



YARRA CITY COUNCIL
INTERNAL DEVELOPMENT APPROVALS
COMMITTEE
MINUTES

held on Wednesday 13 June 2018 at 6.30pm
in Meeting Rooms 1 & 2 at the Richmond Town Hall

I. ATTENDANCE

Councillor Stephen Jolly
Councillor Mi-Lin Chen Yi Mei (substitute for Cr James Searle)
Councillor Jackie Fristacky (substitute for Cr Mike McEvoy)

Michelle King (Senior Statutory Planner)
Amy Hodgen (Co-Ordinator Statutory Planning)
Cindi Johnston (Governance Officer)

II. APOLOGIES AND LEAVE OF ABSENCE

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

IV. CONFIRMATION OF MINUTES

Internal Development Approvals Committee Resolution:

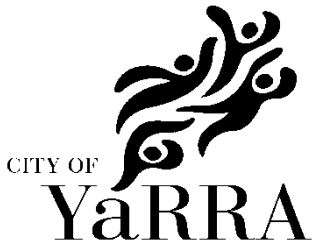
Moved: Councillor Fristacky **Seconded:** Councillor Chen Yi Mei

That the minutes of the meeting of the Internal Development Approvals Committee held on Wednesday 30 May 2018 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 Fristacky nominated Councillor Jolly as Chair.

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

Councillor Jolly assumed the Chair.

1. INTERNAL DEVELOPMENT APPROVALS COMMITTEE

Item		Page	Res. Page
1.1	582 Heidelberg Road, Alphington - PLN17/0858 - Development of the land for the construction of a multi-storey building, use of the land for dwellings and an indoor recreational facility (gym), reduction in the statutory car parking requirement.	6	16
1.2	107 Coppin Street, Richmond - PLN17/0730 - Development of the land for 7 triple-storey dwellings and a reduction in the car parking requirement.	17	21
1.3	100 Scotchmer Street Fitzroy North VIC 3068 - Planning Application PL09/0904 - Amendment to Planning Permit PL09/0904 to increase the operating hours and patron numbers of the existing use (Cafe) and for the sale and consumption of liquor.	25	27
1.4	PLN17/0868 - 231 Napier Street, Fitzroy - Demolition of the existing building to allow for the construction of a seven (7) storey building for dwellings and a reduction in the car parking requirement of the Yarra Planning Scheme.	28	33
1.5	93 Wellington St, Collingwood - Planning Permit Application PLN17/0512 - Construction of a 12 storey building plus basement, with reduction in the car parking requirement associated with dwellings	39	45

1.1 582 Heidelberg Road, Alphington - PLN17/0858 - Development of the land for the construction of a multi-storey building, use of the land for dwellings and an indoor recreational facility (gym), reduction in the statutory car parking requirement.

Trim Record Number: D18/88208

Responsible Officer: Manager Statutory Planning

RECOMMENDATION

That having considered all objections and relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant a Planning Permit PLN17/0858 for Development of the land for the construction of a multi-storey building, use of the land for dwellings and an indoor recreational facility (gym), reduction in the statutory car parking requirement.at 582 Heidelberg Road, Alphington, generally in accordance with the plans noted previously as the “decision plans” and subject to the following conditions:

1. Before the use and development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions, and three copies must be provided. The plans must be generally in accordance with the decision plans but modified to show:

Design

- (a) The following amendments as reflected within the sketch plans dated 4 June 2018:
 - (i) Increased setbacks at Level 8 and 9 to 11.75m from the southern boundary and 6.16m from the western boundary (excluding balconies);
 - (ii) Increased setback at Level 10 to 17.63m from the southern boundary and 9.32m from the western boundary(excluding balconies);
 - (iii) Increased setback at Level 11 and 12 to 17.63m from the southern boundary and 17.1m to 20.31m from the western boundary(excluding balconies);
 - (iv) Relocated on the communal terrace from Level 12 to Level 11 within the western setback with a minimum area of 230.23sqm
- (b) Title boundaries clearly depicted on the basement floor plans
- (c) Detailed street level elevations at a scale of 1:50 depicting ground level treatment to Heidelberg Road and Chandler Highway, including:
 - (i) Glazing to the full width of the bicycle storage area to Heidelberg Road;
 - (ii) High quality material treatment to the emergency exit doors, fire booster cabinet and the remaining portion of the ground floor elevation to Heidelberg Road between the residential lobby entrance and Coate Avenue;
- (d) Updated material schedule to include greater detail of the material and treatment of the balcony undersides to avoid a build-up of dirt;
- (e) Openings to the south facing screen adjacent to the carpark to a minimum of 50% at ground level to allow clear views of the deep soil planting area from the carpark;
- (f) Provision of boundary fencing to the east and west ends of the deep soil planting area;

General

- (g) Door between the common corridor and the Level 11 terrace to be clear glazed
- (h) Provision and details of privacy fencing to the dwellings within the Level 3 podium;
- (i) Details of privacy screens to abutting balconies within the development;

ESD

- (j) Demonstrate through individual apartment layouts that a minimum 40% of dwellings will achieve cross ventilation in accordance with Standard D27

- (k) Any skylights proposed for cross ventilation to be shown on the roof plan and indicated as operable;
- (l) Notation confirming all habitable room windows are fitted with an operable window;

Bike and car parking

- (m) Dimension of the head room clearance at the entrance and critical points along the internal ramps, to achieve a minimum 2.1m throughout car parks and 2.5m above accessible spaces.
- (n) Location and detail of vehicle access door (if proposed) to the car park and associated intercom for visitor access and/or details to secure residential/staff parking areas;
- (o) Column depths and setbacks to be dimensioned on the drawings in accordance with Diagram 1 Clearance to car parking spaces at clause 52.06-9;
- (p) Each ramp grade length and transition to be dimensioned;
- (q) Demonstrate that the proposed building canopy along Chandler Highway will not obstruct a driver's sight lines of the traffic signal lanterns at the Heidelberg Rd/Chandler Highway intersection.
- (r) Visitor bicycle parking:
 - (i) Provided within a single easily accessible location within the ground floor
 - (ii) Appropriately sign posted with details of directional signage to be shown
 - (iii) Comprising horizontal rails
- (s) Resident/employee bicycle facilities resigned to:
 - (i) Within a secure location, within close proximity to the lift shaft
 - (ii) Minimum of 20% horizontal spaces
 - (iii) All walkways and bicycle parking spaces to comply with Australian Standard AS2890.3
- (t) End of trip facilities comprising a minimum two showers and two change rooms, readily accessible for the gym and office tenancies.

Reports

- (u) Any amendments as required by the endorsed Landscaping Plan pursuant to Condition 14;
- (v) Any amendments as required by the endorsed Sustainable Management Plan pursuant to Condition 16 including:
 - (i) Location and size of the rainwater garden
 - (ii) Capacity of the stormwater detention tank;
- (w) Any amendments as required by the endorsed Acoustic Report pursuant to condition 18;
- (x) Any amendments as required by the Wind Tunnel Study pursuant to Condition 21; including the relocation of the entrances to the commercial tenancies away from the intersection of Heidelberg Road and Chandler Highway

Ongoing architect involvement

2. As part of the ongoing consultant team, DKO 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.

General

3. 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.

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

Use Conditions

8. Except with the prior written consent of the Responsible Authority, the gym authorised by this permit may only operate between the hours of 6am and 9pm.
9. Except with the prior written consent of the Responsible Authority, no more than four (4) staff are permitted on the land at any one time.
10. Except with the prior written consent of the Responsible Authority, no more than 15 patrons are permitted within the gym at any one time.
11. The use and development must comply at all times with the State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N-1).
12. The use and development must comply at all times with the State Environment Protection Policy – Control of Music Noise from Public Premises (SEPP N-2).

