

YARRA CITY COUNCIL
INTERNAL DEVELOPMENT APPROVALS
COMMITTEE
MINUTES

**held on Wednesday 12 September 2018 at 6.30pm
in Meeting Rooms 1 & 2 at the Richmond Town Hall**

I. ATTENDANCE

Councillor Stephen Jolly
Councillor James Searle
Councillor Mike McEvoy

Gary O'Reilly (Senior Statutory Planner)
Ally Huynh (Senior 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:

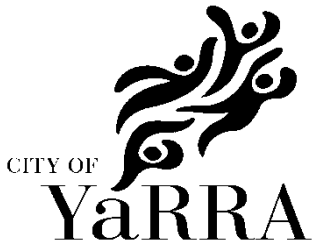
Moved: Councillor Jolly **Seconded:** Councillor McEvoy

That the minutes of the meeting of the Internal Development Approvals Committee held on Wednesday 29 August 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 Jolly nominated Councillor Searle as Chair.

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

Councillor Searle assumed the Chair.

1. INTERNAL DEVELOPMENT APPROVALS COMMITTEE

Item		Page	Res. Page
1.1	PLN17/0941 - 390-394 Brunswick Street, Fitzroy - Part demolition of the existing building for the construction of a mixed-use building and a reduction in the statutory car parking requirement.	6	11
1.2	PLN17/1113 - 81-89 Queens Parade Fitzroy North - Construction of an eight (8) storey building (plus basement levels), use part of land for a residential hotel (serviced apartments), alteration of access to Road Zone (Category 1), reduction in the car parking requirements associated with a residential hotel (serviced apartments), supermarket and offices (permit not required for supermarket or office uses).	17	27

1.1 PLN17/0941 - 390-394 Brunswick Street, Fitzroy - Part demolition of the existing building for the construction of a mixed-use building and a reduction in the statutory car parking requirement.

Trim Record Number: D18/93601

Responsible Officer: Senior Coordinator Statutory Planning

RECOMMENDATION

That having considered all objections and relevant planning documents, the Committee resolves to issue a Notice of Decision to Grant a Permit (PLN17/0941) for part demolition and development of the land for the construction of a mixed-use building, and a reduction in the statutory car parking requirement at 390-394 Brunswick Street, Fitzroy subject to the following conditions:

1. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions, and three copies must be provided. The plans must be generally in accordance with the decision plans, prepared by Clare Cousins Architects, dated 18/10/2017 (TP001, TP002, TP004, TP006, TP011, TP012, TP017, TP018, TP020-T031 inclusive) , and plans dated 30/01/2018 (TP003, TP005, TP008, TP010, TP013, TP016, TP019, TP032) but amended to include:
 - (a) All details as shown in the sketch plans (received by Council 19 June 2018) as follows;
 - (i) Increased setback of the third & fourth-floors from the eastern boundary from 5.35m to 5.5m;
 - (ii) The first-floor wall increased in height from 6.35m to 6.47m;
 - (iii) The second-floor wall increased in height from 9.55m to 9.67m;
 - (iv) Reduction in building height from 18.1m to 17.9m (not including roof-top plant platform);
 - (v) Details of the sun-shading devices to the north and west-facing windows at all levels;
 - (vi) Alterations to the design of the nursery entrance on the site's north-west corner, including the addition of a garden bed and modifications to the extent of services and glazing within the northern wall;
 - (vii) The replacement shop window at ground level to be of Victorian style and constructed of timber;
 - (viii) The replacement first-floor windows to match the thickness of the existing window frames;
 - (ix) The verandah roofing to be unpainted galvanised, corrugated Heritage Grade Z600 steel;
 - (x) The existing façade to be painted beige, with the timber window frames and door joinery finished in 'Indian red';
 - (xi) A convex mirror to be located at the car park entrance to improve sight lines to the west;
 - (xii) The proposed eastern setback in front of the ground floor garage to be constructed in a different material to the bluestone ROW;
 - (xiii) The finished floor levels along the edge of the garage slab to be set 40mm above the edge of the ROW.
 - (b) All demolition works located within the title boundaries;
 - (c) Additional provision for landscaping on the northern wall of the development, with any alterations required by the Landscape Management Plan at Condition 7;
 - (d) A notation on the first and second-floor plans and amended sections confirming that all windows addressing the internal lightwell have restricted operability;

- (e) The bedroom window associated with Apartment 2.3 addressing the internal lightcourt to be increased in depth to a minimum of 2m, with Section BB at TP021 amended accordingly;
 - (f) The addition of vertical/horizontal lines to the southern boundary wall at third and fourth floors to provide greater visual interest;
 - (g) A notation confirming that organic waste storage will be provided;
 - (h) Any alterations to the development required by the updated Sustainable Management Plan at Condition 3.
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 Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Sustainable Management Plan will be endorsed and will form part of this permit. The amended Sustainable Management Plan must be generally in accordance with the Sustainable Management Plan prepared by Ark Resources and dated 24 October 2017, but modified to include or show:
- (a) A JV3 energy modelling report, demonstrating that the 10% energy efficiency target will be achieved;
 - (b) The provision of electric bicycle charging facilities;
 - (c) An external clothes drying rack for each dwelling;
 - (d) A total of 16 bicycles;
 - (e) Details of the organic waste system/storage;
 - (f) That the dwellings will not exceed the maximum NatHERS annual cooling load specified (30MJ/m² per annum) for Climate Zone 21 (Melbourne).
4. The provisions, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
5. Prior to occupation of the development, 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 demonstrate compliance of the car stackers with both SEPP N-1 and to sleep disturbance targets at existing residences and within the proposed development.
6. The provisions, recommendations and requirements of the endorsed Acoustic Report, prepared by Clarity Acoustics and dated 9 July 2018, must be implemented and complied with to the satisfaction of the Responsible Authority.
7. Before the development commences, a Landscape Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Landscape Plan will be endorsed and will form part of this permit. The Landscape Plan must:
- (a) indicate additional areas of landscaping/vegetation on the development's northern wall;
 - (b) show the type, location, quantity, height at maturity and botanical names of all proposed plants; and
 - (c) provide a specification of works to be undertaken prior to planting, to the satisfaction of the Responsible Authority.

8. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the landscaping works shown on the endorsed Landscape Plan must be carried out and completed to the satisfaction of the Responsible Authority. The landscaping shown on the endorsed Landscape Plan must be maintained by:
 - (a) implementing and complying with the provisions, recommendations and requirements of the endorsed Landscape Plan;
 - (b) not using the areas set aside on the endorsed Landscape Plan for landscaping for any other purpose; and
 - (c) replacing any dead, diseased, dying or damaged plants, to the satisfaction of the Responsible Authority.
9. Before the development commences, an amended Waste Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Waste Management Plan will be endorsed and will form part of this permit. The amended Waste Management Plan must be generally in accordance with the Waste Management Plan prepared by Waste Audit Consultants and dated September 2017, but modified to include:
 - (a) references to the hard waste storage area;
 - (b) Dimensions of bins, the hard waste area and total area of bin storage room in order to confirm that all bins will fit and able to be manoeuvred;
 - (c) Details of the organic waste system/storage;
 - (d) The waste generation rates must be consistent with those adopted for the City of Yarra;
 - (e) How the bins will be collected from Leicester Street without obstructing the footpath;
 - (f) Details on how e-waste will be separated and disposed of.
10. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
11. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated (including the reconstruction of the footpath immediately outside the property's Brunswick Street and Leicester Street road frontages if required by the Responsible Authority):
 - (a) at the permit holder's cost,
 - (b) to the satisfaction of the Responsible Authority.
12. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.
13. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating access to the car park and pedestrian entrances must be provided within the property boundary. Lighting must be:
 - (a) located;
 - (b) directed;
 - (c) shielded; and
 - (d) of limited intensity,to the satisfaction of the Responsible Authority.
14. 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.
15. 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.

16. 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.
17. Finished floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.
18. 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.

19. 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.
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. 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.
22. This permit will expire if:
 - (a) the development is not commenced within two years of the date of this permit; or
 - (b) the development is not completed within four years of the date of this permit.

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

Notes:

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

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

Provision must be made for drainage of the site to a legal point of discharge. Please contact Council's Building Services on 9205 5585 for further information.

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

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.

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

All future 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.

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

A 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 Kel Twite, Tara and Clare addressed the Committee on behalf of the Applicant.

The following people also addressed the Committee:

Ms Margaret Portelli;
Ms Josephine Lee;
Ms Merran Thomas; and
Mr Anthony Lehmann.

INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION

Moved: Councillor McEvoy

Seconded: Councillor Jolly

That having considered all objections and relevant planning documents, the Committee resolves to issue a Notice of Decision to Grant a Permit (PLN17/0941) for part demolition and development of the land for the construction of a mixed-use building, and a reduction in the statutory car parking requirement at 390-394 Brunswick Street, Fitzroy subject to the following conditions:

1. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions, and three copies must be provided. The plans must be generally in accordance with the decision plans, prepared by Clare Cousins Architects, dated 18/10/2017 (TP001, TP002, TP004, TP006, TP011, TP012, TP017, TP018, TP020-T031 inclusive) , and plans dated 30/01/2018 (TP003, TP005, TP008, TP010, TP013, TP016, TP019, TP032) but amended to include:
 - (a) All details as shown in the sketch plans (received by Council 19 June 2018) as follows;
 - (i) Increased setback of the third floor from the eastern boundary from 5.35m to 5.5m;
 - (ii) The first-floor wall increased in height from 6.35m to 6.47m;
 - (iii) The second-floor wall increased in height from 9.55m to 9.67m;
 - (iv) Reduction in building height from 18.1m to 17.9m (not including roof-top plant platform);
 - (v) Details of the sun-shading devices to the north and west-facing windows at all levels;
 - (vi) Alterations to the design of the nursery entrance on the site's north-west corner, including the addition of a garden bed and modifications to the extent of services and glazing within the northern wall;
 - (vii) The replacement shop window at ground level to be of Victorian style and constructed of timber;
 - (viii) The replacement first-floor windows to match the thickness of the existing window

- frames;
- (ix) The verandah roofing to be unpainted galvanised, corrugated Heritage Grade Z600 steel;
- (x) The existing façade to be painted beige, with the timber window frames and door joinery finished in 'Indian red';
- (xi) A convex mirror to be located at the car park entrance to improve sight lines to the west;
- (xii) The proposed eastern setback in front of the ground floor garage to be constructed in a different material to the bluestone ROW;
- (xiii) The finished floor levels along the edge of the garage slab to be set 40mm above the edge of the ROW.
- (b) All demolition works located within the title boundaries;
- (c) Additional provision for landscaping on the northern wall of the development, with any alterations required by the Landscape Management Plan at Condition 7;
- (d) A notation on the first and second-floor plans and amended sections confirming that all windows addressing the internal lightwell have restricted operability;
- (e) The bedroom window associated with Apartment 2.3 addressing the internal lightcourt to be increased in depth to a minimum of 2m, with Section BB at TP021 amended accordingly;
- (f) The addition of vertical/horizontal lines to the southern boundary wall at third and fourth floors to provide greater visual interest;
- (g) A notation confirming that organic waste storage will be provided;
- (h) Any alterations to the development required by the updated Sustainable Management Plan at Condition 3;
- (i) The deletion of the fourth floor;
- (j) Removal of the car stacking system, to be replaced with four at-grade car parking spaces, with one of these spaces to be for a publicly accessible car share vehicle provided by a car share operator;
- (k) The addition of a single bicycle hoop on the Leicester Street footpath, adjacent to the subject site. The hoop should be parallel to the kerb, setback 600mm from the kerb edge and setback 1.5m from the building line;
- (l) Relocation of the services to the eastern side of the bin storage room, with landscaping to replace the services along the Leicester Street frontage; and
- (m) privacy screening to the balconies of apartments 1.1 and 2.1 to be increased in height to 2.0m, with the section above 1.7m to be a maximum 25% transparent.
- 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 Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Sustainable Management Plan will be

endorsed and will form part of this permit. The amended Sustainable Management Plan must be generally in accordance with the Sustainable Management Plan prepared by Ark Resources and dated 24 October 2017, but modified to include or show:

- (a) A JV3 energy modelling report, demonstrating that the 10% energy efficiency target will be achieved;
- (b) The provision of electric bicycle charging facilities;
- (c) An external clothes drying rack for each dwelling;
- (d) A total of 16 bicycles;
- (e) Details of the organic waste system/storage;
- (f) That the dwellings will not exceed the maximum NatHERS annual cooling load specified (30MJ/m2 per annum) for Climate Zone 21 (Melbourne).

4. The provisions, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
5. The provisions, recommendations and requirements of the endorsed Acoustic Report, prepared by Clarity Acoustics and dated 9 July 2018, must be implemented and complied with to the satisfaction of the Responsible Authority.
6. Before the development commences, a Landscape Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Landscape Plan will be endorsed and will form part of this permit. The Landscape Plan must:
 - (a) indicate additional areas of landscaping/vegetation on the development's northern wall;
 - (b) show the type, location, quantity, height at maturity and botanical names of all proposed plants; and
 - (c) provide a specification of works to be undertaken prior to planting, to the satisfaction of the Responsible Authority.
7. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the 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.
8. 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 tree located at the corner of Brunswick St & Leicester St:
 - (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.
9. 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 Waste Audit Consultants and dated September 2017, but modified to include:

- (a) references to the hard waste storage area;
- (b) Dimensions of bins, the hard waste area and total area of bin storage room in order to confirm that all bins will fit and able to be manoeuvred;
- (c) Details of the organic waste system/storage;
- (d) The waste generation rates must be consistent with those adopted for the City of Yarra;
- (e) How the bins will be collected from Leicester Street without obstructing the footpath;
- (f) Details on how e-waste will be separated and disposed of.

10. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
11. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated (including the reconstruction of the footpath immediately outside the property's Brunswick Street and Leicester Street road frontages if required by the Responsible Authority):
 - (a) at the permit holder's cost,
 - (b) to the satisfaction of the Responsible Authority.
12. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.
13. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating access to the car park and pedestrian entrances must be provided within the property boundary. Lighting must be:
 - (a) located;
 - (b) directed;
 - (c) shielded; and
 - (d) of limited intensity,
 to the satisfaction of the Responsible Authority.
14. 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.
15. Before the building is occupied, any wall located on a boundary facing the public realm must be treated with a graffiti proof finish to the satisfaction of the Responsible Authority.
16. Finished floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.
17. 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.

18. 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.

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

20. 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.

21. This permit will expire if:

- (a) the development is not commenced within two years of the date of this permit; or
- (b) the development is not completed within four years of the date of this permit.

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

Notes:

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

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

Provision must be made for drainage of the site to a legal point of discharge. Please contact Council's Building Services on 9205 5585 for further information.

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

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.

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

All future 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.

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

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

CARRIED UNANIMOUSLY

-
- 1.2 PLN17/1113 - 81-89 Queens Parade Fitzroy North - Construction of an eight (8) storey building (plus basement levels), use part of land for a residential hotel (serviced apartments), alteration of access to Road Zone (Category 1), reduction in the car parking requirements associated with a residential hotel (serviced apartments), supermarket and offices (permit not required for supermarket or office uses).**
-

Trim Record Number: D18/140950

Responsible Officer: Senior Coordinator Statutory Planning

RECOMMENDATION

That having considered all objections and relevant planning policies, the Committee resolves to advise VCAT that had it been in a position to it would have issued a Notice of Decision to Grant a Planning Permit PLN17/1113 for construction of a mixed use building, use part of the land for a residential hotel (serviced apartments), alteration of access to a Road Zone (category 1), reduction in the car parking requirements associated with a residential hotel (serviced apartments), supermarket and offices (permit not required for supermarket or office uses) subject to the following conditions:

1. Before the use 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 plans by COX Architecture dated 01 December 2017 but modified to show:
 - (a) Additional chamfering of the supermarket corner to improve sightlines to office / service apartment entries from an eastern approach;
 - (b) A corner splay on the egress side of the site access ramp in accordance with Design Standard 1 – Accessways within Clause 52.06-9 of the Yarra Planning Scheme or alternate method (eg CCTV monitor or similar);
 - (c) A minimum 1.5m wide unobstructed footpath along the length of the George Street frontage (this may include land within and outside of the subject site title boundaries or removal and relocation of light poles);
 - (d) Directional arrows on right-of-way deleted;
 - (e) Surfaces of privately owned land within the site to match into Council assets at ground level, with use of differing material to clearly delineate the public/private realm;
 - (f) The bicycle ramp to the basement at a grade of no greater than 1:12;
 - (g) Bicycle hoops along Queens Parade service road to be located away from the vehicle access (and closer to the supermarket entry);
 - (h) No less than 18 visitor bike parking spaces, clearly marked for visitor use and provided at a horizontal rail;
 - (i) No less than 44 employee / residential hotel guest spaces to be provided in a secure compound within the car park level;
 - (j) A minimum 40A single phase electrical sub circuit installed within the car parking area, for the future provision of electric vehicle charging points;
 - (k) A minimum of 5 shower/change rooms be provided;
 - (l) A materials sample board of external colours, materials and finishes including coloured perspectives;
 - (m) Any requirement of the endorsed Sustainable Management Plan (condition 6), where relevant, to show on plans;
 - (n) Any requirement of Melbourne Water Conditions (where relevant) to show on plans; and
 - (o) Any requirement of the endorsed Waste Management Plan (condition 8), where relevant, to show on plans.

