BUG for optimised building use.
 - (c) Daylight Analysis illustrating compliance with DF and VLT indicated.
 - (d) NABERS energy report to support 5.5 star claim.
 - (e) Information on hot water systems with consideration to using a heat pump.
 - (f) Details on peak energy demand within the NABERS energy report.
 - (g) Shading strategy for levels which don't include an external shading treatment.
 - (h) Information on HVAC and include within NABERS energy report with consideration to 3 pipe VRF.
 - (i) Clarification on the car park ventilation.
 - (j) Details of lighting (and improvement over NCC 2019) within NABERS energy report.
 - (k) Clarify system size and generation within NABERS energy report.
 - (l) Clarify extent of toilets serviced with rainwater.
 - (m) Clarify extent of use of sustainably sourced timbers (i.e. % by weight or cost).
 - (n) Indicate EV car-share location on plans.
 - (o) Include 90% recycle/reclaim construction waste target in EMP.
 - (p) Provide a statement that addresses UHI mitigation, considering high SRI (>50) materials, colours, and additional vegetation provision.
 - (q) Remove credit for 2 x e-bikes or indicate location of bike spaces on plans and within GTP.
8. The provisions, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Wind Tunnel Study

9. In conjunction with the submission of development plans under Condition 1, a Wind Tunnel Study to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Wind Tunnel Study will be endorsed and will form part of this permit. The Wind Tunnel Study must be generally in accordance with the Wind Impact Assessment prepared by SLR Consultants dated August 2020, but modified to include or show:
 - (a) Wind Tunnel modelling assessing the proposal as referenced and amended pursuant to Condition 1.
 - (b) Quantification of the existing wind conditions of Gipps Street and Rupert Street adjacent to the site.
 - (c) Walking criterion to be achieved for Gipps Street and Rupert Street adjacent to the site.
 - (d) Standing criterion to be achieved at all ground floor building entrances.
 - (e) Standing criterion at a minimum to be achieved for the above podium and rooftop terraces.
 - (f) Inclusion of the management plan for the above podium terrace and café entrances, if determined to be required following the additional wind tunnel modelling; and
 - (g) Vegetation is not to be used as a wind mitigation measure.
10. The provisions, recommendations and requirements of the endorsed Wind Tunnel Study must be implemented and complied with to the satisfaction of the Responsible Authority.

Waste Management Plan

11. In conjunction with the submission of development plans under Condition 1, 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 Leigh Design and dated 6 July 2020, but modified to include or show:
 - (a) Assess the proposal as referenced and amended pursuant to Condition 1.
 - (b) All diagrams pertaining to the management of waste must be attached to the WMP.
12. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
13. The collection of commercial waste from the site must be by private collection, unless with the prior written consent of the Responsible Authority.

Green Travel Plan

14. Before the development is occupied, an amended Green Travel Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Green Travel Plan will be endorsed and will form part of this permit. The amended Green Travel Plan must be generally in accordance with the Green Travel Plan prepared by OneMileGrid dated 12 August 2020, but modified to include or show:
 - (a) Assess the proposal as referenced and amended pursuant to Condition 1, including the final layout of the bicycle parking.
15. The provisions, recommendations and requirements of the endorsed Green Travel Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Car parking

16. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the area set aside on the endorsed plans for the car parking spaces, access lanes, driveways and associated works must be:
- (a) constructed and available for use in accordance with the endorsed plans;
 - (b) formed to such levels and drained so that they can be used in accordance with the endorsed plans;
 - (c) treated with an all-weather seal or some other durable surface; and
 - (d) line-marked or provided with some adequate means of showing the car parking spaces;
- to the satisfaction of the Responsible Authority.
17. Ducting, pipes and other obtrusions must not encroach into the space design envelope of the car stacker spaces.
18. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the car stackers must be installed in accordance with the manufacturer's specifications by a suitably qualified person. The car stackers must be maintained thereafter to the satisfaction of the Responsible Authority.

Lighting

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

General

20. The amenity of the area must not be detrimentally affected by the development, including through:
- (a) the transport of materials, goods or commodities to or from land;
 - (b) the appearance of any buildings, works or materials;
 - (c) the emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or
 - (d) the presence of vermin.
- to the satisfaction of the Responsible Authority.
21. Except with the prior written consent of the Responsible Authority, delivery and collection of goods to and from the land may only occur between 7am and 10pm on any day.
22. Finished floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.
23. Before the building 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.

24. The development must comply at all times with the State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N-1).
25. 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.
26. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
27. 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.

Road Infrastructure

28. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any new vehicle crossing must be constructed:
 - (a) in accordance with any requirements or conditions imposed by Council;
 - (b) demonstrating satisfactory access into and out of the site with a vehicle ground clearance check using the B99 design vehicle, and be fully dimensioned with actual reduced levels (to three decimal places) as per Council's Vehicle Crossing Information Sheet;
 - (c) at the permit holder's cost; and
 - (d) to the satisfaction of the Responsible Authority.
29. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, all building works and connections for underground utility services outside the building's frontage must be reconstructed:
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
30. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated, including the reinstatement of the kerb and channel and re-sheeting of the footpaths for the entire width of the property (both Gipps Street and Rupert Street) :
 - (a) in accordance with Council's *Road Materials Policy*;
 - (b) with a cross-fall of 1 in 40 unless otherwise specified;
 - (c) at the permit holder's cost; and
 - (d) to the satisfaction of the Responsible Authority.
31. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the half-width road pavement of Gipps Street (from the centre line of the road to the south kerb) and Rupert Street (from the centre line of the road to the west kerb) along the property frontages must be profiled (grounded by 50 mm) and re-sheeted (including the reinstatement of all road markings):
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
32. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, all road markings, including the painted bicycle lane markings along Gipps Street, are to be reinstated upon the completion of the pavement works:
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.

33. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any redundant vehicular crossing must be demolished and re-instated as standard footpath and kerb and channel:
- (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
34. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority the relocation of any service poles, structures or pits necessary to facilitate the development must be undertaken:
- (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
35. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the removal of any kerbside parking sensors and any reinstatement of parking sensors will require the Permit Holder to pay Council the cost of each parking sensor taken out from the kerb/footpath/roadway. Any costs associated with the reinstatement of road infrastructure due to the removal of the parking sensors must also be borne by the Permit Holder.
36. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.

Development Infrastructure Levy

37. Prior to the issue of a building permit, commencement of the development, or issue of a Statement of Compliance (whichever occurs first) the Development Infrastructure Levy must be paid to Yarra City Council in accordance with the approved Development Contributions Plan, or the Owner must enter into an agreement with Yarra City Council to pay the amount of the levy within a time specified in the agreement.

Construction Management Plan

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

- (vi) washing of concrete trucks and other vehicles and machinery; and
- (vii) spillage from refuelling cranes and other vehicles and machinery;
- (i) the construction program;
- (j) preferred arrangements for trucks delivering to the land, including delivery and unloading points and expected duration and frequency;
- (k) parking facilities for construction workers;
- (l) measures to ensure that all work on the land will be carried out in accordance with the Construction Management Plan;
- (m) an outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services;
- (n) an emergency contact that is available for 24 hours per day for residents and the Responsible Authority in the event of relevant queries or problems experienced;
- (o) the provision of a traffic management plan to comply with provisions of AS 1742.3-2002 Manual of uniform traffic control devices - Part 3: Traffic control devices for works on roads;
- (p) a Noise and Vibration Management Plan showing methods to minimise noise and vibration impacts on nearby properties and to demonstrate compliance with Noise Control Guideline 12 for Construction (Publication 1254) as issued by the Environment Protection Authority in October 2008. The Noise and Vibration Management Plan must be prepared to the satisfaction of the Responsible Authority. In preparing the Noise and Vibration Management Plan, consideration must be given to:
 - (i) using lower noise work practice and equipment;
 - (ii) the suitability of the land for the use of an electric crane;
 - (iii) silencing all mechanical plant by the best practical means using current technology;
 - (iv) fitting pneumatic tools with an effective silencer;
 - (v) other relevant considerations.
- (q) any site-specific requirements.

39. During the construction:

- (a) any stormwater discharged into the stormwater drainage system must be in compliance with Environment Protection Authority guidelines;
- (b) stormwater drainage system protection measures must be installed as required to ensure that no solid waste, sediment, sand, soil, clay or stones from the land enters the stormwater drainage system;
- (c) vehicle borne material must not accumulate on the roads abutting the land;
- (d) the cleaning of machinery and equipment must take place on the land and not on adjacent footpaths or roads; and
- (e) all litter (including items such as cement bags, food packaging and plastic strapping) must be disposed of responsibly.

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

41. 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;
- (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.

Time expiry

42. This permit will expire if:

- (a) the development is not commenced within two years of the date of this permit; and
- (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 5555 to confirm.

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

All future businesses (whether as owners, lessees/tenants, occupiers) within the development approved under this permit, will not be permitted to obtain business 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 5555 to confirm.

The applicant must apply for a Legal Point of Discharge under Regulation 133 – Stormwater Drainage of the *Building Regulations* 2018 from Yarra Building Services unit. Any storm water drainage within the property must be provided and be connected to the nearest Council pit of adequate depth and capacity (legal point of discharge), or to Council's satisfaction under Section 200 of the *Local Government Act* 1989 and Regulation 133.

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

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

Only roof runoff, surface water and clean groundwater seepage from above the water table can be discharged into Council drains.

Council will not permit clean groundwater from below the groundwater table to be discharged into Council's drainage system. Basements that extend into the groundwater table must be waterproofed/tanked.

No parking restriction signs or line-marked on-street parking bays are to be removed, adjusted, changed or relocated without approval or authorisation from Council's Parking Management unit and Construction Management branch. Any on-street parking reinstated (signs and line markings) as a result of development works must be approved by Council's Parking Management unit.

Any on-street parking reinstated as a result of development works must be approved by Council's Parking Management unit.

Overhead power lines run along the south side of Gipps Street, close to the property boundary. The developer needs to ensure that the building has adequate clearances from overhead power cables, transformers, substations or any other electrical assets where applicable. Energy Safe Victoria has published an information brochure, Building design near powerlines, which can be obtained from their website: <http://www.esv.vic.gov.au/About-ESV/Reports-and-publications/Brochures-stickers-and-DVDs>

Submissions made online during the meeting

Vicky Grillakis (for the Applicant)
Brett Nixon (for the Applicant)
Arielle Kelly
Genevieve Kulesza
Rick Kwasek

PLANNING DECISIONS COMMITTEE RESOLUTION

Moved: Cr Nguyen

Seconded: Cr Stone

That having considered all objections and relevant planning policies, the Planning Decisions Committee resolves to issue a Notice of Decision to Grant a Planning Permit for the construction of a multi-storey building and a reduction in the statutory car parking requirement at 63-67 Gipps Street, Collingwood 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, prepared by NTF Architecture P/L, Sheets TP101-TP1-103, TP2-100-TP2-101 and TP3-100 all Revision B and TP1-100 Revision D dated 06/04/2020 and DR5-200 Revision B dated 23/03/2020 but modified to include:
 - (a) The changes as depicted on the "Sketch" plans prepared by NTF Architecture P/L, Sheets TP1-100 Revision E, TP101-TP1-103 Revision C and TP2-100-TP2-101 Revision D dated 06/04/2020 which generally show:
 - (i) Reduction in the street wall height by one level, from a height of 23.425 metres to maximum 20.025 metres.
 - (ii) Reduction in the overall height by 1 metre, from 33.025 metres to maximum 32.025 metres, with the lift core along the western boundary protruding 1 metre above.
 - (iii) The columns around the north-eastern corner modified due to the introduction of a 2.6 metre (Gipps St) x 3.3 metre (Rupert Street) splay.
 - (iv) The northern, eastern and southern elevations of the upper levels, above the podium, modified from a blue-grey colour to a red-brown colour.