General Amenity

13. The amenity of the area must not be detrimentally affected by the use or 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.

Landscaping Plan

14. Before the development commences, 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 Plan prepared by Urbis and dated 11 October 2017, but modified to include (or show):
 - (a) Clearly show any existing vegetation to be removed and/or retained;
 - (b) Trees proposed within the southern setback to be *Eucalyptus Leucoxylon* ssp. *Connata* (Melbourne Yellow Gum) or similar to the satisfaction of the responsible authority
 - (c) A maintenance feasibility assessment of the trees within the southern setback to demonstrate their capacity to grow to heights of a minimum of 15m and spread o 10m;
 - (d) A plant schedule including the following:
 - (i) Plants identified by genus and species
 - (ii) Number of plants
 - (iii) Pot sizes at planting
 - (iv) Tree sizes at maturity
 - (e) Planter details dimensions, proposed planting medium, Irrigation and drainage

- (f) Notation referencing to 'City of Darebin' standards replaced with a reference to 'City of Yarra' standards.
 - (g) Two existing street trees along the eastern side of Coate Avenue adjacent to the site frontage removed and replaced with three Melia Azedarach (white Cedar low fruiting variety);
 - (h) Retention of the existing street trees along the Heidelberg Road frontage.
15. Before the new 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 at the cost of the permit holder and 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

16. Before the development commences, an amended Sustainable Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Sustainable Management Plan will be endorsed and will form part of this permit. The amended Sustainable Management Plan must be generally in accordance with the Sustainable Management Plan prepared by Wood & Grieve Engineers and dated 12 October 2017, but modified to include or show:
- (a) Additional sample NatHERS cooling load ratings for dwelling types 1E, 3H and 3D
 - (b) Demonstrate a maximum cooling load of 21 MJ/m² for all apartments
 - (c) Requirement for an Environmental management Plan to be developed by the building contractor to monitor and control activities during construction.
17. The provisions, recommendations and requirements of the endorsed Sustainable Design Assessment must be implemented and complied with to the satisfaction of the Responsible Authority.

Acoustic Report

18. Before the development commences, an amendment Acoustic Report to the satisfaction of the Responsible Authority must be prepared by a suitably qualified acoustic engineer and must be submitted to and approved by the Responsible Authority. When approved, the Acoustic Report will be endorsed and will form part of this permit. The Acoustic Report must be generally in accordance with the Acoustic Report prepared by Acoustic Logic dated 13 October 2017, but modified to include:
- (a) Consideration of potential noise impacts from the vehicle entrance door (if proposed);
 - (b) Consideration of potential noise and reverberation impacts from the gym to the office;
 - (c) Consideration of the potential noise impacts generated by the Level 3 podium and Level 11 roof terrace on the adjacent residential dwellings;
 - (d) Daytime targets of 40dBA Leq to be met for habitable rooms and 35dBA Leq in bedrooms at night.
 - (e) Minimum Rw rating for lightweight external walls exposed to high levels of road traffic;
 - (f) Consideration of mechanical plant equipment and the ability to meet SEPP N-1 requirements
19. The provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.

Waste Management Plan

20. The provisions, recommendations and requirements of the endorsed Waste Management Plan generally in accordance with the Waste Management Report prepared by WasteTech Services dated 10 October 2017 must be implemented and complied with to the satisfaction of the Responsible Authority.

Wind Tunnel Study

21. Before the development commences, 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 is to test the assumptions for the wind climate conditions as covered within the desk top Environmental Wind assessment prepared by MEL Consultants dated 13 October 2017.
22. The provisions, recommendations and requirements of the endorsed Wind Tunnel Study must be implemented and complied with to the satisfaction of the Responsible Authority.

Lighting Plan Design

23. Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating pedestrian walkways and dwelling entrances must be provided. Lighting must be:
- (a) located;
 - (b) directed;
 - (c) shielded; and
 - (d) of limited intensity,
- to the satisfaction of the Responsible Authority.

Car parking

24. Before the buildings are 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 use including:
 - (i) Residential car parking provided in accordance with clause 52.06 (i.e. one space per 1 & 2 bedroom dwellings and two spaces for 3 or more bedroom dwellings)
 - (ii) A minimum of 22 spaces allocated to office employees
 - (iii) A minimum of 1 space allocated to the gym;
 - (iv) Provision for 36 visitor spaces
 - (b) any tandem parking spaces allocated to a single tenancy;
 - (c) details of any car share spaces (if proposed)
 - (d) the management of visitor car parking spaces and security arrangements for occupants of the development, including details on how visitors are to access car parking;
 - (e) Visitor parking to be provided free of charge to visitors;
 - (f) details of way-finding, cleaning and security of end of trip bicycle facilities;
 - (g) the number and allocation of storage spaces;
 - (h) policing arrangements and formal agreements;
 - (i) 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;

- (j) 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 20; and
 - (k) details regarding the management of loading and unloading of goods and materials.
25. 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.
26. 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.
27. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, a notice showing the location of car parking must be placed in a clearly visible position near the entry to the land. The notice must be maintained thereafter to the satisfaction of the Responsible Authority.

Green Travel Plan

28. Before the use 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 GTA Consultants and dated 25 September 2017, but modified to include or show:
- (a) a description of the location in the context of alternative modes of transport;
 - (b) employee welcome packs (e.g. provision of Myki/transport ticketing);
 - (c) sustainable transport goals linked to measurable targets, performance indicators and monitoring timeframes;
 - (d) a designated 'manager' or 'champion' responsible for coordination and implementation;
 - (e) details of bicycle parking and bicycle routes;
 - (f) details of GTP funding and management responsibilities;
 - (g) the types of bicycle storage devices proposed to be used for employee, resident and visitor spaces (i.e. hanging or floor mounted spaces);
 - (h) security arrangements to access the employee bicycle storage spaces; and
 - (i) signage and wayfinding information for bicycle facilities and pedestrians pursuant to Australian Standard AS2890.3;
29. The provisions, recommendations and requirements of the endorsed Green Travel Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Bicycle rails

30. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, three bike rails must be installed along the Heidelberg Road frontage:

- (a) at the permit holder's cost; and
- (b) in a location and manner,

to the satisfaction of the Responsible Authority.

Street Trees

31. Before the development commences, a Tree Management Plan to the satisfaction of the Responsible Authority must be prepared by a suitably qualified Arborist and must be submitted to and approved by the Responsible Authority. When approved the Tree Management Plan will be endorsed and will form part of this permit. The Tree Management Plan must make recommendations for:
- (a) the protection of the two existing street trees adjacent Heidelberg Road frontage:
 - (i) pre-construction;
 - (ii) during construction; and
 - (iii) post construction
 - (b) the provision of any barriers;
 - (c) any pruning necessary; and
 - (d) watering and maintenance regimes,
- to the satisfaction of the Responsible Authority.
32. The provisions, recommendations and requirements of the endorsed Tree Management Plan must be complied with and implemented to the satisfaction of the Responsible Authority.
33. Before the development commences, the permit holder must make a one off contribution of \$4,090 to the Responsible Authority to be used for replacement/new street tree plantings within Coate Avenue that are required as a result of the development.

Public realm and Infrastructure

34. Within three months of commencement of the development, the owner of the site must submit detailed engineering documentation to the satisfaction of the Responsible Authority and approved by the Responsible Authority and at the full cost of the owner showing the following:
- (a) Removal of the existing speed hump;
 - (b) Proposed raised pavement threshold treatment at the northern end of Coate Avenue

Timing of works

35. Before the building is occupied, all works required by condition 34 must be fully constructed and completed at the full cost of the owner to the satisfaction of the Responsible Authority.

Damage to Council Infrastructure

36. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated:
- (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.