2. The development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
3. Except with the prior written consent of the Responsible Authority, the residential building (serviced apartments) may operate 24 hours a day, seven days a week.
4. Prior to the commencement of the use as serviced apartments, an operational management to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The plan must detail the following:
 - (a) Procedures and standards for guests to minimise amenity and parking problems in the neighbourhood;
 - (b) Measures to be taken by the permit holder to ensure serviced apartment guests and visitors do not cause any unreasonable amenity impact to persons beyond the land;
 - (c) Establishment of a line of communication with adjacent owners/occupiers aimed at identifying and addressing amenity concerns;
 - (d) An outline of house rules intended to be used to manage residents and guests including:
 - (i) guest behaviour;
 - (ii) noise;
 - (iii) alcohol consumption; and
 - (iv) methods of eviction if house rules are broken;
 - (e) Details of eviction process in the event house rules are broken;
 - (f) Standards for property maintenance, health and cleanliness; and
 - (g) Security against thefts and break-ins, including security of guests' belongings;
 - (h) management plan
5. The serviced apartments must be managed in accordance with the endorsed Serviced Apartment Management Plan.

Sustainable Management Plan

6. Before the development commences, an amended Sustainable Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Sustainable Management Plan will be endorsed and will form part of this permit. The amended Sustainable Management Plan must be generally in accordance with the Sustainable Management Plan prepared by Simpson Kotzman on 15 September 2016, but modified to include or show:
 - (a) A commitment to 5 Star Green Star;
 - (b) All habitable rooms, including studies with an operable window to enable natural ventilation;
 - (c) Sample NatHERS or preliminary energy model to a reference building demonstrating that the overall energy/GHG targets can be met;
 - (d) More information on what type of hot water system will be specified demonstrating that the overall energy/GHG targets can be met;
 - (e) What type of heating/cooling system will be specified demonstrating that the overall energy/GHG targets can be met;
 - (f) Solar PV array included on the roof plan to contribute to common area electricity consumption; and
 - (g) All proposed changes in layout and design in accordance with the Sketch Plans supplied to Council on the 27 July 2018.
7. The provisions, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Waste Management Plan

8. 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 Leigh Design (dated 15 September 2016), but modified to include:
 - (a) Internal private collection;
 - (b) Swept path diagram of truck movements as well proposed entry and exit locations of waste vehicles; and
 - (c) Operation of hours (including collections times).
9. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
10. The collection of waste from the site must be by private collection, unless with the prior written consent of the Responsible Authority

Landscape Plan

11. 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 landscape plan must include (or show):
 - (a) final plant schedule and planting plan showing the location of all plants with the following detail provided:
 - (b) Planter box materials and dimensions;
 - (c) Mulch layer – something that won't blow away;
 - (d) Growing media – suitable in weight and content for roof top gardens;
 - (e) Filter media;
 - (f) Irrigation method;
 - (g) Drainage system;
 - (h) Root barrier / water proofing layer;
 - (i) Tree protection zones;
 - (j) Maintenance schedule;
 - (k) Minimum 400mm depth planting beds; and replacement of weed species.
12. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the landscaping works shown on the endorsed Landscape Plan must be carried out and completed to the satisfaction of the Responsible Authority. The landscaping shown on the endorsed Landscape Plan must be maintained by:
 - (a) implementing and complying with the provisions, recommendations and requirements of the endorsed Landscape Plan;
 - (b) not using the areas set aside on the endorsed Landscape Plan for landscaping for any other purpose; and
 - (c) replacing any dead, diseased, dying or damaged plants, to the satisfaction of the Responsible Authority.

VicRoads Conditions (13-20)

13. Before the development approved by the permit starts, detailed layout plans for the accessway to the site from Queens Parade must be submitted to and approved by the Roads Corporation (VicRoads). The plans must be drawn to scale and dimensioned and two copies must be provided. The plans must show all proposed turning movements and traffic controls at the intersection of the accessway and Queens Parade.
14. Before the development starts, an independent Road Safety Audit (by a suitably qualified person) for the intersection of Queens Parade and the accessway to the site, and the intersection of Queens Parade and George Street, must be submitted to and approved the Roads Corporation (VicRoads).
15. Prior to the commencement of the use or the occupation of the buildings or works hereby approved, the access lanes, driveways, crossovers and associated works must be provided at no cost to the Roads Corporations and be:
 - (a) Formed to such levels and drained so that they can be used in accordance with the plan; and
 - (b) Treated with an all-weather seal or some other durable surface.
16. The security boom, barrier, gate or similar device controlling vehicular access to the premises must be located inside the property to allow vehicles to store clear of the pavement and footpath.
17. The crossover and driveway must be constructed to the satisfaction of the Roads Corporation and the Responsible Authority and at no cost to the Roads Corporation prior to the commencement of the use or the occupation of the works hereby approved.
18. During construction, the development must be managed so as not to compromise the operational efficiency of Queens Parade and George Street Fitzroy North or public safety.
19. Driveways must be maintained in a fit and proper state so as not to compromise the ability of vehicles to enter and exit the site in a safe manner or compromise operational efficiency of the road or public safety.
20. All redundant vehicle crossings must be removed and the area reinstated to kerb and channel.