But further modified to show:

- (b) Deletion of one level above the podium.
- (c) Food/drink tenancy labelled as a café.
- (d) Title boundary dimensions reinstated.
- (e) All existing site and footpath features to be shown on the ground floor plan including: street lights, parking signs, electrical poles, telephone pillar, utility service pits and the like.
- (f) Relative levels (RL's) of finished floor levels inside and outside building entrances.
- (g) Removal of the proposed DDA car park with the existing public realm conditions along Gipps Street (including on-street parking and existing footpath) shown.
- (h) Vehicle crossover required to enable access to the car park apron from Rupert Street shown.
- (i) The levels above the podium setback from the south a minimum 3 metres from the centreline of the right-of-way.

- (j) Horizontal coloured rebate lines added onto the pre-cast concrete panels on the western elevation in 'REN1' in line with the FFL of each podium level.
- (k) Lighting to the pedestrian and vehicular entrances must be provided on the subject site.
- (l) The operability of the garage door along the eastern boundary shown and accommodated within the boundaries of the site.
- (m) A notation on the ground floor plan identifying that 1 car parking space will be provided for the food and drinks premises, 1 to a car share and 9 to the office use.
- (n) The floor-to-ceiling height inside the car park dimensioned;
- (o) The depth of the stacker pit dimensioned.
- (p) The setback of the canopy from the edge of the kerb dimensioned.
- (q) Corner splay dimensioned and shown to be finished in a material consistent with the surrounding footpath.
- (r) The aisle width of the employee bicycle room to comply with AS2890.3 and the requirements of the bicycle rack specifications (Cora Bike Rack E3DT-GP and Ned Kelly or similar).
- (s) The location of the EV car-share space.
- (t) The car parking area to be electrically wired to be 'EV ready,' with a notation included on the plans identifying this.
- (u) Any changes required by the Façade Strategy and Materials and Finishes Plan at Condition 3;
- (v) Any changes required by the Landscape Plan at Condition 5.
- (w) Any changes required by the amended Sustainable Management Plan at Condition 7.
- (x) Any changes required by the amended Wind Tunnel Study at Condition 9.
- (y) Any changes required by the amended Waste Management Plan at Condition 11.

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. In conjunction with the submission of development plans under Condition 1, a Façade Strategy and Materials and Finishes Plan to the satisfaction of the Responsible Authority must be submitted to and be approved by the Responsible Authority. When approved, the Façade Strategy and Materials and Finishes Plan will be endorsed and will then form part of this permit. This must detail:
 - (a) elevations at a scale of 1:20 illustrating typical podium details, entries and doors, and utilities and typical mid-level and tower facade details;
 - (b) section drawings to demonstrate façade systems, including fixing details and joints between materials or changes in form;
 - (c) information about how the façade will be maintained, including any vegetation; and
 - (d) a sample schedule and coloured drawings outlining colours, materials and finishes specifying the following:
 - (i) Details of material 'BRK01' including the colour and particulars of the product chosen;
 - (ii) Details of material 'SCN01,' ensuring the material provides a high degree of depth and texture;
 - (iii) Details of material 'BC1;'
4. As part of the ongoing consultant team, NTF Architecture P/L or an architectural firm to the satisfaction of the Responsible Authority must be engaged to:
 - (a) oversee design and construction of the development; and
 - (b) ensure the design quality and appearance of the development is realised as shown in the endorsed plans or otherwise to the satisfaction of the Responsible Authority.

Landscape Plan

5. In conjunction with the submission of development plans under Condition 1, an amended 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 amended Landscape Plan must be generally in accordance with the Landscape Plans prepared by Peachy Green dated May 2020 (TP01) and Aug 2020 (TP02, TP03 and TP04) but modified to include (or show):
 - (a) Assess the proposal as referenced and amended pursuant to Condition 1.
6. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the landscaping works shown on the endorsed Landscape Plan must be carried out and completed to the satisfaction of the Responsible Authority. The landscaping shown on the endorsed Landscape Plan must be maintained by:
 - (a) implementing and complying with the provisions, recommendations and requirements of the endorsed Landscape Plan;
 - (b) not using the areas set aside on the endorsed Landscape Plan for landscaping for any other purpose; and
 - (c) replacing any dead, diseased, dying or damaged plants,to the satisfaction of the Responsible Authority.

Sustainable Management Plan

7. In conjunction with the submission of development plans under Condition 1, an amended Sustainable Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Sustainable Management Plan will be endorsed and will form part of this permit. The amended Sustainable Management Plan must be generally in accordance with the Sustainable Management Plan prepared by Ark Resources dated 19 June 2020, but modified to include or show:
 - (a) Assess the proposal as referenced and amended pursuant to Condition 1.
 - (b) Clarification on the provision of BUG for optimised building use.
 - (c) Daylight Analysis illustrating compliance with DF and VLT indicated.
 - (d) NABERS energy report to support 5.5 star claim.
 - (e) Information on hot water systems with consideration to using a heat pump.
 - (f) Details on peak energy demand within the NABERS energy report.
 - (g) Shading strategy for levels which don't include an external shading treatment.
 - (h) Information on HVAC and include within NABERS energy report with consideration to 3 pipe VRF.
 - (i) Clarification on the car park ventilation.
 - (j) Details of lighting (and improvement over NCC 2019) within NABERS energy report.
 - (k) Clarify system size and generation within NABERS energy report.
 - (l) Clarify extent of toilets serviced with rainwater.
 - (m) Clarify extent of use of sustainably sourced timbers (i.e. % by weight or cost).
 - (n) Indicate EV car-share location on plans.
 - (o) Include 90% recycle/reclaim construction waste target in EMP.
 - (p) Provide a statement that addresses UHI mitigation, considering high SRI (>50) materials, colours, and additional vegetation provision.
 - (q) Remove credit for 2 x e-bikes or indicate location of bike spaces on plans and within GTP.

