



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

**held on Wednesday 27 February 2019 at 6.30pm
in Meeting Rooms 1 & 2 at the Richmond Town Hall**

I. ATTENDANCE

Councillor Bosler
Councillor Coleman
Councillor Nguyen

Vicki Grillakis (Coordinator Statutory Planning)
Amy Hodgen (Coordinator Statutory Planning)
Rhys Thomas (Senior Governance Advisor)

II. APOLOGIES AND LEAVE OF ABSENCE

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

None

IV. CONFIRMATION OF MINUTES

Internal Development Approvals Committee Resolution:

Moved: Councillor Nguyen **Seconded:** Councillor Coleman

That the minutes of the meeting of the Internal Development Approvals Committee held on Wednesday 13 February 2019 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 Nguyen nominated Councillor Coleman as Chair.

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

Councillor Coleman assumed the Chair.

1. INTERNAL DEVELOPMENT APPROVALS COMMITTEE

Item		Page	Res. Page
1.1	PLN18/0471 - 31-51 Nelson Street Abbotsford - Langridge Ward - Use and construction of a 7-storey building containing offices, shops and food and drink premises (cafe) and a reduction in car parking	6	15
1.2	PLN18/0328 - 459- 471 Church Street and No. 20 - 26 Brighton Street Richmond - Melba Ward - Use and development of the land for the construction of three mixed use buildings (including a childcare centre), reduction in car parking requirement, and alteration of access and building and works to a Road Zone Category 1 Road.	25	40

1.1 PLN18/0471 - 31-51 Nelson Street Abbotsford - Langridge Ward - Use and construction of a 7-storey building containing offices, shops and food and drink premises (cafe) and a reduction in car parking

Trim Record Number: D18/219115

Responsible Officer: Manager Statutory Planning

RECOMMENDATION

That having considered all objections and relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant a Planning Permit PLN18/0471 for the use and construction of a 7-storey building containing offices, shops and food and drink premises (cafe) and a reduction in car parking at 31-51 Nelson Street, Abbotsford, subject to the following conditions:

Amended Plans

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 Fieldwork Architects, numbered TP000-TP205, 300-301, 312 – 405 and 601, Rev C dated 18/12/2018 and TP206-209, 302 – 311 Rev C01 dated 4/02/2019 but modified to show:

General

- (a) Retail tenancies to be re-labelled as 'shop'
- (b) Clarification of the extent of obscure glazing to the first floor west-facing office windows to restrict views into No. 32 Cooke Street within 9m, including whether windows are to be fixed or have restricted openings

ESD

- (c) Photovoltaic panels (PVP01) to be clearly shown on the elevations.
- (d) Size and location of the raingarden to be clearly shown on all relevant plans, including a section diagram.
- (e) Number and location of electric charging facilities
- (f) Operable windows provided to all areas

Car and bicycle parking

- (g) Provision for a minimum of 11 horizontal floor bicycle spaces for visitors within the site boundaries at ground that are readily accessible.
- (h) Shared area to be infilled with line marking pursuant to AS/NZS 2890.6:2009
- (i) The following dimensions on relevant plans:
 - (i) Width of the vehicle entrance
 - (ii) Ramp grade lengths
 - (iii) Numbering of parking spaces

Reports

- (j) Any changes as required by the endorsed Landscape plan pursuant to Condition 4
- (k) Any changes as required by the endorsed Wind Report pursuant to Condition 8
- (l) Any changes as required by the endorsed Sustainability Management Plan pursuant to Condition 10
- (m) Any changes as required by the endorsed Waste Management report pursuant to Condition 13
- (n) Any changes as required by the endorsed Green Travel Plan report pursuant to Condition 15

2. The use and development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.

Ongoing architect involvement

3. As part of the ongoing consultant team, Fieldwork 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.

Landscaping

4. Before the development commences, an amended Landscape Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Landscape Plan will be endorsed and will form part of this permit. The amended Landscape Plan must be generally in accordance with the Landscape Plan prepared by Coolth Inc. and dated 13 June 2018, but modified to include (or show):
 - (a) Consistency with the endorsed plans under condition 1
 - (b) Paving details (e.g. materials) and a typical section through the ground floor and balcony paving
 - (c) Height and width of all planters, including details of the soil media, irrigation systems, drainage outlets and the specific mineral mulch material proposed.
 - (d) Details the vertical green systems and furniture systems on the terrace balconies
 - (e) Relocate the title plan box so not to cover the subject site
 - (f) Finished floor levels
 - (g) Details of the barrier between the terrace balcony and the roof services area on Level 7
 - (h) Clarify/correct reference to the Water Gum (TL) on the Level 7 roof terrace.
 - (i) Additional planter boxes on the northern façade of the building from Levels 2 to 6, as per the treatment on Level 1
 - (j) Intermittent vertical green systems on higher levels i.e. 3 and 5 to create a more successful green wall system.
 - (k) Alternative species within the southern walkway that is more shade-tolerant.
 - (l) Planting beds within the stairwells rebates along Nelson and Thompson street
 - (m) Include climbing plants on the pergolas at Levels 5 and 7
 - (n) Remove reference to the streetscape improvement works

to the satisfaction of the Responsible Authority.

5. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, 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 maintenance plan.
 - (b) Not using the areas set aside on the endorsed landscape plan for landscaping for any other purpose.
 - (c) Replacing any dead, diseased, dying or damaged plants.

to the satisfaction of the Responsible Authority.

6. Before the development commences, an amended Landscape Maintenance Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Landscape Maintenance Plan will be endorsed and will form part of this permit. The amended Landscape Maintenance Plan must be generally in accordance with the Landscape Maintenance Plan prepared by Coolth Inc. and received 4 July 2018, but modified to include (or show):
 - (a) Any changes as a result of the endorsed landscape plan pursuant to Condition 4

Streetscapes Plan

7. Before the development commences, a Streetscapes Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Streetscapes Plan will be endorsed and will form part of this permit. The Streetscapes Plan must be generally in accordance with the streetscape works shown on the Ground floor Landscape Plan prepared by Coolth Inc. and dated 13 June 2018, but modified to include (or show):