Melbourne Water Conditions (21-23)

21. Prior to the development plans being endorsed to the planning permit, amended plans and relevant documentation as outlined below must be submitted to Council and Melbourne Water addressing Melbourne Water's conditions. Plans must be submitted with ground and floor levels to Australian Height Datum (AHD) and all setbacks notated on the plans in accordance with the asset protection requirements.
 - (a) The exact location of Melbourne Water's underground drain along George Street is to be determined by a licensed surveyor as per Melbourne Water's Asset Proving guidelines; the drain must then be plotted on the proposed development plans with cross sections at the north-east corner and south-east corner of the property, including all basement levels.
 - (b) No permanent structures are permitted to be located within a 2 metre lateral clearance zone of the asset;
 - (i) Footings must extend below "foundation protection zone" (angle of repose line) and;
 - (ii) A statement from the structural engineer stating that the design of the building foundation has been designed to allow future excavation of the pipeline adjacent to building.(Screw piles and friction piles are not acceptable)

- (c) CCTV of the drain is required to be undertaken prior to endorsement of plans to confirm the condition of the drain. This CCTV will also be required by the design engineer to assist with the design of the structure if required. CCTV is to be in accordance the WSA 05-2013 Conduit Reporting Code of Australia.

The nearest access manhole is 4414/MH001. This manhole identification is to be referenced in the CCTV. Melbourne Water access permit to this manhole will be required;

- (d) The following assessment and design investigation is required to be carried out by a qualified structural engineer, experienced with working on brick drains:
 - (i) A structural condition assessment to validate the existing drain condition. The assessment must include a baseline condition photo and/or CCTV inspection;
 - (ii) Submission of a detailed design and methodology for the construction of the structure detailing the stabilisation method to prevent brick surround from collapsing, factoring in ceramic growth;
 - (ii) Advice on the vibration limits on site during construction works to ensure the drain is not adversely impacted.
 - (iii) Consideration of the impact on the drain's bedding if a basement is to be constructed in the close proximity.
 - (e) A Build Over agreement is required to be entered into for temporary structures within the lateral clearance zone;
 - (i) No overhangs and eaves are permitted;
 - (ii) Footings must be independent and self-supporting.
22. The basement level must be shown to be tanked and banded to at least 300mm above the applicable 1% AEP flood level of 23.6 metres to Australian Height Datum with the apex of the basement access ramp set no lower than 23.9 metres to Australian Height Datum.
23. The floor levels of the substation, CP Air intake and gas meter room must be set at least 300mm above the applicable 1% AEP flood level of 22.90 metres to Australian Height Datum.

Road Infrastructure

24. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, bike racks must be installed to accommodate at least 12 bicycles on the footpath immediately outside the property's Queens Parade frontage:
- (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
25. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, all pedestrian access must be constructed to a level no steeper than 1 in 40 from the building line to the top of kerb 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 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.

27. 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.
28. 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.

Car parking

29. Before the development is occupied, a Car Park Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Car Park Management Plan will be endorsed and will form part of this permit. The Car Park Management Plan must address, but not be limited to, the following:
 - (a) the number of car parking spaces allocated to each tenancy and that each space is allocated;
 - (b) details of way-finding, cleaning and security of end of trip bicycle facilities;
 - (c) any policing arrangements and formal agreements as appropriate; and
 - (d) 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.
30. The provisions, recommendations and requirements of the endorsed Car Park Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
31. Before the building is occupied, 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.
32. 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

33. Before the development is occupied, a Green Travel Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Green Travel plan will be endorsed and will form part of this permit. The Green Travel Plan must include, but not be limited to, the following:
 - (a) describe the location in the context of alternative modes of transport;
 - (b) the provision of real time passenger information displays for nearby stops within each lobby;

- (c) employee welcome packs (e.g. provision of Myki cards);
 - (d) a designated 'manager' or 'champion' responsible for co-ordination and implementation;
 - (e) details of bicycle parking and bicycle routes;
 - (f) details of GTP funding and management responsibilities; and
 - (g) include provisions to be updated not less than every 5 years.
34. The provisions, recommendations and requirements of the endorsed Green Travel Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Lighting

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

General

36. Finished floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.
37. As part of the ongoing consultant team, Cox 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.
38. The amenity of the area must not be detrimentally affected by the construction and use, including through:
- (a) the transport of materials, goods or commodities to or from land;
 - (b) the appearance of any buildings, works or materials;
 - (c) the emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or
 - (d) the presence of vermin.
- to the satisfaction of the Responsible Authority.
39. 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.
40. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
41. 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.
42. 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 9am or after 3pm; or
- (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.

Construction Management

43. 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.
 - (q) 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:

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

Time expiry

44. 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; and
- (c) the residential hotel (serviced apartments) use is not commenced within five years of the date of the permit;

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

Notes:

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

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

Provision must be made for drainage of the site to a legal point of discharge. Please contact Council's Building Services on 9205 5585 for further information.

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

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

No parking restriction signs are to be removed, adjusted, changed or relocated without approval or authorisation from Council Parking Management unit and Construction Management branch

On the Queens Parade frontage of the site, pole No. 27888 (a former tram pole) is currently being used as a stay for a CitiPower electrical pole (with the same number located) about 4m west of the stay. It appears that stay is located near the edge of the new vehicle crossing. Comment from CitiPower should be sought to ascertain whether the stay could be removed or relocated.

VicRoads is currently undertaking improvement of the Queens Parade interchange to facilitate safer pedestrian movement as well as ensure that pedestrian facilities are DDA compliant. The applicant should liaise with VicRoads in relation to the interchange works and the potential impacts on pedestrians once the development is operational.

Some of the existing overhead power lines along Queens Parade have been bundled. Advice from CitiPower is required whether additional works are required to ensure that overhead power lines are outside "No Go Zone".

In the event that contaminated groundwater seeps through the walls of the basement, this water must not be discharged into Council's stormwater drainage system under any circumstances. Any contaminated groundwater that is present within the site must be treated and disposed of in accordance with a Trade Waste Agreement and as per EPA guidelines and Melbourne Water/City West Water guidelines.

VicRoads Notes

The proposed development requires reinstatement of disused crossovers to kerb and channel. Separate approval under the Road Management Act for this activity may be required from VicRoads (the Roads Corporation). Please contact VicRoads prior to commencing any works.

Separate Consent shall be required from VicRoads under the Road Management Act 2004 for all buildings and works (including projections, canopies, fixed shading devices, balcony framing etc) undertaken outside the title boundary within a Road Zone Category 1.