Road and Footpath Damage

37. 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 by the re-sheeting of the entire abutting street footpath for the 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.

Vehicle Crossovers

38. 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.
39. 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.

Bus Stop redesign

40. Before the commencement of the development, or by such later date as approved in writing by the Responsible Authority, detailed design of the Heidelberg Road bus stop adjacent to the site's frontage must be submitted to and approved by Transport for Victoria (PTV) and the Responsible Authority. The redesigned bus stop must include the following (as relevant):
- (a) Removal/relocation of the existing shelter
 - (b) Seating
 - (c) Bus stop signage
 - (d) Provision for a continuous footpath along Heidelberg Road
 - (e) Compliant with requirements of the Disability Discrimination Act 1992 (DDA)
41. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the redesigned bus stop as approved by Condition 40 must be completed at the full cost of the permit holder to the satisfaction of the Responsible Authority and Transport for Victoria (PTV).

PTV Conditions (42 and 43)

42. The permit holder must take all reasonable steps to ensure that disruption to bus operations along Heidelberg Road and Chandler Highway are kept to a minimum during the construction of the development. Foreseen disruptions to bus operations and mitigation measures must be communicated to Public Transport Victoria eight (8) weeks prior by telephoning 1800 800 007 or emailing customerservice@ptv.gov.au
43. The existing bus stop and associated infrastructure on Heidelberg Road, must not be altered without the prior consent of Public Transport Victoria. Any alterations including temporary works or damage during construction must be rectified to the satisfaction of Public Transport Victoria and at the cost of the permit holder.

Lighting

44. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating accesses to the car park, dwelling entrances and the residential lobby 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.

45. Before the building is occupied, existing street lights must be baffled to the satisfaction of the Responsible Authority to prevent light spill into the proposed dwellings

Graffiti Proof

46. 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.

Construction Management Plan

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

- (vi) any site-specific requirements.

During the construction:

- (q) any stormwater discharged into the stormwater drainage system must be in compliance with Environment Protection Authority guidelines;
 - (r) stormwater drainage system protection measures must be installed as required to ensure that no solid waste, sediment, sand, soil, clay or stones from the land enters the stormwater drainage system;
 - (s) vehicle borne material must not accumulate on the roads abutting the land;
 - (t) the cleaning of machinery and equipment must take place on the land and not on adjacent footpaths or roads; and
 - (u) all litter (including items such as cement bags, food packaging and plastic strapping) must be disposed of responsibly.
48. The provisions, recommendations and requirements of the endorsed Construction Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
49. 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.

Time Expiry

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

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

Notes:

A building permit 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, 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.

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

Submissions

Mr Luke Chamberlain and Mr Kai Chua addressed the Committee on behalf of the Applicant.

The following people also addressed the Committee:

Mr Richard Everingham;
Mr Todd Perry;
Mr Michael Long;
Mr Anthony Lucca;
Ms Eve Williamson;
Ms Jenny Livingston;
Mr Warren Gisbus;
Mr Graeme Thornton; and
Mr Bruce Hartnett.

INTERNAL DEVELOPMENT APPROVALS COMMITTEE RECOMMENDATION

Moved: Councillor Jolly

Seconded: Councillor Fristacky

That the Internal Development Approvals Committee resolves to issue a Notice of Refusal to Grant a Planning Permit PLN17/0858 for Development of the land for the construction of a multi-storey building, use of the land for dwellings and an indoor recreational facility (gym), reduction in the statutory car parking requirement at 582 Heidelberg Road, Alphington, subject to the following grounds:

1. The height, scale and massing of the proposed development is excessive and incompatible with the adjacent low rise residential built form character.
2. The proposal fails to respond to Strategy 17.2 of Clause 21.05 of the Yarra Planning Scheme.

CARRIED UNANIMOUSLY

1.2 107 Coppin Street, Richmond - PLN17/0730 - Development of the land for 7 triple-storey dwellings and a reduction in the car parking requirement.

Trim Record Number: D18/82979

Responsible Officer: Coordinator Statutory Planning

RECOMMENDATION

That having considered all objections and relevant planning policies, the Internal Development Approvals Committee resolves to issue a Notice of Decision to Grant a Planning Permit PLN17/0730 for development of the land for 7 triple-storey dwellings and a reduction in the car parking requirement at 107 Coppin Street, Richmond, subject to the following conditions:

1. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the decision plans by Turco and associates, received by Council on 6 & 8 March 2018 but modified to show:
 - (a) All dimensions to match the 1:200 scale on all drawings, with consistent heights and lengths of all walls shown on all floor plans and elevations;
 - (b) Ventilation for all garages;
 - (c) An amended materials and finishes schedule, demonstrating consistent details with materials and finishes shown on the proposed elevations;
 - (d) Any changes to the plans associated with requirements of the Sustainable Design Assessment outlined at Condition 3;
 - (e) External shading for the second-floor west-facing window in Townhouse 01, such as exterior adjustable blinds, louvers etc.;
 - (f) A horizontal fixed eave over the north-facing windows of the second-floor bedrooms;
 - (g) At least one operable window for each habitable room;
 - (h) The location of food production gardens for each dwelling;
 - (i) Any changes to the plans associated with requirements of the Landscape Plan outlined at Condition 5;
 - (j) The following windows to be screened to a height of 1.7m above the finished floor level and with a maximum transparency of 25%, in accordance with Standard B22 – Overlooking of the Yarra Planning Scheme;
 - (i) Second-floor south-facing bedroom windows of Units 2-7;
 - (ii) First-floor east-facing kitchen window of Unit 7;
 - (iii) Second-floor east-facing bedroom window of Unit 7.
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 Aaron Paris and dated 20 November 2017 but modified to include or show:
 - (a) An amended BESS report to include;
 - (i) the NatHERS heating and cooling loads, ensuring that the Energy section of the report achieves a minimum 50% best practice score;
 - (ii) An average NatHERS rating of 7 Stars is required;
 - (iii) an updated Water section, to achieve or exceed the required 50% best practice standard;

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 development commences, 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 Plan prepared by Wallbrink Landscape Architecture and dated 20 November 2017, but modified to include (or show):
 - (a) Additional detail on the 'permeable paving' with none of this paving type to be provided outside the title boundaries;
 - (b) Further detail on the proposed planters at first floor, including information on the proposed material, height, width, water proofing, soil medium, drainage and irrigation of the planters;
 - (c) The use of natural turf instead of synthetic turf.
6. 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.
7. Before the development commences, a Tree Management Plan to the satisfaction of the Responsible Authority must be prepared by a suitably qualified Arborist and must be submitted to and approved by the Responsible Authority. When approved the Tree Management Plan will be endorsed and will form part of this permit. The Tree Management Plan must make recommendations for:
 - (a) the protection of the proposed trees to be retained on site;
 - (i) pre-construction;
 - (ii) during construction; and
 - (iii) post construction
 - (b) the provision of any barriers;
 - (c) any pruning necessary; and
 - (d) watering and maintenance regimes, to the satisfaction of the Responsible Authority.
8. The provisions, recommendations and requirements of the endorsed Tree Management Plan must be complied with and implemented to the satisfaction of the Responsible Authority.
9. 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.
10. 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.
11. Before the building 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.
12. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any new vehicle crossing must be constructed:
- (a) in accordance with any requirements or conditions imposed by Council;
 - (b) at the permit holder's cost; and
 - (c) to the satisfaction of the Responsible Authority.
13. 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.
14. 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.
15. 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;
16. The provisions, recommendations and requirements of the endorsed Construction Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

17. 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.
18. 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:

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.

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

All future property owners, residents and visitors 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.

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

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

Submissions

Mr Michael Turner addressed the Committee on behalf of the Applicant.
The Applicant, Mr Vincent Lanza also addressed the Committee.