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

Wind Tunnel Study

9. In conjunction with the submission of development plans under Condition 1, a Wind Tunnel Study to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Wind Tunnel Study will be endorsed and will form part of this permit. The Wind Tunnel Study must be generally in accordance with the Wind Impact Assessment prepared by SLR Consultants dated August 2020, but modified to include or show:
 - (a) Wind Tunnel modelling assessing the proposal as referenced and amended pursuant to Condition 1.
 - (b) Quantification of the existing wind conditions of Gipps Street and Rupert Street adjacent to the site.
 - (c) Walking criterion to be achieved for Gipps Street and Rupert Street adjacent to the site.
 - (d) Standing criterion to be achieved at all ground floor building entrances.
 - (e) Standing criterion at a minimum to be achieved for the above podium and rooftop terraces.
 - (f) Inclusion of the management plan for the above podium terrace and café entrances, if determined to be required following the additional wind tunnel modelling; and
 - (g) Vegetation is not to be used as a wind mitigation measure.
10. The provisions, recommendations and requirements of the endorsed Wind Tunnel Study must be implemented and complied with to the satisfaction of the Responsible Authority.

Waste Management Plan

11. In conjunction with the submission of development plans under Condition 1, 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 Leigh Design and dated 6 July 2020, but modified to include or show:
 - (a) Assess the proposal as referenced and amended pursuant to Condition 1.
 - (b) All diagrams pertaining to the management of waste must be attached to the WMP.
12. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
13. The collection of commercial waste from the site must be by private collection, unless with the prior written consent of the Responsible Authority.

Green Travel Plan

14. Before the development is occupied, an amended Green Travel Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Green Travel Plan will be endorsed and will form part of this permit. The amended Green Travel Plan must be generally in accordance with the Green Travel Plan prepared by OneMileGrid dated 12 August 2020, but modified to include or show:

- (a) Assess the proposal as referenced and amended pursuant to Condition 1, including the final layout of the bicycle parking.
15. The provisions, recommendations and requirements of the endorsed Green Travel Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Car parking

16. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the area set aside on the endorsed plans for the car parking spaces, access lanes, driveways and associated works must be:
- (a) constructed and available for use in accordance with the endorsed plans;
 - (b) formed to such levels and drained so that they can be used in accordance with the endorsed plans;
 - (c) treated with an all-weather seal or some other durable surface; and
 - (d) line-marked or provided with some adequate means of showing the car parking spaces;
- to the satisfaction of the Responsible Authority.
17. Ducting, pipes and other obtrusions must not encroach into the space design envelope of the car stacker spaces.
18. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the car stackers must be installed in accordance with the manufacturer's specifications by a suitably qualified person. The car stackers must be maintained thereafter to the satisfaction of the Responsible Authority.

Lighting

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

General

20. The amenity of the area must not be detrimentally affected by the development, including through:
- (a) the transport of materials, goods or commodities to or from land;
 - (b) the appearance of any buildings, works or materials;
 - (c) the emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or
 - (d) the presence of vermin.
- to the satisfaction of the Responsible Authority.
21. Except with the prior written consent of the Responsible Authority, delivery and collection of goods to and from the land may only occur between 7am and 10pm on any day.

22. Finished floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.
23. Before the building 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.
24. The development must comply at all times with the State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N-1).
25. 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.
26. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
27. 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.

Road Infrastructure

28. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any new vehicle crossing must be constructed:
 - (a) in accordance with any requirements or conditions imposed by Council;
 - (b) demonstrating satisfactory access into and out of the site with a vehicle ground clearance check using the B99 design vehicle, and be fully dimensioned with actual reduced levels (to three decimal places) as per Council's Vehicle Crossing Information Sheet;
 - (c) at the permit holder's cost; and
 - (d) to the satisfaction of the Responsible Authority.
29. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, all building works and connections for underground utility services outside the building's frontage must be reconstructed:
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
30. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated, including the reinstatement of the kerb and channel and re-sheeting of the footpaths for the entire width of the property (both Gipps Street and Rupert Street) :
 - (a) in accordance with Council's *Road Materials Policy*;
 - (b) with a cross-fall of 1 in 40 unless otherwise specified;
 - (c) at the permit holder's cost; and
 - (d) to the satisfaction of the Responsible Authority.
31. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the half-width road pavement of Gipps Street (from the centre line of the road to the south kerb) and Rupert Street (from the centre line of the road to the west kerb) along the property frontages must be profiled (grounded by 50 mm) and re-sheeted (including the reinstatement of all road markings):
 - (a) at the permit holder's cost; and

- (b) to the satisfaction of the Responsible Authority.
- 32. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, all road markings, including the painted bicycle lane markings along Gipps Street, are to be reinstated upon the completion of the pavement works:
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
- 33. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any redundant vehicular crossing must be demolished and re-instated as standard footpath and kerb and channel:
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
- 34. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority the relocation of any service poles, structures or pits necessary to facilitate the development must be undertaken:
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
- 35. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the removal of any kerbside parking sensors and any reinstatement of parking sensors will require the Permit Holder to pay Council the cost of each parking sensor taken out from the kerb/footpath/roadway. Any costs associated with the reinstatement of road infrastructure due to the removal of the parking sensors must also be borne by the Permit Holder.
- 36. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.