Roadworks

- (a) Provision of two bicycle hoops along the footpath
- (b) Demonstrate net loss of car parking from existing conditions
- (c) Car parking dimensions of any new car spaces to comply with AS 2890.5-1993
- (d) Any new parking bays to be offset 10m from adjacent intersections and 1m from existing/proposed vehicle crossovers
- (e) Geometry of outstand returns at 90 degrees with tightest possible radii
- (f) Pram ramps on Nelson Street adjacent to the site and on the opposite side of the street
- (g) Pedestrian crossings in alignment with the building line and at a minimum width of 1.5m wide
- (h) Full width of Nelson Street depicted including concrete carriageway and kerb and channel
- (i) Swept path diagram to demonstrate a 12.5m Heavy Rigid Vehicle can enter/exit Thompson Street via Nelson Street.
- (j) Remove section of Cooke Street outstand south of the subject site
- (k) Remove existing bluestone pitcher crossover and resinate with standard YCC footpath, kerb and channel immediately south of the subject site on Cooke Street
- (l) All existing roadside objectives, furniture, electrical poles and service authority assets, including underground utility services to be depicted
- (m) All footpaths along the site frontages to be reconstructed and have a cross-fall of 1 in 40
- (n) Any existing grates on drainage put to be replaced with bicycle safe grates

Street tree planting

- (o) Street tree species replaced with a larger species to achieve a minimum of 10m high and 5m spread
- (p) Street trees to be within the parking bay alignment as on-grade tree pits
- (q) Any underground services to be clear of tree root zones

Drainage

- (r) Location of existing pits and any other drainage infrastructure
- (s) Details how drainage requirements are met.
- (t) Detailed contours (at 1m intervals) and existing top of kerb levels

Wind Report

8. Before the development commences, a Wind Assessment Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Wind Assessment Report will be endorsed and will form part of this permit.
9. The provisions, recommendations and requirements of the endorsed Wind Assessment Report must be implemented and complied with to the satisfaction of the Responsible Authority.

Sustainable Management Plan

10. 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 ADP Consulting Engineering and dated 26 June 2018, but modified to include or show:
 - (a) mixed mode HVAC or mechanical ventilation to exceed AS1668 air flow rates by at least 50%
 - (b) Revised Stormwater management plan with the correct site area i.e. 2,168.6sqm
 - (c) Confirmation of the number and location of the electric charging facilities
 - (d) Compost system for organic waste
 - (e) Larger water tank capacity to be utilised for irrigation
 - (f) Low-VOC paints, adhesives, sealants and carpets
 - (g) Low-emission formaldehyde timber products
 - (h) Recycled materials incorporated into concrete mixes
 - (i) Recycled timber or accredited as sustainable by FSC
 - (j) Comprehensive commissioning and tuning of all major appliances and services
 - (k) Engagement with independent commissioning agent
 - (l) Environmental Management Plan to be developed by the building contractor to monitor and control activities during construction.

11. Prior to the occupation of the development approved under this planning permit, a report from the author of the sustainable management plan, approved pursuant to this permit, or similarly qualified person or company, must be submitted to the Responsible Authority. The report must be to the satisfaction of the Responsible Authority and must confirm that all measures specified in the sustainable management plan have been implemented in accordance with the approved plan including:
 - (a) Completed JV3 energy modelling report (or equivalent) demonstrating at least 20% improvement in the heating and cooling requirements of the NCC
 - (b) Type and efficiency standard of the HVAC system in the JV3 energy modelling report to be a mixed mode, energy efficient VRF HVAC system with a high COP
 - (c) Type and efficiency standard of the hot water system in the JV3 energy modelling report

12. The provisions, recommendations and requirements of the endorsed sustainable management plans must be implemented and complied with to the satisfaction of the Responsible Authority.

Waste Management Plan

13. 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 and dated 22 August 2018, but modified to include:
 - (a) Details regarding the separation, storage and disposal of e-waste
 - (b) Provision for organic waste

14. The provisions, recommendations and requirements of the endorsed waste management plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Green Travel Plan

15. Before the development commences, 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 the following:

- (a) A description of the location in the context of alternative modes of transport.
- (b) Employee welcome packs (e.g. provision of Myki/transport ticketing).
- (c) Sustainable transport goals linked to measurable targets, performance indicators and monitoring timeframes.
- (d) Performance targets and monitoring and reporting components.
- (e) A designated 'manager' or 'champion' responsible for coordination and implementation.
- (f) Details of bicycle parking and bicycle routes.
- (g) Details of green travel plan funding and management responsibilities.
- (h) The types of bicycle storage devices proposed to be used for employee, guest and visitor spaces (i.e. hanging or floor mounted spaces).
- (i) The types of lockers proposed within the change-room facilities, with at least 50 per cent of lockers providing hanging storage space.
- (j) Security arrangements to access the employee bicycle storage spaces.
- (k) Signage and wayfinding information for bicycle facilities and pedestrians pursuant to Australian Standard AS2890.3.
- (l) A minimum 40A single phase electrical sub circuit should be installed to the car park areas for 'EV readiness'.
- (m) Provisions for the green travel plan to be updated not less than every five years.

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

Uses

17. Except with the prior written consent of the Responsible Authority, the uses authorised by this planning permit may only operate between the hours of 8:00am to 8:00pm, seven days a week.
18. The amenity of the area must not, to the satisfaction of the Responsible Authority, be detrimentally affected by the development and uses, 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.
 - (d) The presence of vermin.
19. The uses and development must comply at all times with the State Environment Protection Policy — Control of Noise from Commerce, Industry and Trade (SEPP N-1).
20. The uses and development must comply at all times with the State Environment Protection Policy — Control of Music Noise from Public Premises (SEPP N-2).
21. Delivery and collection of goods to and from the land may only occur between 7am and 10pm Monday to Saturday, or after 9am on a Sunday or public holiday except for those allowed under any relevant local law.

General

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

23. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
24. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, all new on-boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.
25. 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.
26. Before the building is occupied, any wall located on a boundary facing public property must be treated with a graffiti proof finish to the satisfaction of the Responsible Authority.
27. All pipes, fixtures and fittings servicing any building on the land must be concealed in service ducts or otherwise hidden from view 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, 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.
 - (d) Line-marked or provided with some adequate means of showing the car parking spaces.

to the satisfaction of the Responsible Authority.

Public Art Management Plan

29. Before the development commences, a Public Art Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Public Art Management Plan will be endorsed and will then form part of this permit. The Public Art Management Plan must include, but not be limited to:
 - (a) The location of the artwork (to be consistent with the endorsed development plans);
 - (b) Outline of methodology for commission;
 - (c) Details of the commissioned artist(s);
 - (d) Description of art work, including:
 - (i) Materials;
 - (ii) Colours;
 - (iii) Dimensions;
 - (iv) Conceptual and site context rationale;
 - (v) Special features (for example lighting);
 - (e) Details of the installation process;
 - (f) Details of art work maintenance schedule and ongoing ownership/caretaker details; and
 - (g) Attribution plans (eg signage or plaque)

Ongoing Public Art Management Requirement

30. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the approved public art must be completed at no cost to Council and to the satisfaction of the Responsible Authority. Once completed, the public art must be maintained in accordance with the endorsed Public Art Management Plan to the satisfaction of the Responsible Authority.