Melbourne Water Notes

Land and flood level information available at Melbourne Water indicates that the property is subject to flooding from the North Fitzroy Main Drain (Dr4414). The applicable flood level for a 1% AEP flood event grades from 23.6 metres to Australian Height Datum to 22.75 metres to Australian Height Datum.

Given the age and construction type of the drain being a brick culvert with concrete deck, undertaking works in close proximity may be a risky for the drain. Given the age of the drain, bricks forming the drain wall will exhibit ceramic growth, and thus the drain will be under compressive stresses. The design of any structure and construction methodology will need to consider and mitigate the risk of structural failure of the drain due to release of the stress during the works depending on the clearance.

A Post CCTV inspection of the underground drain is required to be carried out at the cost of the developer in accordance with WSA 05-2013 Conduit Inspection Reporting Code of Australia. The manhole identification is to be referenced in the CCTV. Melbourne Water access permit to this manhole will be required.

Prior to undertaking any works on or near a Melbourne Water asset, the contractor must be in receipt of a Melbourne Water Permit to Work. A Permit to Work can only be issued to contractors who have undertaken MW's permit recipient training. This requirement is to be included as part of the general notes on the final drawings.

No contractors are permitted to enter an underground drain or manhole unless in receipt of a Melbourne Water Permit to Work and a current Confined Space Entry ticket is held.

Melbourne Water must still have access unrestricted access to the underground drain at all times, during construction and after.

Any damage caused to Melbourne Water's assets due to the development shall be paid for by the developer.

Submissions

Mr Mark Naughton and Mr Rob Kelderman addressed the Committee on behalf of the Applicant.

The following people also addressed the Committee:

Mr Glen McCallum; and
Mr Simon Pender.

INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION

Moved: Councillor McEvoy

Seconded: Councillor Jolly

That having considered all objections and relevant planning policies, the Committee resolves to advise VCAT that had it been in a position to it would have issued a Notice of Decision to Grant a Planning Permit PLN17/1113 for construction of a mixed use building, use part of the land for a residential hotel (serviced apartments), alteration of access to a Road Zone (category 1), reduction in the car parking requirements associated with a residential hotel (serviced apartments), supermarket and offices (permit not required for supermarket or office uses) subject to the following conditions:

1. Before the use 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 plans by COX Architecture dated 01 December 2017 but modified to show:
 - (a) Additional chamfering of the supermarket corner to improve sightlines to office / service apartment entries from an eastern approach;
 - (b) A corner splay on the egress side of the site access ramp in accordance with Design Standard 1 – Accessways within Clause 52.06-9 of the Yarra Planning Scheme or alternate method (eg CCTV monitor or similar);
 - (c) A minimum 1.5m wide unobstructed footpath along the length of the George Street frontage (this may include land within and outside of the subject site title boundaries or removal and relocation of light poles);
 - (d) Directional arrows on right-of-way deleted;
 - (e) Surfaces of privately owned land within the site to match into Council assets at ground level, with use of differing material to clearly delineate the public/private realm;
 - (f) The bicycle ramp to the basement at a grade of no greater than 1:12;
 - (g) Bicycle hoops along Queens Parade service road to be located away from the vehicle access (and closer to the supermarket entry);
 - (h) No less than 18 visitor bike parking spaces, clearly marked for visitor use and provided at a horizontal rail;
 - (i) No less than 44 employee / residential hotel guest spaces to be provided in a secure compound within the car park level;
 - (j) A minimum 40A single phase electrical sub circuit installed within the car parking area, for the future provision of electric vehicle charging points;
 - (k) A minimum of 5 shower/change rooms be provided;
 - (l) A materials sample board of external colours, materials and finishes including coloured perspectives;
 - (m) Any requirement of the endorsed Sustainable Management Plan (condition 6), where relevant, to show on plans;
 - (n) Any requirement of Melbourne Water Conditions (where relevant) to show on plans;
 - (o) Any requirement of the endorsed Waste Management Plan (condition 8), where relevant, to show on plans; and

(p) The provision of a car space, to be provided by a car share operator.

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. Except with the prior written consent of the Responsible Authority, the residential building (serviced apartments) may operate 24 hours a day, seven days a week.
4. Prior to the commencement of the use as serviced apartments, an operational management to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The plan must detail the following:
 - (a) Procedures and standards for guests to minimise amenity and parking problems in the neighbourhood;
 - (b) Measures to be taken by the permit holder to ensure serviced apartment guests and visitors do not cause any unreasonable amenity impact to persons beyond the land;
 - (c) Establishment of a line of communication with adjacent owners/occupiers aimed at identifying and addressing amenity concerns;
 - (d) An outline of house rules intended to be used to manage residents and guests including:
 - (i) guest behaviour;
 - (ii) noise;
 - (iii) alcohol consumption; and
 - (iv) methods of eviction if house rules are broken;
 - (e) Details of eviction process in the event house rules are broken;
 - (f) Standards for property maintenance, health and cleanliness; and
 - (g) Security against thefts and break-ins, including security of guests' belongings;
 - (h) management plan
5. The serviced apartments must be managed in accordance with the endorsed Serviced Apartment Management Plan.

Sustainable Management Plan

6. Before the development commences, an amended Sustainable Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Sustainable Management Plan will be endorsed and will form part of this permit. The amended Sustainable Management Plan must be generally in accordance with the Sustainable Management Plan prepared by Simpson Kotzman on 15 September 2016, but modified to include or show:
 - (a) A commitment to 5 Star Green Star;
 - (b) All habitable rooms, including studies with an operable window to enable natural ventilation;
 - (c) Sample NatHERS or preliminary energy model to a reference building demonstrating that the overall energy/GHG targets can be met;
 - (d) More information on what type of hot water system will be specified demonstrating that the overall energy/GHG targets can be met;
 - (e) What type of heating/cooling system will be specified demonstrating that the overall energy/GHG targets can be met;
 - (f) Solar PV array included on the roof plan to contribute to common area electricity consumption; and
 - (g) All proposed changes in layout and design, as they pertain to the hotel residences (serviced apartments) exclusively, in accordance with the Sketch Plans supplied to Council on the 27 July 2018.