Development Infrastructure Levy

- 37. Prior to the issue of a building permit, commencement of the development, or issue of a Statement of Compliance (whichever occurs first) the Development Infrastructure Levy must be paid to Yarra City Council in accordance with the approved Development Contributions Plan, or the Owner must enter into an agreement with Yarra City Council to pay the amount of the levy within a time specified in the agreement.

Construction Management Plan

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

- (f) the location of loading zones, site sheds, materials, cranes and crane/hoisting zones, gantries and any other construction related items or equipment to be located in any street;
- (g) site security;
- (h) management of any environmental hazards including, but not limited to,:
 - (i) contaminated soil;
 - (ii) materials and waste;
 - (iii) dust;
 - (iv) stormwater contamination from run-off and wash-waters;
 - (v) sediment from the land on roads;
 - (vi) washing of concrete trucks and other vehicles and machinery; and
 - (vii) spillage from refuelling cranes and other vehicles and machinery;
- (i) the construction program;
- (j) preferred arrangements for trucks delivering to the land, including delivery and unloading points and expected duration and frequency;
- (k) parking facilities for construction workers;
- (l) measures to ensure that all work on the land will be carried out in accordance with the Construction Management Plan;
- (m) an outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services;
- (n) an emergency contact that is available for 24 hours per day for residents and the Responsible Authority in the event of relevant queries or problems experienced;
- (o) the provision of a traffic management plan to comply with provisions of AS 1742.3-2002 Manual of uniform traffic control devices - Part 3: Traffic control devices for works on roads;
- (p) a Noise and Vibration Management Plan showing methods to minimise noise and vibration impacts on nearby properties and to demonstrate compliance with Noise Control Guideline 12 for Construction (Publication 1254) as issued by the Environment Protection Authority in October 2008. The Noise and Vibration Management Plan must be prepared to the satisfaction of the Responsible Authority. In preparing the Noise and Vibration Management Plan, consideration must be given to:
 - (i) using lower noise work practice and equipment;
 - (ii) the suitability of the land for the use of an electric crane;
 - (iii) silencing all mechanical plant by the best practical means using current technology;
 - (iv) fitting pneumatic tools with an effective silencer;
 - (v) other relevant considerations.
- (q) any site-specific requirements.

39. During the construction:

- (a) any stormwater discharged into the stormwater drainage system must be in compliance with Environment Protection Authority guidelines;
- (b) stormwater drainage system protection measures must be installed as required to ensure that no solid waste, sediment, sand, soil, clay or stones from the land enters the stormwater drainage system;
- (c) vehicle borne material must not accumulate on the roads abutting the land;
- (d) the cleaning of machinery and equipment must take place on the land and not on adjacent footpaths or roads; and
- (e) all litter (including items such as cement bags, food packaging and plastic strapping) must be disposed of responsibly.

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

41. 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;
 - (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.

Time expiry

42. This permit will expire if:

- (a) the development is not commenced within two years of the date of this permit; and
- (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 5555 to confirm.

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

All future businesses (whether as owners, lessees/tenants, occupiers) within the development approved under this permit, will not be permitted to obtain business 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 5555 to confirm.

The applicant must apply for a Legal Point of Discharge under Regulation 133 – Stormwater Drainage of the *Building Regulations* 2018 from Yarra Building Services unit. Any storm water drainage within the property must be provided and be connected to the nearest Council pit of adequate depth and capacity (legal point of discharge), or to Council's satisfaction under Section 200 of the *Local Government Act* 1989 and Regulation 133.

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

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

Only roof runoff, surface water and clean groundwater seepage from above the water table can be discharged into Council drains.

Council will not permit clean groundwater from below the groundwater table to be discharged into Council's drainage system. Basements that extend into the groundwater table must be waterproofed/tanked.

No parking restriction signs or line-marked on-street parking bays are to be removed, adjusted, changed or relocated without approval or authorisation from Council's Parking Management unit and Construction Management branch. Any on-street parking reinstated (signs and line markings) as a result of development works must be approved by Council's Parking Management unit.

Any on-street parking reinstated as a result of development works must be approved by Council's Parking Management unit.

Overhead power lines run along the south side of Gipps Street, close to the property boundary. The developer needs to ensure that the building has adequate clearances from overhead power cables, transformers, substations or any other electrical assets where applicable. Energy Safe Victoria has published an information brochure, Building design near powerlines, which can be obtained from their website: <http://www.esv.vic.gov.au/About-ESV/Reports-and-publications/Brochures-stickers-and-DVDs>

CARRIED UNANIMOUSLY

Reference	D21/28724
Author	Konrad Bruhn - Senior Statutory Planner
Authoriser	Senior Coordinator Statutory Planning

RECOMMENDATION

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 prepared by +add.projects sheets TP22, TP24, TP26, TP28, TP41, TP52 & TP53 (P17 dated 28-Jan-21) and TP61-TP67 (P11 dated 23-Sep-20) but modified to show:
 - (a) The northern family room wall at first floor level (where not constructed on the boundary) setback in accordance with Clause 54.04-1 Standard A10;
 - (b) The northern privacy screen of the western second floor terrace balcony set back in accordance with Clause 54.01-1 Standard A10;
 - (c) The west-facing master bedroom windows modified or screened in accordance with Clause 54.04-6 Standard A15;
 - (d) A notation confirming the connection of the rainwater tank for re-use on site (i.e. toilets or garden irrigation);
 - (e) The southern perimeter of the eastern at the second floor be screened in accordance with the objective of Clause 54.04-6 (Overlooking);
 - (f) The 'arms' connecting the balustrade of the eastern second floor terrace to the second floor façade/roof deleted; and
 - (g) The material and finish of the garage door.
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, 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.
4. Before the development is occupied, or by such later date as approved in writing by the Responsible Authority, all screening and other measures to prevent overlooking as shown on the endorsed plans must be installed to the satisfaction of the Responsible Authority. Once installed the screening and other measures must be maintained to the satisfaction of the Responsible Authority.
5. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, all new on-boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.