Civil works

31. Prior to the commencement of works, or such later date as approved in writing by the Responsible Authority, detailed engineering/drainage design drawings and calculations for the streetscape scheme design as shown on the endorsed Streetscape Plan pursuant to Condition 7 must be submitted to and approved by Council's Engineering Services Unit .
32. 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.
33. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any redundant vehicular crossing must be demolished and re-instated as standard footpath and kerb and channel:
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
34. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.
35. Before the building is occupied, or by such later date as approved, Streetscape Works as shown on the endorsed Streetscape Plan pursuant to Condition 7, including any civil engineering/drainage works pursuant to condition 31 must be carried out:
 - (a) at the permit holder's cost; and
 - (b) 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, 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.
37. 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.

Construction Management Plan

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

- (iv) stormwater contamination from run-off and wash-waters.
- (v) sediment from the land on roads.
- (vi) washing of concrete trucks and other vehicles and machinery.
- (vii) spillage from refuelling cranes and other vehicles and machinery.
- (i) The construction program.
- (j) Preferred arrangements for trucks delivering to the land, including delivery and unloading points and expected duration and frequency.
- (k) Parking facilities for construction workers.
- (l) Measures to ensure that all work on the land will be carried out in accordance with the construction management plan.
- (m) An outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services.
- (n) An emergency contact that is available for 24 hours per day for residents and the Responsible Authority in the event of relevant queries or problems experienced.
- (o) The provision of a traffic management plan to comply with provisions of AS 1742.3-2002 Manual of uniform traffic control devices - Part 3: Traffic control devices for works on roads.
- (p) A noise and vibration management plan showing methods to minimise noise and vibration impacts on nearby properties and to demonstrate compliance with Noise Control Guideline 12 for Construction (Publication 1254) as issued by the Environment Protection Authority in October 2008. The noise and vibration management plan must be prepared to the satisfaction of the Responsible Authority. In preparing the noise and vibration management plan, consideration must be given to:
 - (i) using lower noise work practice and equipment.
 - (ii) the suitability of the land for the use of an electric crane.
 - (iii) silencing all mechanical plant by the best practical means using current technology.
 - (iv) fitting pneumatic tools with an effective silencer.
 - (v) other relevant considerations.
- (q) If any existing public lighting assets require temporary disconnection, alternative lighting must be provided to maintain adequate lighting levels. A temporary lighting scheme can only be approved by Council and relevant power authority.
- (r) Existing public lighting could only be disconnected once temporary alternative lighting scheme becomes operational.
- (s) A temporary lighting scheme must remain operational until a permanent lighting scheme is reinstated.
- (t) Any site-specific requirements.

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

39. During the construction:

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

40. The provisions, recommendations and requirements of the endorsed construction management plan must be implemented and complied with to the satisfaction of the Responsible Authority.

41. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
- (a) Monday to Friday (excluding public holidays) before 7:00am or after 6:00pm.
 - (b) Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday) before 9:00am or after 3:00pm.
 - (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.

Permit Expiry

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

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

Notes:

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

Provision must be made for drainage of the site to a legal point of discharge. Please contact Council's building services on 9205 5095 for further information.

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

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

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

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

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.

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

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

The removal of any kerbside parking sensors and any reinstatement of parking sensors will require the permit holder to pay Council the cost of each parking sensor taken out from the kerb/footpath/roadway. Any costs associated with the reinstatement of road infrastructure due to the removal of the parking sensors must also be borne by the permit holder.

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

The applicant must liaise with Council's open space unit for the protection of the street trees in the vicinity of the site.

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

Submissions

Giovanni Gattini from G2 Urban Planning and Joachim Quino Holland from Fieldwork architecture addressed the Committee on behalf of the applicant.

The following people also addressed the Committee:

Edward Gamble;
Chris Wright;
Gary Hay; and
Glenys Craig Carr.

INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION

Moved: Councillor Bosler

Seconded: Councillor Nguyen

That having considered all objections and relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant a Planning Permit PLN18/0471 for the use and construction of a 7-storey building containing offices, shops and food and drink premises (cafe) and a reduction in car parking at 31-51 Nelson Street, Abbotsford, subject to the following conditions:

Amended Plans

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 Fieldwork Architects, numbered TP000-TP205, 300-301, 312 – 405 and 601, Rev C dated 18/12/2018 and TP206-209, 302 – 311 Rev C01 dated 4/02/2019 but modified to show:

General

- (a) Retail tenancies to be re-labelled as 'shop'
- (b) Clarification of the extent of obscure glazing to the first floor west-facing office windows to restrict views into No. 32 Cooke Street within 9m, including whether windows are to be fixed or have restricted openings
- (c) Reduction in the height of the building west of the western lift core along Nelson Street from 5 to 4 storeys (i.e corner of Nelson and Cooke Street)
- (d) Provision for gender neutral facilities
- (e) Dimension of the pedestrian walkway along the western side of the building to the rear of the Cooke Street properties, achieving a minimum width of 1.2m.

ESD

- (f) Photovoltaic panels (PVP01) to be clearly shown on the elevations.
- (g) Size and location of the raingarden to be clearly shown on all relevant plans, including a section diagram.
- (h) Number and location of electric charging facilities
- (i) Operable windows provided to all areas

Car and bicycle parking

- (j) Provision for a minimum of 11 horizontal floor bicycle spaces for visitors within the site boundaries at ground that are readily accessible.
- (k) Shared area to be infilled with line marking pursuant to AS/NZS 2890.6:2009
- (l) The following dimensions on relevant plans:
 - (i) Width of the vehicle entrance
 - (ii) Ramp grade lengths
 - (iii) Numbering of parking spaces

Reports

- (m) Any changes as required by the endorsed Landscape plan pursuant to Condition 4
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- (p) Any changes as required by the endorsed Waste Management report pursuant to Condition 13
- (q) Any changes as required by the endorsed Green Travel Plan report pursuant to Condition 15