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

Waste Management Plan

8. 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 Leigh Design (dated 15 September 2016), but modified to include:
 - (a) Internal private collection;
 - (b) Swept path diagram of truck movements as well proposed entry and exit locations of waste vehicles;
 - (c) Operation of hours (including collections times); and
 - (d) Provision for food and organic waste separation / composting on site.
9. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
10. The collection of waste from the site must be by private collection, unless with the prior written consent of the Responsible Authority.
11. 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) Noise impacts from the supermarket loading on surrounding residential properties.

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.
12. The requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.

Landscape Plan

13. 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 landscape plan must include (or show):
 - (a) final plant schedule and planting plan showing the location of all plants with the following detail provided:
 - (b) Planter box materials and dimensions;
 - (c) Mulch layer – something that won't blow away;
 - (d) Growing media – suitable in weight and content for roof top gardens;
 - (e) Filter media;
 - (f) Irrigation method;
 - (g) Drainage system;

- (h) Root barrier / water proofing layer;
- (i) Tree protection zones;
- (j) Maintenance schedule;
- (k) Minimum 400mm depth planting beds; and replacement of weed species.

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

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

VicRoads Conditions (15-22)

15. Before the development approved by the permit starts, detailed layout plans for the accessway to the site from Queens Parade must be submitted to and approved by the Roads Corporation (VicRoads). The plans must be drawn to scale and dimensioned and two copies must be provided. The plans must show all proposed turning movements and traffic controls at the intersection of the accessway and Queens Parade.

16. Before the development starts, an independent Road Safety Audit (by a suitably qualified person) for the intersection of Queens Parade and the accessway to the site, and the intersection of Queens Parade and George Street, must be submitted to and approved the Roads Corporation (VicRoads).

17. Prior to the commencement of the use or the occupation of the buildings or works hereby approved, the access lanes, driveways, crossovers and associated works must be provided at no cost to the Roads Corporations and be:

- (a) Formed to such levels and drained so that they can be used in accordance with the plan; and
- (b) Treated with an all-weather seal or some other durable surface.

18. The security boom, barrier, gate or similar device controlling vehicular access to the premises must be located inside the property to allow vehicles to store clear of the pavement and footpath.

19. The crossover and driveway must be constructed to the satisfaction of the Roads Corporation and the Responsible Authority and at no cost to the Roads Corporation prior to the commencement of the use or the occupation of the works hereby approved.

20. During construction, the development must be managed so as not to compromise the operational efficiency of Queens Parade and George Street Fitzroy North or public safety.

21. Driveways must be maintained in a fit and proper state so as not to compromise the ability of vehicles to enter and exit the site in a safe manner or compromise operational efficiency of the road or public safety.

22. All redundant vehicle crossings must be removed and the area reinstated to kerb and channel.

Melbourne Water Conditions (23-25)

23. Prior to the development plans being endorsed to the planning permit, amended plans and

relevant documentation as outlined below must be submitted to Council and Melbourne Water addressing Melbourne Water's conditions. Plans must be submitted with ground and floor levels to Australian Height Datum (AHD) and all setbacks notated on the plans in accordance with the asset protection requirements.

- (a) The exact location of Melbourne Water's underground drain along George Street is to be determined by a licensed surveyor as per Melbourne Water's Asset Proving guidelines; the drain must then be plotted on the proposed development plans with cross sections at the north-east corner and south-east corner of the property, including all basement levels.
- (b) No permanent structures are permitted to be located within a 2 metre lateral clearance zone of the asset;
 - (i) Footings must extend below "foundation protection zone" (angle of repose line) and;
 - (ii) A statement from the structural engineer stating that the design of the building foundation has been designed to allow future excavation of the pipeline adjacent to building. (Screw piles and friction piles are not acceptable)
- (c) CCTV of the drain is required to be undertaken prior to endorsement of plans to confirm the condition of the drain. This CCTV will also be required by the design engineer to assist with the design of the structure if required. CCTV is to be in accordance the WSA 05-2013 Conduit Reporting Code of Australia.

The nearest access manhole is 4414/MH001. This manhole identification is to be referenced in the CCTV. Melbourne Water access permit to this manhole will be required;

- (d) The following assessment and design investigation is required to be carried out by a qualified structural engineer, experienced with working on brick drains:
 - (i) A structural condition assessment to validate the existing drain condition. The assessment must include a baseline condition photo and/or CCTV inspection;
 - (ii) Submission of a detailed design and methodology for the construction of the structure detailing the stabilisation method to prevent brick surround from collapsing, factoring in ceramic growth;
 - (iii) Advice on the vibration limits on site during construction works to ensure the drain is not adversely impacted.
 - (vi) Consideration of the impact on the drain's bedding if a basement is to be constructed in the close proximity.
 - (e) A Build Over agreement is required to be entered into for temporary structures within the lateral clearance zone;
 - (i) No overhangs and eaves are permitted;
 - (ii) Footings must be independent and self-supporting.
24. The basement level must be shown to be tanked and banded to at least 300mm above the applicable 1% AEP flood level of 23.6 metres to Australian Height Datum with the apex of the basement access ramp set no lower than 23.9 metres to Australian Height Datum.
25. The floor levels of the substation, CP Air intake and gas meter room must be set at least 300mm above the applicable 1% AEP flood level of 22.90 metres to Australian Height Datum.