6. Before the building is occupied, any services poles, structures or pits that interfere with the proposal must be adjusted, removed or relocated at the owner's expense after seeking approval from the relevant authority.
7. 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.
8. 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 5555 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 5555 for further information.

A local law permit (e.g. Asset Protection Permit, Road Occupation Permit) may be required before development is commenced. Please contact Council's Construction Management Branch on Ph. 9205 5555 to confirm.

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

Submissions made online during the meeting

Andrew Clark (for the Applicant)
Joanne Bennett
Stan Papageorgiou

PLANNING DECISIONS COMMITTEE RESOLUTION

Moved: Cr Nguyen

Seconded: Cr Stone

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 prepared by +add.projects sheets TP22, TP24, TP26, TP28, TP41, TP52 & TP53 (P17 dated 28-Jan-21) and TP61-TP67 (P11 dated 23-Sep-20) but modified to show:

- (a) The northern family room wall at first floor level (where not constructed on the boundary) setback in accordance with Clause 54.04-1 Standard A10;
 - (b) The northern privacy screen of the western second floor terrace balcony set back in accordance with Clause 54.01-1 Standard A10;
 - (c) The west-facing master bedroom windows modified or screened in accordance with Clause 54.04-6 Standard A15;
 - (d) A notation confirming the connection of the rainwater tank for re-use on site (i.e. toilets or garden irrigation);
 - (e) The southern perimeter of the eastern terrace at the second floor level screened in accordance with the objective of Clause 54.04-6 (Overlooking);
 - (f) The 'arms' connecting the balustrade of the eastern second floor terrace to the second floor façade/roof deleted;
 - (g) The material and finish of the garage door; and
 - (h) The western perimeter of the western terrace at second floor level screened in accordance with Clause 54.04-6 Standard A15 (Overlooking).
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, a Landscape Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Landscape Plan will be endorsed and will form part of this permit. The Landscape Plan must include:
 - (a) Details of ground floor landscaping treatments to the Brady Street and Lord Street frontages, including the provision of a tree to the Lord Street frontage.
4. 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.
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 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.
7. Before the building is occupied, any services poles, structures or pits that interfere with the proposal must be adjusted, removed or relocated at the owner's expense after seeking approval from the relevant authority.
8. 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.

9. 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 5555 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 5555 for further information.

A local law permit (e.g. Asset Protection Permit, Road Occupation Permit) may be required before development is commenced. Please contact Council's Construction Management Branch on Ph. 9205 5555 to confirm.

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

CARRIED UNANIMOUSLY

6.3 **PLN20/0084-No's 129-135 Bridge Road, Richmond-
Development of the land for partial demolition, construction of a
multi-storey building and a reduction in the carparking
requirements of the Yarra Planning Scheme.**

Reference	D21/33566
Author	Laura Condon - Senior Statutory Planner
Authoriser	Co-Ordinator Statutory Planning

RECOMMENDATION

That having considered all objections and relevant planning documents, the Committee resolves to issue a Notice of Decision to Grant a Permit PLN20/0084 for the development of the land for partial demolition, construction of a multi-storey extension to the existing building and a reduction of car parking requirements of the Yarra Planning Scheme at No 129-135 Bridge Road Richmond subject to the following conditions:

1. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions, and three copies must be provided. The plans must be generally in accordance with the decision plans, prepared by BG Architects, dated 15 February 2021 and plan numbers TP003, TP004, TP100-108, TP200-205, TP300-302 and TP500 all issue D but amended to include:
 - (a) Detail at a scale of 1:50 of the replacement central first floor window at No.131 Bridge Road and with evidence provided to show it will match the size, materials and general appearance of the retained first floor windows,
 - (b) The 3 existing historic plaques detailing the past occupants of each building and the interpretative sign detailing tram laying works on Bridge Road to be retained,
 - (c) A plan notation stating car parking areas will be electrically wired to be 'Electric Vehicle ready' to enable future installation of Electric Vehicle charging points;
 - (d) Confirm a total of two new bicycle hoops will be provided to the Bridge Road frontage through the replacement of the two existing hoops,
 - (e) Section detail of the angled fin screens to Leigh Place and Corns Place and to demonstrate no reasonable overlooking to properties opposite while maximising downwards passive surveillance to the adjoining public footpaths and roadways,
 - (f) The width of the vehicle accessway doorway,
 - (g) A convex mirror provided either side of the vehicle entrance,
 - (h) The dimensions of accessible car space and adjacent shared area,
 - (i) Notation stating any service cabinet door opening onto a Public Highway must swing 180-degrees and be latched to the building when opened,

- (j) The metal louver screens to Corns Place windows to protrude a maximum of 0.24m from the building line and be installed a minimum of 2.7m above the road pavement,
 - (k) Corrected notations for screening to Corns Place to refer to screening of Ground Floor and Level 1 windows only,
 - (l) The pole to the 'Stop', '40 Ahead' and 'No Entry' signs, located in the middle of the Leigh Place footpath close to the Bridge Road intersection to be repositioned to be as close as practicable to the south-west corner of the building at No.129 Bridge Road,
 - (m) A 1:20 vehicle crossing ground clearance check for a B99 design vehicle with appropriate levels provided in accordance with Council's 'Vehicle Crossing – Cross Section' information sheet and to demonstrate the following:
 - (i) access into and out of the development can be achieved without bottoming out,
 - (ii) show the reduced level of the north and south edge of Corns Place, the centreline of Corns Place, the edges and invert of the bluestone drain and the finished floor level of the slab, and
 - (iii) provided with a 40mm lip from the edge of Corns Place to the finished floor level of the front edge of the slab at ground level.
 - (n) Further detail of materials as follows:
 - (i) Detail of the bronze MC4 cladding to conform between the material schedule and plans, and
 - (ii) A plan notation stating the minimum necessary extent of pointing will be used to the proposed red face brick facades.
 - (o) Any requirement of the amended Sustainable Management Plan required by condition 5 of this planning permit (where relevant to show on plans), and
 - (p) Any requirement of the amended Wind Assessment required by condition 9 of this planning permit (where relevant to show on plans).
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. As part of the ongoing consultant team, BG Architecture or an architectural firm to the satisfaction of the Responsible Authority must be engaged to:
 - (a) oversee design and construction of the development; and
 - (b) ensure the design quality and appearance of the development is realised as shown in the endorsed plans or otherwise to the satisfaction of the Responsible Authority.