2. The use and development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.

Ongoing architect involvement

3. As part of the ongoing consultant team, Fieldwork 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.

Landscaping

4. Before the development commences, an amended Landscape Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Landscape Plan will be endorsed and will form part of this permit. The amended Landscape Plan must be generally in accordance with the Landscape Plan prepared by Coolth Inc. and dated 13 June 2018, but modified to include (or show):
 - (a) Consistency with the endorsed plans under condition 1
 - (b) Paving details (e.g. materials) and a typical section through the ground floor and balcony paving
 - (c) Height and width of all planters, including details of the soil media, irrigation systems, drainage outlets and the specific mineral mulch material proposed.
 - (d) Details the vertical green systems and furniture systems on the terrace balconies
 - (e) Relocate the title plan box so not to cover the subject site
 - (f) Finished floor levels
 - (g) Details of the barrier between the terrace balcony and the roof services area on Level 7
 - (h) Clarify/correct reference to the Water Gum (TL) on the Level 7 roof terrace.
 - (i) Additional planter boxes on the northern façade of the building from Levels 2 to 6, as per the treatment on Level 1
 - (j) Intermittent vertical green systems on higher levels i.e. 3 and 5 to create a more successful green wall system.
 - (k) Alternative species within the southern walkway that is more shade-tolerant.
 - (l) Planting beds within the stairwells rebates along Nelson and Thompson street
 - (m) Include climbing plants on the pergolas at Levels 5 and 7
 - (n) Remove reference to the streetscape improvement works

to the satisfaction of the Responsible Authority.

5. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, 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:
- Implementing and complying with the provisions, recommendations and requirements of the endorsed landscape maintenance plan.
 - Not using the areas set aside on the endorsed landscape plan for landscaping for any other purpose.
 - Replacing any dead, diseased, dying or damaged plants.

to the satisfaction of the Responsible Authority.

6. Before the development commences, an amended Landscape Maintenance Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Landscape Maintenance Plan will be endorsed and will form part of this permit. The amended Landscape Maintenance Plan must be generally in accordance with the Landscape Maintenance Plan prepared by Coolth Inc. and received 4 July 2018, but modified to include (or show):
- Any changes as a result of the endorsed landscape plan pursuant to Condition 4

Streetscapes Plan

7. Before the development commences, a Streetscapes Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Streetscapes Plan will be endorsed and will form part of this permit. The Streetscapes Plan must be generally in accordance with the streetscape works shown on the Ground floor Landscape Plan prepared by Coolth Inc. and dated 13 June 2018, but modified to include (or show):
- Roadworks*
- Provision of four bicycle hoops along the footpath
 - Demonstrate no net loss of car parking from existing conditions
 - Retention of car parking along Cooke Street
 - Car parking dimensions of any new car spaces to comply with AS 2890.5-1993
 - Any new parking bays to be offset 10m from adjacent intersections and 1m from existing/proposed vehicle crossovers
 - Geometry of outstand returns at 90 degrees with tightest possible radii
 - Pram ramps on Nelson Street adjacent to the site and on the opposite side of the street
 - Pedestrian crossings in alignment with the building line and at a minimum width of 1.5m wide
 - Full width of Nelson Street depicted including concrete carriageway and kerb and channel
 - Swept path diagram to demonstrate a 12.5m Heavy Rigid Vehicle can enter/exit Thompson Street via Nelson Street.
 - Remove section of Cooke Street outstand south of the subject site
 - Remove existing bluestone pitcher crossover and resinate with standard YCC footpath, kerb and channel immediately south of the subject site on Cooke Street
 - All existing roadside objectives, furniture, electrical poles and service authority assets, including underground utility services to be depicted
 - All footpaths along the site frontages to be reconstructed and have a cross-fall of 1 in 40
 - Any existing grates on drainage put to be replaced with bicycle safe grates
- Street tree planting*
- Street tree species replaced with a larger species to achieve a minimum of 10m high and 5m spread
 - Street trees to be within the parking bay alignment as on-grade tree pits

- (r) Any underground services to be clear of tree root zones

Drainage

- (s) Location of existing pits and any other drainage infrastructure
- (t) Details how drainage requirements are met.
- (u) Detailed contours (at 1m intervals) and existing top of kerb levels

Wind Report

- 8. Before the development commences, a Wind Assessment Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Wind Assessment Report will be endorsed and will form part of this permit.
- 9. The provisions, recommendations and requirements of the endorsed Wind Assessment Report must be implemented and complied with to the satisfaction of the Responsible Authority.

Sustainable Management Plan

- 10. 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 ADP Consulting Engineering and dated 26 June 2018, but modified to include or show:
 - (a) mixed mode HVAC or mechanical ventilation to exceed AS1668 air flow rates by at least 50%
 - (b) Revised Stormwater management plan with the correct site area i.e. 2,168.6sqm
 - (c) Confirmation of the number and location of the electric charging facilities
 - (d) Compost system for organic waste
 - (e) Larger water tank capacity to be utilised for irrigation
 - (f) Low-VOC paints, adhesives, sealants and carpets
 - (g) Low-emission formaldehyde timber products
 - (h) Recycled materials incorporated into concrete mixes
 - (i) Recycled timber or accredited as sustainable by FSC
 - (j) Comprehensive commissioning and tuning of all major appliances and services
 - (k) Engagement with independent commissioning agent
 - (l) Environmental Management Plan to be developed by the building contractor to monitor and control activities during construction.
- 11. Prior to the occupation of the development approved under this planning permit, a report from the author of the sustainable management plan, approved pursuant to this permit, or similarly qualified person or company, must be submitted to the Responsible Authority. The report must be to the satisfaction of the Responsible Authority and must confirm that all measures specified in the sustainable management plan have been implemented in accordance with the approved plan including:
 - (a) Completed JV3 energy modelling report (or equivalent) demonstrating at least 20% improvement in the heating and cooling requirements of the NCC
 - (b) Type and efficiency standard of the HVAC system in the JV3 energy modelling report to be a mixed mode, energy efficient VRF HVAC system with a high COP
 - (c) Type and efficiency standard of the hot water system in the JV3 energy modelling report

12. The provisions, recommendations and requirements of the endorsed sustainable management plans must be implemented and complied with to the satisfaction of the Responsible Authority.