The following people also addressed the Committee:

Ms Jutta Misselhorn;
Mr Johannes Misselhorn;
Mr John Gruber;
Mr Nick Kossivas; and
Mr Jason Nalder.

INTERNAL DEVELOPMENT APPROVALS COMMITTEE RECOMMENDATION

Moved: Councillor Chen Yi Mei

Seconded: Councillor Fristacky

That having considered all objections and relevant planning policies, the Internal Development Approvals Committee resolves to issue a Notice of Decision to Grant a Planning Permit PLN17/0730 for development of the land for 7 triple-storey dwellings and a reduction in the car parking requirement at 107 Coppin Street, Richmond, subject to the following conditions:

1. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the decision plans by Turco and associates, received by Council on 6 & 8 March 2018 but modified to show:
 - (a) All dimensions to match the 1:200 scale on all drawings, with consistent heights and lengths of all walls shown on all floor plans and elevations;
 - (b) Ventilation for all garages, with the garage doors to be tilt door design and finished with graffiti proof surfaces;
 - (c) An amended materials and finishes schedule, demonstrating consistent details with materials and finishes shown on the proposed elevations;
 - (d) Any changes to the plans associated with requirements of the Sustainable Design Assessment outlined at Condition 3;
 - (e) External shading for the second-floor west-facing window in Townhouse 01, such as exterior adjustable blinds, louvers etc.;
 - (f) A horizontal fixed eave over the north-facing windows of the second-floor bedrooms;
 - (g) At least one operable window for each habitable room;
 - (h) The location of food production gardens for each dwelling;
 - (i) Any changes to the plans associated with requirements of the Landscape Plan outlined at Condition 5;
 - (j) The following windows to be screened to a height of 1.7m above the finished floor level and with a maximum transparency of 25%, in accordance with Standard B22 – Overlooking of the Yarra Planning Scheme;
 - (i) Second-floor south-facing bedroom windows of Units 2-7;
 - (ii) First-floor east-facing kitchen window of Unit 7;
 - (iii) Second-floor east-facing bedroom window of Unit 7.
 - (k) All boundary fencing to have a minimum permeability of 50%;
 - (l) All surfaces to the street to have graffiti proof finishes;
 - (m) Provision for one bicycle space per garage, with power points provided for e-bikes in each garage.
 - (n) Provision for charging points for electric vehicles; and
 - (o) Provision for a lighter material palette on the southern elevation.
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 Aaron Paris and dated 20 November 2017 but modified to include or show:
 - (a) An amended BESS report to include;
 - (i) the NatHERS heating and cooling loads, ensuring that the Energy section of the report achieves a minimum 50% best practice score;
 - (ii) An average NatHERS rating of 7 Stars is required;

- (iii) an updated Water section, to achieve or exceed the required 50% best practice standard.
- 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 development commences, 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 Plan prepared by Wallbrink Landscape Architecture and dated 20 November 2017, but modified to include (or show):
 - (a) Additional detail on the 'permeable paving' with none of this paving type to be provided outside the title boundaries;
 - (b) Further detail on the proposed planters at first floor, including information on the proposed material, height, width, water proofing, soil medium, drainage and irrigation of the planters;
 - (c) The use of natural turf instead of synthetic turf.
- 6. 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.
- 7. Before the development commences, a Tree Management Plan to the satisfaction of the Responsible Authority must be prepared by a suitably qualified Arborist and must be submitted to and approved by the Responsible Authority. When approved the Tree Management Plan will be endorsed and will form part of this permit. The Tree Management Plan must make recommendations for:
 - (a) the protection of the proposed trees to be retained on site;
 - (i) pre-construction;
 - (ii) during construction; and
 - (iii) post construction.
 - (b) the provision of any barriers;
 - (c) any pruning necessary; and
 - (d) watering and maintenance regimes, to the satisfaction of the Responsible Authority.
- 8. The provisions, recommendations and requirements of the endorsed Tree Management Plan must be complied with and implemented to the satisfaction of the Responsible Authority.
- 9. 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.
- 10. 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.

11. Before the building 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.
12. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any new vehicle crossing must be constructed:
 - (a) in accordance with any requirements or conditions imposed by Council;
 - (b) at the permit holder's cost; and
 - (c) to the satisfaction of the Responsible Authority.
13. 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.
14. 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.
15. 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; and
 - (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.

16. The provisions, recommendations and requirements of the endorsed Construction Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
17. 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.
18. 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:

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.

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

All future property owners, residents and visitors 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.

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

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

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1.3 100 Scotchmer Street Fitzroy North VIC 3068 - Planning Application PL09/0904 - Amendment to Planning Permit PL09/0904 to increase the operating hours and patron numbers of the existing use (Cafe) and for the sale and consumption of liquor.

Trim Record Number: D18/85238

Responsible Officer: Senior Coordinator Statutory Planning

RECOMMENDATION

That having considered all objections and relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant an Amended Planning Permit PL09/0904 for the sale and consumption of liquor (Restaurant and café Licence) and an increase in the operating hours associated with the existing use (Café) at 100 Scotchmer Street, Fitzroy North, subject to the following amended permit preamble and conditions:

Amended preamble to read:

Use of the site (including the rear courtyard) as a food and drinks premises (Café), the sale and consumption of liquor (Restaurant and Café Licence), part demolition and buildings and works.

Conditions (amended or new conditions in bold)

1. The use and development must accord with the endorsed plans. Any alterations must be approved by the Responsible Authority.
2. Any damaged road(s) and footpath(s) adjacent to the development site must be reinstated to the satisfaction of the Responsible Authority.
3. No more than 49 patrons are permitted to be on the premises at any one time. No more than 20 of the patrons are permitted to be within the courtyard at any one time.
4. No more than four staff may be present on the site at any one time.
5. **Except with the prior written consent of the Responsible Authority, the use may only operate between the following hours:**
 - (a) **Monday to Wednesday** 6:30am – 5:00pm
 - (b) **Thursday and Friday** 6:30am – 10:00pm
 - (c) **Saturday** 8:00am – 10:00pm
 - (d) **Sunday** 8:00am – 5:00pm
6. **Except with the prior written consent of the Responsible Authority, the rear courtyard may only be used between the following hours:**
 - (a) **Monday to Wednesday** 7:00am – 5:00pm
 - (b) **Thursday to Friday** 7:00am – 6:00pm
 - (c) **Saturday** 8:00am – 6:00pm
 - (d) **Sunday** 8:00am – 5:00pm
7. **Except with the prior written consent of the Responsible Authority, the sale and consumption of liquor may only occur between the following hours:**
 - (a) **Monday to Wednesday** 9:00am to 5:00pm
 - (b) **Thursday to Saturday** 9:00am to 10:00pm
 - (c) **Sunday** 9:00am to 5:00pm
8. **Except with the prior written consent of the Responsible Authority, sale and consumption of liquor within the rear courtyard may only occur between the following hours:**
 - (a) **Monday to Wednesday** 9:00am to 5:00pm

- (b) Thursday to Saturday 9:00am to 6:00pm**
- (c) Sunday 9:00am to 5:00pm**

- 9. No external speakers are to be located within the courtyard.**
- 10. The provision of music and entertainment on the land must be at a background noise level.**
- 11. No emptying of bottles into garbage bins is permitted after 8pm on any night or before 8am on any day.**
- 12. Before the commencement of the sale and consumption of liquor, the applicant must, to the satisfaction of the Responsible Authority, display a sign at the exit of the licensed premises advising patrons to respect the amenity of adjacent residential areas and to leave in a quiet and orderly manner.**
- 13. The use must comply at all times with the State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N-1).**
- 14. The use must comply at all times with the State Environment Protection Policy – Control of Music Noise from Public Premises (SEPP N-2).**
- 15. The amenity of the area must not be detrimentally affected by the use 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.**
- 16. Except with the written consent of the Responsible Authority, demolition or construction works must only be carried out between: 7.00 am - 6.00 pm, Monday-Friday (excluding public holidays) and 9.00 am - 3.00 pm, Saturday and public holidays. No work is to be carried out on Sundays, ANZAC Day, Christmas Day or Good Friday without a specific permit. All site operations must comply with the relevant Environmental Protection Authority's Guidelines on Construction and Demolition Noise.**
- 17. This permit will expire if:**
 - (a) the extended operating hours of the Café or the sale and consumption of liquor is not commenced within two years of the date of the amended 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:

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

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

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

Submissions

The Architect, Sebastian addressed the Committee on behalf of the Applicant.
The Applicant also addressed the Committee.