Structural Report Requirement

4. Before the demolition commences, a structural report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the structural report will be endorsed and will form part of this permit. The structural report must be prepared by a suitably qualified structural engineer, or equivalent, and demonstrate the means by which the retained portions of building will be supported during demolition and construction works (including basement construction) to ensure their retention.

Sustainable Management Plan

5. Before the development commences, an amended Sustainable Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Sustainable Management Plan will be endorsed and will form part of this permit. The amended Sustainable Management Plan must be generally in accordance with the Sustainable Management Plan prepared by GIW Environmental Solutions and dated 30 January 2020, but modified to include:
- (a) Clarify operable windows on ground floor west wall to create effective cross-ventilation or a mechanical fresh air supply be provided that achieves a minimum of 50% above the Australian Standard,
 - (b) Provide JVC modelling to support energy efficiency and greenhouse claims, including comparisons against reference building for the building fabric, fabric of services, and entire proposal,
 - (c) Clarify basement CO2 ventilation strategy,
 - (d) Clarify internal lighting improvement using NCC 2016 or NCC 2019,
 - (e) Provide modelling from solar panels to illustrate kWh produced annually and the percentage of buildings energy requirements met on-site,
 - (f) Clarify metering for individual tenants,
 - (g) Provide more details regarding stormwater filtration strategy,
 - (h) Clarify and consider additional materials to include recycled components (i.e. insulation),
 - (i) The SMP and associated credits claimed updated to show a maximum of two visitor bicycle hoops to Bridge Road, and
 - (j) Confirm Head contractor to be accredited with ISO14001.
6. The provisions, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Façade Strategy

7. In conjunction with the submission of development plans under Condition 1, a Façade Strategy and Materials and Finishes Plan to the satisfaction of the Responsible Authority must be submitted to and be approved by the Responsible Authority. When approved, the Façade Strategy and Materials and Finishes Plan will be endorsed and will then form part of this permit. This must detail:
- (a) elevations at a scale of 1:20 illustrating typical podium details, entries and doors, and utilities and typical facade details;
 - (b) section drawings to demonstrate façade systems, including fixing details and joints between materials or changes in form; and
 - (c) information about how the façade will be maintained, including any vegetation; and
 - (d) a sample schedule and coloured drawings outlining colours, materials and finishes specifying the following:
 - (i) Detail of the bronze MC4 cladding confirming a matt finish and particulars of the product chosen; and
 - (ii) Detail of the red face brick demonstrating a high-quality external finish with uniform/not-recycled brick appearance without the use of brick 'snap' technique.

Waste Management Plan

8. The provisions, recommendations and requirements of the endorsed Waste Management Plan by Ratio Consultants and dated 4 August 2020 must be implemented and complied with to the satisfaction of the Responsible Authority.

Amended Wind Assessment

9. Before the development commences, an amended Wind Assessment Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Wind Assessment Report will be endorsed and will form part of this permit. The amended Wind Assessment Report must be generally in accordance with the Wind Assessment Report prepared by Windtech and dated 13 January 2020, but modified to include:
 - (a) The wind criteria to be used for the assessment should be defined and industry recognised, such as the wind comfort and safety criteria defined in the Victorian Better Apartments Design Standards,
 - (b) The wind effects must be assessed on the surrounding streetscapes and on private terraces within the development and must satisfy the following criteria:
 - (i) Walking comfort for streetscapes and roof terrace,
 - (ii) Standing comfort for building entrances, and
 - (iii) Sitting comfort for level 2 and 5 terraces.
 - (c) The provision of wind tunnel testing to quantify the wind conditions and the effectiveness of the proposed wind mitigation strategies.
10. The provisions, recommendations and requirements of the endorsed Wind Assessment Report must be implemented and complied with to the satisfaction of the Responsible Authority.

Green Travel Plan

11. Before the development commences, an amended Green Travel Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Green Travel Plan will be endorsed and will form part of this permit. The amended Green Travel Plan must be generally in accordance with the Green Travel Plan prepared by management by Ratio Consultants dated 30 January 2020, but modified to include:
 - (a) Provisions for the Green Travel Plan to be updated not less than every five years.
12. The provisions, recommendations and requirements of the endorsed Green Travel Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Landscape Plan

13. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the landscaping works shown on the endorsed Landscape Plan by John Patrick Landscape Architects dated February 2020 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.

Civil Works

14. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the entire width of the Leigh Place and Corns Place road pavement must re-sheeted and profiled (grounded by 50mm) for the entire width of the property frontage if required by the Responsible Authority:
 - (a) at the permit holder's cost, and
 - (b) to the satisfaction of the Responsible Authority.
15. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the entire footpath frontage to the Leigh Place and Bridge Road must be demolished and re-instated as standard footpath with a maximum 1-40 cross-fall and with bluestone kerb and channel retained/reinstated. A different pavement material is to be used to the building external entry ways from Bridge Road within the property boundary, with a seamless transition / no steps provided within these setback areas:
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
16. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any redundant vehicular crossing and drain outlets must be demolished and re-instated as standard footpath and kerb and channel:
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
17. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, The two existing surface mounted bicycle hoops to the Bridge Road frontage must be removed and replaced with a total of two brushed stainless steel bicycle hoops with in ground footings and must be installed as per Technical Notes : City of Yarra Public Domain Manual and be setback a minimum of 600m from existing service poles:
 - (a) at the permit holder's cost; and
 - (b) in a location and manner,
 - (c) to the satisfaction of the Responsible Authority.
18. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, 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.
19. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.
20. 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.