Waste Management Plan

13. 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 and dated 22 August 2018, but modified to include:
 - (a) Details regarding the separation, storage and disposal of e-waste
 - (b) Provision for organic waste
14. The provisions, recommendations and requirements of the endorsed waste management plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Green Travel Plan

15. Before the development commences, 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 the following:
 - (a) A description of the location in the context of alternative modes of transport.
 - (b) Employee welcome packs (e.g. provision of Myki/transport ticketing).
 - (c) Sustainable transport goals linked to measurable targets, performance indicators and monitoring timeframes.
 - (d) Performance targets and monitoring and reporting components.
 - (e) A designated 'manager' or 'champion' responsible for coordination and implementation.
 - (f) Details of bicycle parking and bicycle routes.
 - (g) Details of green travel plan funding and management responsibilities.
 - (h) The types of bicycle storage devices proposed to be used for employee, guest and visitor spaces (i.e. hanging or floor mounted spaces).
 - (i) The types of lockers proposed within the change-room facilities, with at least 50 per cent of lockers providing hanging storage space.
 - (j) Security arrangements to access the employee bicycle storage spaces.
 - (k) Signage and wayfinding information for bicycle facilities and pedestrians pursuant to Australian Standard AS2890.3.
 - (l) A minimum 40A single phase electrical sub circuit should be installed to the car park areas for 'EV readiness'.
 - (m) Provisions for the green travel plan to be updated not less than every five years.
16. The provisions, recommendations and requirements of the endorsed Green Travel Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Uses

17. Except with the prior written consent of the Responsible Authority, the uses authorised by this planning permit may only operate between the hours of 8:00am to 8:00pm, seven days a week.
18. The amenity of the area must not, to the satisfaction of the Responsible Authority, be detrimentally affected by the development and uses, 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.
 - (d) The presence of vermin.

19. The uses and development must comply at all times with the State Environment Protection Policy — Control of Noise from Commerce, Industry and Trade (SEPP N-1).
20. The uses and development must comply at all times with the State Environment Protection Policy — Control of Music Noise from Public Premises (SEPP N-2).
21. Delivery and collection of goods to and from the land may only occur between 7am and 10pm Monday to Saturday, or after 9am on a Sunday or public holiday except for those allowed under any relevant local law.

General

22. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating access to the pedestrian and vehicular entrances must be provided on the subject site. Lighting must be:
 - (a) located;
 - (b) directed;
 - (c) shielded; and
 - (d) of limited intensity,to the satisfaction of the Responsible Authority.
23. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
24. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, all new on-boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.
25. 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.
26. Before the building is occupied, any wall located on a boundary facing public property must be treated with a graffiti proof finish to the satisfaction of the Responsible Authority.
27. All pipes, fixtures and fittings servicing any building on the land must be concealed in service ducts or otherwise hidden from view 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, 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.
 - (d) Line-marked or provided with some adequate means of showing the car parking spaces.

to the satisfaction of the Responsible Authority.

Public Art Management Plan

29. Before the development commences, a Public Art Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Public Art Management Plan will be endorsed and will then form part of this permit. The Public Art Management Plan must include, but not be limited to:
 - (a) The location of the artwork (to be consistent with the endorsed development plans);

- (b) Outline of methodology for commission;
- (c) Details of the commissioned artist(s);
- (d) Description of art work, including:
 - (i) Materials;
 - (ii) Colours;
 - (iii) Dimensions;
 - (iv) Conceptual and site context rationale;
 - (v) Special features (for example lighting);
- (e) Details of the installation process;
- (f) Details of art work maintenance schedule and ongoing ownership/caretaker details; and
- (g) Attribution plans (eg signage or plaque)

Ongoing Public Art Management Requirement

30. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the approved public art must be completed at no cost to Council and to the satisfaction of the Responsible Authority. Once completed, the public art must be maintained in accordance with the endorsed Public Art Management Plan to the satisfaction of the Responsible Authority.

Civil works

31. Prior to the commencement of works, or such later date as approved in writing by the Responsible Authority, detailed engineering/drainage design drawings and calculations for the streetscape scheme design as shown on the endorsed Streetscape Plan pursuant to Condition 7 must be submitted to and approved by Council's Engineering Services Unit .
32. 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.
33. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any redundant vehicular crossing must be demolished and re-instated as standard footpath and kerb and channel:
- (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
34. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.
35. Before the building is occupied, or by such later date as approved, Streetscape Works as shown on the endorsed Streetscape Plan pursuant to Condition 7, including any civil engineering/drainage works pursuant to condition 31 must be carried out:
- (a) at the permit holder's cost; and
 - (b) 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, 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.
37. 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.

Construction Management Plan

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

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

39. During the construction:
 - (a) Any stormwater discharged into the stormwater drainage system must be in compliance with Environment Protection Authority guidelines;
 - (b) Stormwater drainage system protection measures must be installed as required to ensure that no solid waste, sediment, sand, soil, clay or stones from the land enters the stormwater drainage system;
 - (c) Vehicle borne material must not accumulate on the roads abutting the land;
 - (d) The cleaning of machinery and equipment must take place on the land and not on adjacent footpaths or roads; and
 - (e) All litter (including items such as cement bags, food packaging and plastic strapping) must be disposed of responsibly.
40. The provisions, recommendations and requirements of the endorsed construction management plan must be implemented and complied with to the satisfaction of the Responsible Authority.
41. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
 - (a) Monday to Friday (excluding public holidays) before 7:00am or after 6:00pm.
 - (b) Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday) before 9:00am or after 3:00pm.
 - (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.

Permit Expiry

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

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

Notes:

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

Provision must be made for drainage of the site to a legal point of discharge. Please contact Council's building services on 9205 5095 for further information.

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

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

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

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

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.

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

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

The removal of any kerbside parking sensors and any reinstatement of parking sensors will require the permit holder to pay Council the cost of each parking sensor taken out from the kerb/footpath/roadway. Any costs associated with the reinstatement of road infrastructure due to the removal of the parking sensors must also be borne by the permit holder.

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

The applicant must liaise with Council's open space unit for the protection of the street trees and trees on Council land in the vicinity of the site.

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

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

CARRIED UNANIMOUSLY

Cr Bosler left the meeting at 7.31pm

Cr Coleman left the meeting at 7.34pm and the meeting lapsed for want of a quorum.

Cr Coleman returned at 7.36pm and the meeting resumed.

Cr Bosler returned to the meeting at 7.37pm

1.2 PLN18/0328 - 459- 471 Church Street and No. 20 - 26 Brighton Street Richmond - Melba Ward - Use and development of the land for the construction of three mixed use buildings (including a childcare centre), reduction in car parking requirement, and alteration of access and building and works to a Road Zone Category 1 Road.

Trim Record Number: D19/16721

Responsible Officer: Senior Coordinator Statutory Planning

Vicki Grillakis introduced the report, and drew the Committee's attention to the revised recommendation that appeared in an addendum to her officer's report.