The following people also addressed the Committee:

Ms Ros McConville; and
Mr Philip Bracegirdle.

INTERNAL DEVELOPMENT APPROVALS COMMITTEE RECOMMENDATION

Moved: Councillor Fristacky

Seconded: Councillor Jolly

That having considered all objections and relevant planning policies, the Committee resolves that a Notice of Refusal be issued for an Amended Planning Permit PL09/0904 for the sale and consumption of liquor (Restaurant and café Licence) and an increase in the operating hours associated with the existing use (Café) at 100 Scotchmer Street, Fitzroy North, on the following grounds:

1. The proposed sale and consumption of liquor is discordant with Clause 22.09 of the Yarra Planning Scheme. Specifically:
 - (a) the subject site is zoned residential, where new licensed premises are discouraged;
 - (b) the proposed licensed hours exceed the 8pm recommended restriction for venues within a residential zone.
2. The proposal would result in unreasonable noise impacts to sensitive uses within a residential zone.

CARRIED

1.4 PLN17/0868 - 231 Napier Street, Fitzroy - Demolition of the existing building to allow for the construction of a seven (7) storey building for dwellings and a reduction in the car parking requirement of the Yarra Planning Scheme.

Trim Record Number: D18/90386

Responsible Officer: Senior Co-ordinator Statutory Planning

RECOMMENDATION

That having considered all relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant a Planning Permit PLN17/0868 for the demolition of the existing building to allow for the development of the land with a multi-storey, residential building including a reduction in the car parking requirement of the Yarra Planning Scheme at 231 Napier Street, Fitzroy, subject to the following conditions:

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the plans received by Council on 23 November 2017 but modified to show the following:
 - (a) The deletion of one level (either Level 2, Level 3 or Level 4) resulting in a building height of six storeys;
 - (b) The provision of fixed, 1.7m high screens with no more than 25% transparency between all west and east facing balconies located above ground floor to limit internal overlooking opportunities;
 - (c) A plan notation confirming that the screen located between the habitable room windows with an outlook into the void / stairwell area and that it will be "fixed";
 - (d) The west-facing balconies screened to a height of 1.7m with no more than 25% transparency and fixed screens to limit overlooking into the balconies and habitable room windows of the apartment building opposite within a 9m radius;
 - (e) Details of all screening methods referenced at conditions 1(b), 1(c) and 1(d) with further details of the operability of all windows facing into the voids (allowing for cross-ventilation where practicable);
 - (f) Installation of a convex mirror on the north and south side of the vehicle access-way and within the site's title boundaries;
 - (g) The bin storage area designed to provide efficient rotational space for the bins;
 - (h) All works recommended (where relevant to be shown on plans) in the acoustic report referred to in condition 8 of this permit;
 - (i) All works recommended (where relevant to be shown on plans) in the Sustainable Management Plan referred to in condition 10 of this permit;
 - (j) All roof plant screened from public view with external screening and full details and method shown; and
 - (k) An updated schedule of all external materials and finishes (including materials samples, colours and coloured elevations/perspectives). The schedule must show the materials, colour, finish and application methods (where relevant) of all external walls (including those within the void and private space and trafficable areas within the development), roof, fascias, window frames, glazing types, cladding, doors and fences and must confirm that no reflective paint or products are proposed for the facades.

Endorsed 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. Finished floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.
4. Before the 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.
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. 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.
7. As part of the ongoing consultant team, Edition Office Pty. Ltd. 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.

Acoustic Report

8. Before the plans are endorsed an Acoustic Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Acoustic Report will be endorsed and will form part of this permit. The report must include an assessment of how the requirements of the State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade), No. N-1 and any other relevant Australian Standards will be met and must prescribe the form of acoustic treatment to the following:
 - (a) plant and equipment;
 - (b) noise from the adjoining commercial buildings to the north and south; and
 - (c) noise from the vehicle entry door and car stacker on the amenity of abutting and surrounding apartments (both existing, under construction and intended to be constructed).
9. The provision, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.

Environmentally Sustainable Design Principles (SMP)

10. 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 include the details in the Sustainable Management Plan prepared by GIW Environmental Solutions Pty. Ltd. dated 25 August 2017 and must include:
 - (a) Shading devices to the windows across the western and eastern elevations; and
 - (b) Reference to a six-storey building.
11. The provisions, recommendation and requirements of the plans and endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Lighting

12. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating access to the pedestrian entries and ground level car parking area must be provided. Lighting must be:
 - (a) located;
 - (b) directed;
 - (c) shielded; and
 - (d) of limited intensity.

to the satisfaction of the Responsible Authority.

General Parking Areas

13. The area set aside for the parking of vehicles, together with the associated access lanes as delineated on the endorsed plan must:
 - (a) be designed, provided and completed to the satisfaction of the Responsible Authority prior to the commencement of the development hereby permitted;
 - (b) thereafter be maintained to the satisfaction of the Responsible Authority;
 - (c) be made available for such use at all times and not used for any other purpose;
 - (d) be properly formed to such levels that it can be used in accordance with the endorsed plan; and
 - (e) be drained and sealed with an all-weather seal coat.

all to the satisfaction of the Responsible Authority.

14. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the 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.

Council Infrastructure

15. Within 2 months of the completion of the development or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated (including the full re-sheeting of the footpath at the front of the property if required by Council):
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.

16. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.

Waste Management

17. Before the development commences, an amended Waste Management Plan (WMP) 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 24 August 2017 and must be modified to include:
 - (a) Reference to a six storey building; and
 - (b) A bin capacity associated with a subsequent reduced number of dwellings that is also consistent with that shown on the endorsed plans.

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

Construction

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

During the construction:

- (q) any stormwater discharged into the stormwater drainage system must be in compliance with Environment Protection Authority guidelines;
 - (r) stormwater drainage system protection measures must be installed as required to ensure that no solid waste, sediment, sand, soil, clay or stones from the land enters the stormwater drainage system;
 - (s) vehicle borne material must not accumulate on the roads abutting the land;
 - (t) the cleaning of machinery and equipment must take place on the land and not on adjacent footpaths or roads; and
 - (u) all litter (including items such as cement bags, food packaging and plastic strapping) must be disposed of responsibly.
20. The provisions, recommendations and requirements of the endorsed Construction Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
21. The development, once commenced, must be completed to the satisfaction of the Responsible Authority.
22. 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.
23. 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:

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

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 hereby permitted under the permit.

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

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

Public lighting for pedestrian access must comply with the minimum lighting level of P4 as per the Australian Standard AS/NZS 1158.3.1:2005 *Lighting for roads and public spaces – Pedestrian area (Category P) lighting – Performance and design requirements*.

Any public lighting works that are required will require the developer to consult all nearby properties with respect to the location of any lights or poles. The placement of poles must not affect maneuverability into garages or off-street parking spaces. Light must not spill into the windows of the subject site or into the windows of any adjoining residences.