Road Infrastructure

26. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, bike racks must be installed to accommodate at least 12 bicycles on the footpath immediately outside the property's Queens Parade frontage:

 - (a) at the permit holder's cost; and
 - (b) 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, all pedestrian access must be constructed to a level no steeper than 1 in 40 from the building line to the top of kerb to the satisfaction of the Responsible Authority.
28. Before the commencement of the development a Road Safety Audit Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved the Road Safety Audit Report will be endorsed and will form part of this permit. The Road Safety Audit Report must include but be limited to the following:

 - (b) Pedestrian safety and access for other vehicle users of the laneway.
29. The requirements of the endorsed Road Safety Audit Report must be implemented and complied with to the satisfaction of the Responsible Authority.
30. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any 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.
31. 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.
32. 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.

Car parking

33. Before the development is occupied, a Car Park Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Car Park Management Plan will be endorsed and will form part of this permit. The Car Park Management Plan must address, but not be limited to, the following:

 - (a) the number of car parking spaces allocated to each tenancy and that each space is allocated;
 - (b) details of way-finding, cleaning and security of end of trip bicycle facilities;
 - (c) any policing arrangements and formal agreements as appropriate; and
 - (d) 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.
34. 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.

- 35.** 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.
- 36.** 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

- 37.** Before the development is occupied, a Green Travel Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Green Travel plan will be endorsed and will form part of this permit. The Green Travel Plan must include, but not be limited to, the following:
- (a) describe the location in the context of alternative modes of transport;
 - (b) the provision of real time passenger information displays for nearby stops within each lobby;
 - (c) employee welcome packs (e.g. provision of Myki cards);
 - (d) a designated 'manager' or 'champion' responsible for co-ordination and implementation;
 - (e) details of bicycle parking and bicycle routes;
 - (f) details of GTP funding and management responsibilities; and
 - (g) include provisions to be updated not less than every 5 years.
- 38.** The provisions, recommendations and requirements of the endorsed Green Travel Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Lighting

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

General

- 40.** Finished floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.
- 41.** As part of the ongoing consultant team, Cox 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.

42. The amenity of the area must not be detrimentally affected by the construction and use, including through:

- (a) the transport of materials, goods or commodities to or from land;
 - (b) the appearance of any buildings, works or materials;
 - (c) the emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or
 - (d) the presence of vermin.
- to the satisfaction of the Responsible Authority.

43. 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.

44. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.

45. 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.

46. 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 9am or after 3pm; or
- (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.

47. Before the building is occupied, any wall located on a boundary facing the public realm must be treated with a graffiti proof finish to the satisfaction of the Responsible Authority.

Construction Management

48. 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.
- (q) 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:

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

Time expiry

49. 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; and
- (c) the residential hotel (serviced apartments) use is not commenced within five years of the date of the permit;

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

Notes:

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

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

Provision must be made for drainage of the site to a legal point of discharge. Please contact Council's Building Services on 9205 5585 for further information.

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

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

No parking restriction signs are to be removed, adjusted, changed or relocated without approval or authorisation from Council Parking Management unit and Construction Management branch

On the Queens Parade frontage of the site, pole No. 27888 (a former tram pole) is currently being used as a stay for a CitiPower electrical pole (with the same number located) about 4m west of the stay. It appears that stay is located near the edge of the new vehicle crossing. Comment from CitiPower should be sought to ascertain whether the stay could be removed or relocated.

VicRoads is currently undertaking improvement of the Queens Parade interchange to facilitate safer pedestrian movement as well as ensure that pedestrian facilities are DDA compliant. The applicant should liaise with VicRoads in relation to the interchange works and the potential impacts on pedestrians once the development is operational.

Some of the existing overhead power lines along Queens Parade have been bundled. Advice from CitiPower is required whether additional works are required to ensure that overhead power lines are outside "No Go Zone".

In the event that contaminated groundwater seeps through the walls of the basement, this water must not be discharged into Council's stormwater drainage system under any circumstances. Any contaminated groundwater that is present within the site must be treated and disposed of in accordance with a Trade Waste Agreement and as per EPA guidelines and Melbourne Water/City West Water guidelines.

VicRoads Notes

The proposed development requires reinstatement of disused crossovers to kerb and channel. Separate approval under the Road Management Act for this activity may be required from VicRoads (the Roads Corporation). Please contact VicRoads prior to commencing any works.

Separate Consent shall be required from VicRoads under the Road Management Act 2004 for all buildings and works (including projections, canopies, fixed shading devices, balcony framing etc) undertaken outside the title boundary within a Road Zone Category 1.

Melbourne Water Notes

Land and flood level information available at Melbourne Water indicates that the property is subject to flooding from the North Fitzroy Main Drain (Dr4414). The applicable flood level for a 1% AEP flood event grades from 23.6 metres to Australian Height Datum to 22.75 metres to Australian Height Datum.

Given the age and construction type of the drain being a brick culvert with concrete deck, undertaking works in close proximity may be a risky for the drain. Given the age of the drain, bricks

forming the drain wall will exhibit ceramic growth, and thus the drain will be under compressive stresses. The design of any structure and construction methodology will need to consider and mitigate the risk of structural failure of the drain due to release of the stress during the works depending on the clearance.

A Post CCTV inspection of the underground drain is required to be carried out at the cost of the developer in accordance with WSA 05-2013 Conduit Inspection Reporting Code of Australia. The manhole identification is to be referenced in the CCTV. Melbourne Water access permit to this manhole will be required.

Prior to undertaking any works on or near a Melbourne Water asset, the contractor must be in receipt of a Melbourne Water Permit to Work. A Permit to Work can only be issued to contractors who have undertaken MW's permit recipient training. This requirement is to be included as part of the general notes on the final drawings.

No contractors are permitted to enter an underground drain or manhole unless in receipt of a Melbourne Water Permit to Work and a current Confined Space Entry ticket is held.

Melbourne Water must still have access unrestricted access to the underground drain at all times, during construction and after.

Any damage caused to Melbourne Water's assets due to the development shall be paid for by the developer.

CARRIED UNANIMOUSLY

The meeting closed at 8.48pm.

Confirmed at the meeting held on Wednesday 26 September 2018

Chair