REVISED RECOMMENDATION

That having considered all objections and relevant planning policies, Council resolve to advise the Victorian Civil and Administrative Tribunal that it supports the substituted amended plans, and that had Council been in a position to it would have issued a Notice of Decision to Grant a Planning Permit PLN18/0328 for the use and development of the land for the construction of three mixed use buildings (including a childcare centre), reduction in car parking requirement, and alteration of access and building and works to a Road Zone Category 1 Road at 459 – 471 Church Street and 20-26 Brighton Street, Richmond, generally in accordance with the architectural plans prepared by Architectus dated 3 and 4 February 2019 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 architectural plans prepared by Architectus dated 3 and 4 February 2019 but modified to show:
 - (a) a setback of at least 3m provided for Building B from level 3 and above from the eastern boundary (associated with the section of wall to the north of the lift area where it is attached to Building C);
 - (b) deletion of any glazing along the eastern boundary wall of Building B;
 - (c) an increase in the width of the separation of Buildings A and B to a minimum of 9.8m from the second floor and above;
 - (d) confirmation (via a sectional diagram) that there is no unreasonable overlooking opportunities from the north-facing podium walls of Building B into the private open space of No. 9 Shamrock Street within 9m;
 - (e) a notation confirming the use of a back-up system to reduce the risk of flooding such as a flood gate at the driveway or an internal pump system which discharges to Church Street through the property stormwater;
 - (f) in the event that vehicle access from Shamrock Street is located where the existing stormwater pits are positioned, the existing grated side entry pits must be modified to grated pits (with the installation of any additional drainage pits and associated connecting drainage to the satisfaction of the Responsible Authority);
 - (g) the allocation of car spaces for each use on the basement floor plans;

- (h) the allocation of any car spaces for child care drop offs/pickups within the basement of Building C on the basement floor plans;
- (i) the width of the Shamrock Street footpath annotated on plans;
- (j) the dimension of the doorway width of the Brighton Street vehicle entrance;
- (k) sight triangles superimposed and dimensioned for the exit lanes of all vehicular entrances;
- (l) the loading facility dimensioned including the entrance and vehicle crossing;
- (m) swept path diagrams to confirm truck access and egress from the loading bay;
- (n) the widened section of Shamrock Street dimensioned from the face of the kerb, to the face of the kerb;
- (o) accessible parking spaces and associated shared areas dimensioned and as satisfying the Australian/New Zealand Standard AS/NZS 2890.1:2004 with bollards inserted as required;
- (p) column depths and locations to satisfy *Diagram 1 Clearances to car parking spaces* or AS/NZS 2890.1:2004 (where applicable);
- (q) the dimensions of clearances to walls (and be no less than 300mm);
- (r) the dimensions of each ramp grade length;
- (s) a pedestrian refuge (minimum 1.3m in span) in between the vehicle crossings of the development entrance and the loading bay;
- (t) the inside edge of the ninety-degree bend of the ramped accessway connecting Basement 2 with Basement 1 with a minimum clearance of 300 mm from the column as required by AS/NZS 2890.1:2004;
- (u) swept path diagrams of passing movements for a B85 design vehicle and an oncoming B99 design vehicle along the ninety-degree bend of the ramped accessway connecting Basement 2 with Basement 1, demonstrating satisfactory passing movements;
- (v) the boundary between private and public property delineated through the use of alternative surface materials or “banding”;
- (w) confirmation that none of the utility services in Wright Street are required;
- (x) the provision of a clear travel path for pedestrians along the south side of Shamrock Street between Church Street and the eastern side of the car park entrance;
- (y) a pram ramp at the Shamrock Street kerb, aligned with the northern courtyard entrance;
- (z) dimensions of bicycle storage spaces, and relevant access ways demonstrating compliance with Australian Standard AS2890.3 or to the satisfaction of the Responsible Authority;
- (aa) visitor bicycle parking provided at a rate of at least 1 space to each 500sqm of net office floor space, in a location easily accessed by visitors to the site (i.e. spaces must not be located within a secure facility) and for at least 80 percent visitor bicycle parking facilities to be ground level (horizontal) spaces;

- (bb) employee bicycle parking facilities (provided at a rate of a minimum of 1 space to each 100sqm of net office floor space) located at ground-floor or basement 1, each within a secure facility (bicycle locker or lockable compound), with reasonable proximity and access to:
 - (i) building entrances and/or lift shafts;
 - (ii) end of trip facilities, including showers and change rooms.
 - (cc) at least 20% of bicycle storage spaces provided as horizontal storage spaces as required under AS2890.3;
 - (dd) details of the number of showers and change-rooms;
 - (ee) confirmation on plans that the car park areas are electrically wired with a minimum 40A single phase electrical sub circuit for 'EV readiness';
 - (ff) a materials sample board of external colours, materials and finishes;
 - (gg) any requirement of the endorsed Sustainable Management Plan (condition 7) (where relevant to show on plans);
 - (hh) any requirement of the endorsed Waste Management Plan (condition 10) (where relevant to show on plans);
 - (ii) any requirement of the endorsed Landscape Plan Report (condition 13) (where relevant to show on plans);
 - (jj) any requirement of the endorsed Wind Report (condition 17) (where relevant to show on plans);
 - (kk) any requirement of the endorsed Acoustic Report (condition 19) (where relevant to show on plans); and
 - (ll) any requirement of the endorsed Streetscapes Improvements plan (condition 33) (where relevant to show on plans).
- 2 The use and development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
- 3 As part of the ongoing consultant team, Architectus or an architectural firm to the satisfaction of the Responsible Authority must be engaged to:
- (a) oversee the 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.

Childcare Centre Use

- 4 Except with the prior written consent of the Responsible Authority, the childcare centre use authorised by this permit may only operate between the hours of 7am and 7pm, Monday to Friday.
- 5 Except with the prior written consent of the Responsible Authority, no more than 22 staff are permitted on the land at any one time.
- 6 Except with the prior written consent of the Responsible Authority, no more than 80 children are permitted on the land at any one time.