All future property owners, residents, 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.

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.

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

Submissions

Mr Luke Chamberlain and Mr Aaron Roberts addressed the Committee on behalf of the Applicant.

INTERNAL DEVELOPMENT APPROVALS COMMITTEE RECOMMENDATION

Moved: Councillor Fristacky

Seconded: Councillor Jolly

That having considered all relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant a Planning Permit PLN17/0868 for the demolition of the existing building to allow for the development of the land with a multi-storey, residential building including a reduction in the car parking requirement of the Yarra Planning Scheme at 231 Napier Street, Fitzroy, subject to the following conditions:

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the plans received by Council on 23 November 2017 but modified to show the following:
 - (a) The deletion of one level (either Level 2, Level 3 or Level 4) resulting in a building height of six storeys;
 - (b) The provision of fixed, 1.7m high screens with no more than 25% transparency between all west and east facing balconies located above ground floor to limit internal overlooking opportunities;
 - (c) A plan notation confirming that the screen located between the habitable room windows with an outlook into the void / stairwell area and that it will be "fixed";
 - (d) The west-facing balconies screened to a height of 1.7m with no more than 25% transparency and fixed screens to limit overlooking into the balconies and habitable room windows of the apartment building opposite within a 9m radius;
 - (e) Details of all screening methods referenced at conditions 1(b), 1(c) and 1(d) with further details of the operability of all windows facing into the voids (allowing for cross-ventilation where practicable);
 - (f) Installation of a convex mirror on the north and south side of the vehicle access-way

- and within the site's title boundaries;
- (g) The bin storage area designed to provide efficient rotational space for the bins;
- (h) All works recommended (where relevant to be shown on plans) in the acoustic report referred to in condition 8 of this permit;
- (i) All works recommended (where relevant to be shown on plans) in the Sustainable Management Plan referred to in condition 10 of this permit;
- (j) All roof plant screened from public view with external screening and full details and method shown;
- (k) An updated schedule of all external materials and finishes (including materials samples, colours and coloured elevations/perspectives). The schedule must show the materials, colour, finish and application methods (where relevant) of all external walls (including those within the void and private space and trafficable areas within the development with graffiti proof finishes/treatments to the walls, to the street and rear carriageway, including the garage door) roof, fascias, window frames, glazing types, cladding, doors and fences and must confirm that no reflective paint or products are proposed for the facades. The schedule must not include any timber finishes to the walls where these are exposed to weathering; and
- (l) Provision of charging points for e-bikes and the bicycle spaces shown to be easily accessible.

Endorsed 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. Finished floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.
4. Before the 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.
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. 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.
7. As part of the ongoing consultant team, Edition Office Pty. Ltd. 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.

Acoustic Report

8. Before the plans are endorsed an Acoustic Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Acoustic Report will be endorsed and will form part of this permit. The report must include an assessment of how the requirements of the State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade), No. N-1 and any other relevant Australian Standards will be met and must prescribe the form of acoustic treatment to the following:

- (a) plant and equipment;
- (b) noise from the adjoining commercial buildings to the north and south; and
- (c) noise from the vehicle entry door and car stacker on the amenity of abutting and surrounding apartments (both existing, under construction and intended to be constructed).

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

Environmentally Sustainable Design Principles (SMP)

10. 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 include the details in the Sustainable Management Plan prepared by GIW Environmental Solutions Pty. Ltd. dated 25 August 2017 and must include:

- (a) Shading devices to the windows across the western and eastern elevations; and
- (b) Reference to a six-storey building.

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

Lighting

12. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating access to the pedestrian entries and ground level car parking area must be provided. Lighting must be:

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

to the satisfaction of the Responsible Authority.

General Parking Areas

13. The area set aside for the parking of vehicles, together with the associated access lanes as delineated on the endorsed plan must:

- (a) be designed, provided and completed to the satisfaction of the Responsible Authority prior to the commencement of the development hereby permitted;
- (b) thereafter be maintained to the satisfaction of the Responsible Authority;
- (c) be made available for such use at all times and not used for any other purpose;
- (d) be properly formed to such levels that it can be used in accordance with the endorsed plan; and
- (e) be drained and sealed with an all-weather seal coat.

all to the satisfaction of the Responsible Authority.

14. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the 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.

Council Infrastructure

15. Within 2 months of the completion of the development or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated (including the full re-sheeting of the footpath at the front of the property if required by Council):
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
16. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.

Waste Management

17. Before the development commences, an amended Waste Management Plan (WMP) 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 24 August 2017 and must be modified to include:
 - (a) Reference to a six storey building; and
 - (b) A bin capacity associated with a subsequent reduced number of dwellings that is also consistent with that shown on the endorsed plans.
18. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Construction

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

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

During the construction:

- (q) any stormwater discharged into the stormwater drainage system must be in compliance with Environment Protection Authority guidelines;
 - (r) stormwater drainage system protection measures must be installed as required to ensure that no solid waste, sediment, sand, soil, clay or stones from the land enters the stormwater drainage system;
 - (s) vehicle borne material must not accumulate on the roads abutting the land;
 - (t) the cleaning of machinery and equipment must take place on the land and not on adjacent footpaths or roads; and
 - (u) all litter (including items such as cement bags, food packaging and plastic strapping) must be disposed of responsibly.
20. The provisions, recommendations and requirements of the endorsed Construction Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
 21. The development, once commenced, must be completed to the satisfaction of the Responsible Authority.
 22. 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.
 23. 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:

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

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 hereby permitted under the permit.

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

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

Public lighting for pedestrian access must comply with the minimum lighting level of P4 as per the Australian Standard AS/NZS 1158.3.1:2005 *Lighting for roads and public spaces – Pedestrian area (Category P) lighting – Performance and design requirements*.

Any public lighting works that are required will require the developer to consult all nearby properties with respect to the location of any lights or poles. The placement of poles must not affect maneuverability into garages or off-street parking spaces. Light must not spill into the windows of the subject site or into the windows of any adjoining residences.

All future property owners, residents, 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.

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.

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

CARRIED UNANIMOUSLY

1.5 93 Wellington St, Collingwood - Planning Permit Application PLN17/0512 - Construction of a 12 storey building plus basement, with reduction in the car parking requirement associated with dwellings

Trim Record Number: D18/90021

Responsible Officer: Senior Coordinator Statutory Planning

RECOMMENDATION

That a Notice of Decision to Grant a Permit PLN17/0512 be issued for the development of the land for the construction of a building, with an associated reduction in the car parking requirement associated with dwellings at 93 Wellington Street, Collingwood VIC 3066 subject to the following conditions:

1. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions, and three copies must be provided. The plans must be generally in accordance with the decision plans (TP-01, revision B, dated 20.04.18, TP-02 to TP-04, Revision A, dated 20.04.18 and TP-07 to TP-09, Revision B, dated 30.04.18, prepared by DP_Toscano Architects) but modified to show:
 - (a) deletion of level 10;
 - (b) details of the metal screen that still applies to the lower portion of the vehicular entrance and services cupboard to provide a visual connection from Wellington Street;
 - (c) screening treatment to any habitable room windows within a 9m radius and 45 degree arc of another habitable room window within the site to address internal views;
 - (d) accessibility as per Standard D17 of clause 58.05-1 of the Yarra Planning Scheme;
 - (e) confirmation that all habitable rooms have at least one operable window;
 - (f) provision of a convex mirror to assist exiting motorists in viewing pedestrians walking along Wellington Street;
 - (g) minimum headroom clearances dimensioned on the plans;
 - (h) details of the car stacker device (including a manufacturer's brochure);
 - (i) swept path diagrams for the B99 design vehicle entering and exiting the property, demonstrating that turning vehicles would be clear of the concrete barriers of the Copenhagen lane. The existing Copenhagen lane concrete barrier and extension of the concrete barrier across the reinstated vehicle crossing must be accurately shown with the swept path diagrams;
 - (j) storage as per Standard D20 of clause 58.05-4 of the Yarra Planning Scheme;
 - (k) dimensions of bicycle storage spaces, and relevant access ways noted to demonstrate compliance with Australian Standard AS2890.3 or to the satisfaction of the Responsible Authority;
 - (l) 2 visitor bicycle parking spaces, demonstrating they do not impact the efficiency of the raingarden;
 - (m) all visitor bicycle parking spaces as ground level (horizontal) spaces; and
 - (n) any other changes as per the endorsed Acoustic report, Waste management plan, Wind report and Sustainable management plan.
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 Acoustic Report to the satisfaction of the Responsible Authority must be prepared by a suitably qualified acoustic engineer and must be submitted to and approved by the Responsible Authority. When approved, the Acoustic Report will be endorsed and will form part of this permit. The Acoustic Report must assess the following:
 - (a) traffic noise;
 - (b) noise from nearby uses (including plant and equipment); and
 - (c) the impact of the proposal (including plant, equipment and the lift) and the impact on and off-site.

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

4. The provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.
5. Before the development commences, an amended Waste Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Waste Management Plan will be endorsed and will form part of this permit. The amended Waste Management Plan must be generally in accordance with the Waste Management Plan prepared by One Mile Grid and dated 23 June 2017, but modified to include:
 - (a) who will be responsible for taking the bins to the collection point and who will be responsible for returning the bins to the bin room after collection;
 - (b) size of the bin storage area;
 - (c) how the bins will be cleaned, how often the bins will be cleaned and who will clean the bins;
 - (d) washing facilities in the bin room and the drain connection to sewer;
 - (e) the ventilation system for the bin room; and
 - (f) arrangements for vermin control.
6. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
7. Before the development commences, a Wind Assessment Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Wind Assessment Report will be endorsed and will form part of this permit.
8. The provisions, recommendations and requirements of the endorsed Wind Assessment Report must be implemented and complied with to the satisfaction of the Responsible Authority.
9. 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 16 June 2017, but modified to:
 - (a) reflect the decision plans (TP-01, revision B, dated 20.04.18, TP-02 to TP-04, Revision A, dated 20.04.18 and TP-07 to TP-09, Revision B, dated 30.04.18, prepared by DP_Toscano Architects);

- (b) ensure that all habitable rooms have at least one operable window to facilitate cross-ventilation and that the operability is clearly marked in an updated set of architectural drawings;
 - (c) include a solar PV array to contribute to common area electricity consumption;
 - (d) incorporate a larger tank for more toilet connections and using rainwater for irrigation as well as for toilet flushing.
10. The provisions, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
11. 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;
- If required, the Construction Management Plan may be approved in stages. Construction of each stage must not commence until a Construction Management Plan has been endorsed for that stage, to the satisfaction of the Responsible Authority.
- (p) a Noise and Vibration Management Plan showing methods to minimise noise and vibration impacts on nearby properties and to demonstrate compliance with Noise Control Guideline 12 for Construction (Publication 1254) as issued by the Environment Protection Authority in October 2008. The Noise and Vibration Management Plan must be prepared to the satisfaction of the Responsible Authority. In preparing the Noise and Vibration Management Plan, consideration must be given to:
 - (i) using lower noise work practice and equipment;
 - (ii) the suitability of the land for the use of an electric crane;

- (iii) silencing all mechanical plant by the best practical means using current technology;
 - (iv) fitting pneumatic tools with an effective silencer;
 - (v) other relevant considerations; and
 - (q) any site-specific requirements.
12. 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.
13. The provisions, recommendations and requirements of the endorsed Construction Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
14. Finished floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.
15. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
- (a) Monday to 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. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating access to the basement car park, pedestrian walkway and dwelling entrances 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.
17. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the areas set aside on the endorsed plans for the car parking spaces, access lanes, driveways and associated works must be:
- (a) constructed and available for use in accordance with the endorsed plans;
 - (b) formed to such levels and drained so that they can be used in accordance with the endorsed plans;
 - (c) treated with an all-weather seal or some other durable surface; and
 - (d) line-marked or provided with some adequate means of showing the car parking spaces.
- to the satisfaction of the Responsible Authority.
18. Before the building is occupied, any wall located on a boundary facing public property must be treated with a graffiti proof finish to the satisfaction of the Responsible Authority.

19. 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.
20. 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.
21. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
22. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any new vehicle crossing must be constructed:
 - (a) in accordance with any requirements or conditions imposed by Council;
 - (b) at the permit holder's cost; and
 - (c) to the satisfaction of the Responsible Authority.
23. 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.
24. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.
25. 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 by the re-sheeting of the entire western Wellington Street footpath for the width of the property frontage, noting the footpath must have a cross-fall of 1 in 40 or unless otherwise specified by the Responsible Authority):
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
26. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any necessary modification works to the Copenhagen Bicycle lane (due to the crossover repositioning, including an extension to the raised concrete barrier) must be completed:
 - (a) to details with the prior written consent of the Responsible Authority;
 - (b) at the permit holder's cost; and
 - (c) to the satisfaction of the Responsible Authority.
27. Any modifications made to the Copenhagen lane bicycle infrastructure by the Permit Holder must be made with the prior written consent of the Responsible Authority. All reinstatements and pavement markings associated with the Copenhagen lane must be done to the satisfaction of the Responsible Authority and at the Permit Holder's cost.
28. Any damaged roads, footpaths and other road related infrastructure adjacent to the development site as a result of the construction works, including trenching and excavation for utility service connections, must be reconstructed to the satisfaction of the Responsible Authority and at the Permit Holder's expense.
29. The car stacker device must be installed, operated and maintained in accordance with the manufacturer's specifications and requirements.

30. 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 device.
31. 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.
32. 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:

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.

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.

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.

A building permit may be 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.

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.

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

All future property owners and residents within the development approved under this permit will not be permitted to obtain resident 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.

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.

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

Contaminated ground water seepage into the car stacker cavities from above the water table must be discharged to the sewer system through a trade waste agreement with the relevant authority or in accordance with EPA guidelines.

Contaminated groundwater from below the water table must be discharged to the sewer system through a trade waste agreement from the relevant sewer authority.

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

To construct the new vehicle crossing, a new side entry pit is to be constructed with a pipe extension to one side of the new vehicle crossing to Council's satisfaction. A design for these works must be submitted to Council for assessment and approval, and should incorporate alterations/works to the existing pit in the new vehicle crossing. The cost of the new pit, pipe extension and alterations to existing drainage infrastructure is to be funded by the Permit Holder.

Submissions

Mr John Hazey addressed the Committee on behalf of the Applicant.