21. Prior to the completion of the development, subject to the relevant authority's consent, the relocation of street signs, pits, drainage infrastructure, power/service poles and car parking spaces (including car space line markings and footpath parking sensors) 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

to the satisfaction of the Responsible Authority.

22. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the car stackers must be installed in accordance with the manufacturer's specifications by a suitably qualified person. No pipes, ducting or protrusions from the ceiling or walls are to be installed above or within the space clearance envelopes for the car stacker devices. The car stackers must be maintained thereafter to the satisfaction of the Responsible Authority.

Development Infrastructure Levy

23. Prior to the issue of a building permit, commencement of the development, or issue of a Statement of Compliance (whichever occurs first) the Development Infrastructure Levy must be paid to Yarra City Council in accordance with the approved Development Contributions Plan, or the Owner must enter into an agreement with Yarra City Council to pay the amount of the levy within a time specified in the agreement.

General

24. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating access to the car park and pedestrian entrances must be provided within the property boundary. Lighting must be:
- (a) located;
 - (b) directed;
 - (c) shielded; and
 - (d) of limited intensity, and
 - (e) to the satisfaction of the Responsible Authority.
25. 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.
26. Finished floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.
27. The uses must comply at all times with the State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N-1).
28. The uses must comply at all times with the State Environment Protection Policy – Control of Music Noise from Public Premises (SEPP N-2).
29. Before the development commences, a Construction Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will form part of this permit. The plan must provide for:
- (a) a pre-conditions survey (dilapidation report) of the land and all adjacent Council roads frontages and nearby road infrastructure;

- (b) works necessary to protect road and other infrastructure;
- (c) remediation of any damage to road and other infrastructure;
- (d) containment of dust, dirt and mud within the land and method and frequency of clean up procedures to prevent the accumulation of dust, dirt and mud outside the land;
- (e) facilities for vehicle washing, which must be located on the land;
- (f) the location of loading zones, site sheds, materials, cranes and crane/hoisting zones, gantries and any other construction related items or equipment to be located in any street;
- (g) site security;
- (h) management of any environmental hazards including, but not limited to,:
 - (i) contaminated soil;
 - (ii) materials and waste;
 - (iii) dust;
 - (iv) stormwater contamination from run-off and wash-waters;
 - (v) sediment from the land on roads;
 - (vi) washing of concrete trucks and other vehicles and machinery; and
 - (vii) spillage from refuelling cranes and other vehicles and machinery;
- (i) the construction program;
- (j) preferred arrangements for trucks delivering to the land, including delivery and unloading points and expected duration and frequency;
- (k) parking facilities for construction workers;
- (l) measures to ensure that all work on the land will be carried out in accordance with the Construction Management Plan;
- (m) an outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services;
- (n) an emergency contact that is available for 24 hours per day for residents and the Responsible Authority in the event of relevant queries or problems experienced;
- (o) the provision of a traffic management plan to comply with provisions of AS 1742.3-2002 Manual of uniform traffic control devices - Part 3: Traffic control devices for works on roads;
- (p) a Noise and Vibration Management Plan showing methods to minimise noise and vibration impacts on nearby properties and to demonstrate compliance with Noise Control Guideline 12 for Construction (Publication 1254) as issued by the Environment Protection Authority in October 2008. The Noise and Vibration Management Plan must be prepared to the satisfaction of the Responsible Authority.
In preparing the Noise and Vibration Management Plan, consideration must be given to:
 - (i) using lower noise work practice and equipment;
 - (ii) the suitability of the land for the use of an electric crane;
 - (iii) silencing all mechanical plant by the best practical means using current technology;
 - (iv) fitting pneumatic tools with an effective silencer;
 - (v) other relevant considerations.

30. During the construction:

- (a) any stormwater discharged into the stormwater drainage system must be in compliance with Environment Protection Authority guidelines;
- (b) stormwater drainage system protection measures must be installed as required to ensure that no solid waste, sediment, sand, soil, clay or stones from the land enters the stormwater drainage system;
- (c) vehicle borne material must not accumulate on the roads abutting the land;
- (d) the cleaning of machinery and equipment must take place on the land and not on adjacent footpaths or roads; and

- (e) all litter (including items such as cement bags, food packaging and plastic strapping) must be disposed of responsibly.
31. The provisions, recommendations and requirements of the endorsed Construction Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
32. 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;
 - (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.
33. 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 5555 to confirm.

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

Provision must be made for drainage of the site to a legal point of discharge.

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

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

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

No parking restriction signs or line-marked on-street parking bays are to be removed, adjusted, changed or relocated without approval or authorisation from Council's Parking Management unit and Construction Management branch.

Any on-street parking reinstated as a result of development works must be approved by Council's Parking Management unit.

Council will not permit clean ground water from below the ground water table to be discharged into Council's drainage system. Basements that extend into the ground water table must be waterproofed/tanked.

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.

Only roof runoff, surface water and clean groundwater seepage from above the water table can be discharged into Council drains.

The developer needs to ensure that the building has adequate clearances from overhead power cables, transformers, substations or any other electrical assets where applicable. Energy Safe Victoria has published an information brochure, *Building design near powerlines*, which can be obtained from their website.

Submission made online during the meeting

Patrick Brennan (for the Applicant)

PLANNING DECISIONS COMMITTEE RESOLUTION

Moved: Cr Stone

Seconded: Cr Nguyen

That the Recommendation be adopted.

CARRIED UNANIMOUSLY

The meeting closed at 7.55pm.

Confirmed at the meeting held on Wednesday 12 May 2021

Chair