Sustainable Management Plan

- 7 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 Cundall in April 2018, but modified to include or show:
- (a) fresh air supply in excess of AS1668 air flow rates by at least 50%;
 - (b) more information on the expected daylight performance of the buildings and ensure that 30% of floor area can reach a minimum 2% df standard, and provide a suitable VLT for each area to assist achieve this standard;
 - (c) increased external shading systems to reduce heat gain, rather than rely on glazing. If not, include the SGHC proposed including the minimum VLT noted in the SMP, and demonstrate that the 30% energy reduction can be met;
 - (d) a completed JV3 energy modelling report, or equivalent, demonstrating the 6 points or 30% improvement in NCC requirements;
 - (e) include all MUSIC model inputs and outputs including catchment area, storage locations and volume and location and number of toilet connections to ensure that best practice in WSUD can be met;
 - (f) mark approximate size and location of solar PV array on roof and elevations;
 - (g) details of proposed type and efficiency of hot water system. Recommend gas boosted solar hot water or gas storage hot water with a minimum 85% efficiency / 5 Star equivalent;
 - (h) ensure that the WMP has sufficient spaces allocated to recycling and all waste streams. Ensure that recycling is just as convenient at general garbage;
 - (i) a COP for HVAC (VRV) within one Star or 85% of best available of suitably designed size and capacity;
 - (j) the provision of a composting system; and
 - (k) the provision of electric vehicle charging facilities.
- 8 The provisions, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

SMP Implementation Report

- 9 Before the development is occupied, a report from the author of the Sustainability Management Plan, approved under this permit, or similarly qualified person or company, must be submitted to the Responsible Authority. The report must be to the satisfaction of the Responsible Authority and must confirm all measures specified in the Sustainability Management Plan have been implemented in accordance with the approved plan.

Waste Management Plan

- 10 Before the development commences, an amended Waste Management Plan prepared 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 Irwin Consult (dated 4 May 2018), but modified to include:
- (a) collection for the waste associated with Building C to occur within title boundaries; and
 - (b) details of how food waste will be diverted from the waste stream from the remaining areas of the development.
- 11 The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
- 12 The collection of waste from the site must be by private collection, unless with the prior written consent of the Responsible Authority.

Landscape Plan

- 13 Before the development is occupied, 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) be updated in accordance with the most recent architectural drawings;
 - (b) provide further detail on the design of the outdoor playspace for the childcare facility;
 - (c) provide further details on the vertical green systems across the development;
 - (d) provide details on how the feature tree in the deck area will be incorporated into the deck surface to ensure sufficient growing width is provided. Details on the nominal depth to be included;
 - (e) provide information on the landscape feature proposed at the corner of Church and Shamrock Streets;
 - (f) provide information in the Technical Notes on how the grade of the proposed garden beds in relation to their mounded nature will be maintained over time;
 - (g) provide details of allowances in the basement parking plans to accommodate the drop in the slabs for the proposed garden beds, ensuring there is sufficient headroom as well as depth for tree and plant growth;
 - (h) include more green infrastructure on the northern façade to Building B such as vertical climbing structures or planting beds;
 - (i) provide detailed planting plans for the development and show the type, location, quantity, height at maturity and botanical names of all proposed plants;
 - (j) show the type, location, quantity, height at maturity and botanical names of all proposed plants;
 - (k) detail the design and layout of the common area, outdoor terraces, planters and any ground level planting;

- (l) provide a specification of works to be undertaken prior to planting; and
- (m) detail plant/planting maintenance schedules and requirements.

- 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,
- all to the satisfaction of the Responsible Authority.

Street Tree

- 15 Before the development commences, the permit holder must provide an Asset Protection Bond of \$10,000 (ex GST) for the three (3) trees in Church Street adjacent the frontage of the development and one (1) tree opposite 22 Brighton Street to the Responsible Authority. The security bond:
- (a) must be provided in a manner, and on terms, to the satisfaction of the Responsible Authority;
 - (b) may be held by the Responsible Authority until the works are completed to the satisfaction of the Responsible Authority; and
 - (c) in accordance with the requirements of this permit; or
 - (d) otherwise to the satisfaction of the Responsible Authority.
- 16 Before the development commences, the permit holder must make a one off contribution of 17,633.25 to the Responsible Authority to be used for:
- (a) the cost of supply, planting and establishment maintenance four trees (one in Church St and three in Brighton St).

Wind

- 17 Before the development commences, an amended Wind Assessment Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Wind Assessment Report will be endorsed and will form part of this permit. The amended Wind Assessment Report must be generally in accordance with the Wind Assessment Report prepared by MEL Consultants and prepared on 1 May 2018, but modified to include (or show):
- (a) a wind tunnel model study of the environmental wind conditions which must explore the wind conditions of the ground floor and the terraces and whether additional mitigation treatments are required to satisfy the relevant criteria.
- 18 The provisions, recommendations and requirements of the endorsed Environmental Wind Assessment must be implemented and complied with to the satisfaction of the Responsible Authority.

Acoustic report

19 Before the development commences, an amended Acoustic Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Acoustic Report will be endorsed and will form part of this permit. The amended Acoustic Report must be generally in accordance with the Acoustic Report prepared by Cundall prepared on 27 April 2018, but modified to include (or show, or address):

- (a) confirmation of the following:
 - (i) that rail noise has been predicted to upper levels of the building, and that the advice provided will achieve the indoor design targets.
 - (ii) that noise from children playing in the rooftop outdoor play area has been predicted to the proposed overlooking office spaces, and that the glazing proposed will achieve appropriate indoor targets for this noise source.
 - (iii) that a review of façade upgrade treatments to offices overlooking the rooftop plant room on Building C will be undertaken during the detailed design to ensure that the indoor targets will be met.
- (b) The sound power level used for children’s voices in each of the outdoor play areas, or sufficient information included in the report to calculate them. A 3-D image of the noise model used in calculations must be provided.
- (c) Assessments of the childcare centre noise impacts to (with the receiver locations included):
 - (i) No. 28 Brighton Street (the high level north facing windows, and the outdoor private open space) and
 - (ii) Upper levels of the approved townhouses at No. 16 Brighton Street.

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.

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

21 Within 3 months of the occupation of the building, updated post-occupation Acoustic Report to the satisfaction of the Responsible Authority must be prepared by a suitably qualified acoustic engineer and must be generally in accordance with the endorsed acoustic report. The report must be submitted to and approved by the Responsible Authority. When approved, the updated post-occupation Acoustic Report will be endorsed and will form part of this permit. The Acoustic Report must (assess) address the following:

- (a) Confirm that the recommendations of the endorsed acoustic report required as part of Condition 19 have been implemented;
- (b) Assess mechanical plant noise to SEPP N-1; and
- (c) If non-compliance with Condition 21b is measured, additional acoustic measures as recommended by the amended post-occupation acoustic report are to be implemented within one month of the date of the amended acoustic report.