INTERNAL DEVELOPMENT APPROVALS COMMITTEE RECOMMENDATION

Moved: Councillor Jolly

Seconded: Councillor Fristacky

That a Notice of Decision to Grant a Permit PLN17/0512 be issued for the development of the land for the construction of a building, with an associated reduction in the car parking requirement associated with dwellings at 93 Wellington Street, Collingwood VIC 3066 subject to the following conditions:

1. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions, and three copies must be provided. The plans must be generally in accordance with the decision plans (TP-01, revision B, dated 20.04.18, TP-02 to TP-04, Revision A, dated 20.04.18 and TP-07 to TP-09, Revision B, dated 30.04.18, prepared by DP_Toscano Architects) but modified to show:
 - (a) deletion of level 10;
 - (b) details of the metal screen that still applies to the lower portion of the vehicular entrance and services cupboard to provide a visual connection from Wellington Street;
 - (c) screening treatment to any habitable room windows within a 9m radius and 45 degree arc of another habitable room window within the site to address internal views;
 - (d) accessibility as per Standard D17 of clause 58.05-1 of the Yarra Planning Scheme;
 - (e) confirmation that all habitable rooms have at least one operable window;
 - (f) provision of a convex mirror to assist exiting motorists in viewing pedestrians walking along Wellington Street;
 - (g) minimum headroom clearances dimensioned on the plans;
 - (h) details of the car stacker device (including a manufacturer's brochure);
 - (i) swept path diagrams for the B99 design vehicle entering and exiting the property, demonstrating that turning vehicles would be clear of the concrete barriers of the

Copenhagen lane. The existing Copenhagen lane concrete barrier and extension of the concrete barrier across the reinstated vehicle crossing must be accurately shown with the swept path diagrams;

- (j) storage as per Standard D20 of clause 58.05-4 of the Yarra Planning Scheme;
 - (k) dimensions of bicycle storage spaces, and relevant access ways noted to demonstrate compliance with Australian Standard AS2890.3 or to the satisfaction of the Responsible Authority;
 - (l) 2 visitor bicycle parking spaces, demonstrating they do not impact the efficiency of the raingarden;
 - (m) all visitor bicycle parking spaces as ground level (horizontal) spaces;
 - (n) any other changes as per the endorsed Acoustic report, Waste management plan, Wind report and Sustainable management plan;
 - (o) charging points for e-bikes and investigate charging points for e-cars;
 - (p) access to the bicycle storage from the path adjacent to the driveway, with any necessary increase to the bicycle storage to retain a minimum of 10 bicycle spaces; and
 - (q) minimum 4.5m setback to the western boundary to Levels 4 – 6.
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 Acoustic Report to the satisfaction of the Responsible Authority must be prepared by a suitably qualified acoustic engineer and must be submitted to and approved by the Responsible Authority. When approved, the Acoustic Report will be endorsed and will form part of this permit. The Acoustic Report must assess the following:
 - (a) traffic noise;
 - (b) noise from nearby uses (including plant and equipment); and
 - (c) the impact of the proposal (including plant, equipment and the lift) and the impact on and off-site.

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

4. The provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.
5. Before the development commences, an amended Waste Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Waste Management Plan will be endorsed and will form part of this permit. The amended Waste Management Plan must be generally in accordance with the Waste Management Plan prepared by One Mile Grid and dated 23 June 2017, but modified to include:
 - (a) who will be responsible for taking the bins to the collection point and who will be responsible for returning the bins to the bin room after collection;
 - (b) size of the bin storage area;
 - (c) how the bins will be cleaned, how often the bins will be cleaned and who will clean the bins;
 - (d) washing facilities in the bin room and the drain connection to sewer;
 - (e) the ventilation system for the bin room; and
 - (f) arrangements for vermin control.

6. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
7. Before the development commences, a Wind Assessment Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Wind Assessment Report will be endorsed and will form part of this permit.
8. The provisions, recommendations and requirements of the endorsed Wind Assessment Report must be implemented and complied with to the satisfaction of the Responsible Authority.
9. 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 16 June 2017, but modified to:
 - (a) reflect the decision plans (TP-01, revision B, dated 20.04.18, TP-02 to TP-04, Revision A, dated 20.04.18 and TP-07 to TP-09, Revision B, dated 30.04.18, prepared by DP_Toscano Architects);
 - (b) ensure that all habitable rooms have at least one operable window to facilitate cross-ventilation and that the operability is clearly marked in an updated set of architectural drawings;
 - (c) include a solar PV array to contribute to common area electricity consumption;
 - (d) incorporate a larger tank for more toilet connections and using rainwater for irrigation as well as for toilet flushing.
10. The provisions, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
11. 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;

If required, the Construction Management Plan may be approved in stages. Construction of each stage must not commence until a Construction Management Plan has been endorsed for that stage, to the satisfaction of the Responsible Authority.

- (p) a Noise and Vibration Management Plan showing methods to minimise noise and vibration impacts on nearby properties and to demonstrate compliance with Noise Control Guideline 12 for Construction (Publication 1254) as issued by the Environment Protection Authority in October 2008. The Noise and Vibration Management Plan must be prepared to the satisfaction of the Responsible Authority. In preparing the Noise and Vibration Management Plan, consideration must be given to:
 - (i) using lower noise work practice and equipment;
 - (ii) the suitability of the land for the use of an electric crane;
 - (iii) silencing all mechanical plant by the best practical means using current technology;
 - (iv) fitting pneumatic tools with an effective silencer;
 - (v) other relevant considerations; and
- (q) any site-specific requirements.

12. 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.

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

14. Finished floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.

15. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:

- (a) Monday to 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. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating access to the basement car park, pedestrian walkway and dwelling entrances 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.
17. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the areas set aside on the endorsed plans for the car parking spaces, access lanes, driveways and associated works must be:
 - (a) constructed and available for use in accordance with the endorsed plans;
 - (b) formed to such levels and drained so that they can be used in accordance with the endorsed plans;
 - (c) treated with an all-weather seal or some other durable surface; and
 - (d) line-marked or provided with some adequate means of showing the car parking spaces.

to the satisfaction of the Responsible Authority.
 18. Before the building is occupied, any wall located on a boundary facing public property must be treated with a graffiti proof finish to the satisfaction of the Responsible Authority.
 19. 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.
 20. 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.
 21. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
 22. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any new vehicle crossing must be constructed:
 - (a) in accordance with any requirements or conditions imposed by Council;
 - (b) at the permit holder's cost; and
 - (c) to the satisfaction of the Responsible Authority.
 23. 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.
 24. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.
 25. 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 by the re-sheeting of the entire western Wellington Street footpath for the width of the property frontage, noting the footpath must have a cross-fall of 1 in 40 or unless otherwise specified by the Responsible Authority):
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
 26. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any necessary modification works to the Copenhagen Bicycle lane

(due to the crossover repositioning, including an extension to the raised concrete barrier) must be completed:

- (a) to details with the prior written consent of the Responsible Authority;
- (b) at the permit holder's cost; and
- (c) to the satisfaction of the Responsible Authority.

- 27. Any modifications made to the Copenhagen lane bicycle infrastructure by the Permit Holder must be made with the prior written consent of the Responsible Authority. All reinstatements and pavement markings associated with the Copenhagen lane must be done to the satisfaction of the Responsible Authority and at the Permit Holder's cost.
- 28. Any damaged roads, footpaths and other road related infrastructure adjacent to the development site as a result of the construction works, including trenching and excavation for utility service connections, must be reconstructed to the satisfaction of the Responsible Authority and at the Permit Holder's expense.
- 29. The car stacker device must be installed, operated and maintained in accordance with the manufacturer's specifications and requirements.
- 30. 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 device.
- 31. 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.
- 32. 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:

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.

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.

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.

A building permit may be 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.

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.

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

All future property owners and residents within the development approved under this permit will not be permitted to obtain resident 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.

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.

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

Contaminated ground water seepage into the car stacker cavities from above the water table must be discharged to the sewer system through a trade waste agreement with the relevant authority or in accordance with EPA guidelines.

Contaminated groundwater from below the water table must be discharged to the sewer system through a trade waste agreement from the relevant sewer authority.

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

To construct the new vehicle crossing, a new side entry pit is to be constructed with a pipe extension to one side of the new vehicle crossing to Council's satisfaction. A design for these works must be submitted to Council for assessment and approval, and should incorporate alterations/works to the existing pit in the new vehicle crossing. The cost of the new pit, pipe extension and alterations to existing drainage infrastructure is to be funded by the Permit Holder.

CARRIED UNANIMOUSLY

The meeting closed at 9.29pm.

Confirmed at the meeting held on Wednesday 27 June 2018

Chair