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

Transport for Victoria Conditions (Condition 23 and 24)

- 23 The permit holder must take all reasonable steps to ensure that disruption to tram operation along Church Street is kept to a minimum during the construction of the development. Foreseen disruptions to tram operations during construction and mitigation measures must be communicated to Yarra Trams and Public Transport Victoria thirty five days (35) prior.
- 24 The permit holder must ensure that all track, tram and overhead infrastructure is not damaged. Any damage to public transport infrastructure must be rectified to the satisfaction of the Public Transport Victoria at the full cost of the permit holder.

VicRoads Conditions (Conditions 25 to 27)

- 25 Before the use approved by this permit commences the following roadworks on Church Street, Richmond must be completed at no cost to and to the satisfaction of the Roads Corporation:
- (a) The provision of Keep Clear line-marking at the intersection of Church Street and Shamrock Street, Richmond.
- 26 Prior to the commencement of the development, excluding demolition works, an Engineering report from a suitably qualified Engineer outlining the design, management and construction techniques to be implement prior, during and following excavation to prevent any impact on the Burnley Tunnel is to be submitted to VicRoads and CityLink for approval. Once approved, the Engineering Report will form part of the planning permit. Without limiting the scope of the report, it must consider all relevant structural and geotechnical issues, including, but not limited to, demonstrating:
- (a) That the development will not compromise the structural integrity of the Burnley Tunnel;
 - (b) What is the load applied to the ground by the development;
 - (c) What is the depth of the excavation;
 - (d) That the development will not cause changes to groundwater conditions that will result in adverse effect on the Burnley Tunnel.
 - (e) Any holding points requiring VicRoads and CityLink inspection and approval prior to releasing the hold points.
- 27 Prior to the commencement of and during the course of construction the following details must be submitted to the satisfaction of VicRoads and CityLink for approval:
- (a) Initial groundwater level;
 - (b) Expected and confirmation of actual flows and total volume drained during the construction of the basement;
 - (c) if the completed basement is tanked or drained;
 - (d) If drained, confirm flow rate into the basement and the height and extent of the permanent lowering of the watertable.
 - (e) Temporary or permanent groundwater drawdown greater than 2 metres below existing levels requires the developer to demonstrate the impact of the proposed development on the regional groundwater regime. The developer shall describe how groundwater drawdown will be managed, and demonstrate that there will be an insignificant impact on CityLink assets.

Road Infrastructure

- 28 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 no cost to the Responsible Authority (inclusive of the cost of modifying any parking signs or road markings for parking bays (where required)); and
 - (b) to the satisfaction of the Responsible Authority.
- 29 Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any roads, footpaths and other road related infrastructure adjacent to the development site damaged as a result of the construction works, including trenching and excavation for utility service connections must be reconstructed and re-sheeted as single full width areas (with any areas of pavement failure as a consequence of construction traffic must be reinstated with full depth pavement):
- (a) at no cost to the Responsible Authority; and
 - (b) to the satisfaction of the Responsible Authority.
- 30 Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the footpath immediately outside the subject site's the Brighton Street, Shamrock Street and Church Street road frontages must be reconstructed:
- (a) with the footpath having a cross-fall of 1 in 40 or unless otherwise specified by Council;
 - (b) at no cost to the Responsible Authority; 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, the kerb and channel along the Brighton Street and Church Street road frontages are to be reconstructed:
- (a) at no cost to the Responsible Authority; 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, the full width of Shamrock Street along the development frontage must be profiled (grinded to a depth of 50mm) and re-sheeted:
- (a) at no cost to the Responsible Authority; and
 - (b) to the satisfaction of the Responsible Authority.
- 33 Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the new vehicular crossing on the west side of Brighton Street and the new vehicle crossing on the properties Shamrock Street road frontage must be constructed:
- (a) to satisfy the vehicle ground clearance requirements for the B99 design vehicle;
 - (b) at no cost to the Responsible Authority; and
 - (c) to the satisfaction of the Responsible Authority.

Streetscape Improvement Plan

- 34 Before the development commences, or by such later date as approved in writing by the Responsible Authority, a Streetscape Improvement plan for the development's Shamrock Street frontage (inclusive of the widening of Shamrock Street) to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority.
- 35 Before the building is occupied, all works associated with the Streetscape Improvement plan as shown on the endorsed plans and Streetscapes Improvement plan (referred to in Condition 33) must be fully constructed and completed by the permit holder, at no cost to the Responsible Authority and to the satisfaction of the Responsible Authority.
- 36 Before the development commences, an amended Drainage Investigation report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Drainage Investigation will be endorsed and will form part of this permit. The amended Drainage Investigation must be generally in accordance with the Drainage Investigation prepared by Northrop Pty Ltd prepared on 31 January 2019, but modified to include (or show, or address):
- (a) a plan showing the location of the pits referenced in the CCTV report prepared by Rapid Cam dated 2 November 2018;
 - (b) the use of a back-up system such as a flood gate at the driveway or an internal pump system which discharges to Church Street through the property stormwater; and
 - (c) an updated flood risk assessment using a 200mm diameter pipe to determine if this will affect the flood level results.

Widened section of Shamrock Street

- 37 Before the development commences, the design of the widened section of Shamrock Street must be prepared by an independent and suitably qualified engineering professional to the satisfaction of the Responsible Authority and in consultation with the Responsible Authority. The design must be submitted to and approved by the Responsible Authority. The design of the widening of Shamrock Street must provide details including pavement widths, surface treatment, road infrastructure items, landscaping (where applicable) and drainage (including the installation of any additional drainage pits and associated connecting drainage to the satisfaction of the Responsible Authority).
- 38 Before the building is occupied, all works associated with the widening of Shamrock Street (referred to in Condition 36) must be carried out, at the permit holder's cost and to the satisfaction of the Responsible Authority.
- 39 Within six months of the commencement of works, the owner (or another person in anticipation of becoming the owner) must enter into an agreement with the Responsible Authority under section 173 of the *Planning and Environment Act* 1987, providing for the following:
- (a) The Owner must provide unfettered 24 hour public access over (and inclusive of the provision of lighting) over that part of the land to be used for the widened section of Shamrock Street between Church Street and the eastern boundary of the development's Shamrock Street frontage;
 - (b) The owner is responsible for maintaining at all times the areas that are private land open to the public described in condition 38(a) at the cost of the owners of the site and to the satisfaction of the Yarra City Council;

- (c) The owner(s) must obtain and maintain insurance, approved by Yarra City Council, for the public liability and indemnify Yarra City Council against all claims resulting from any damage, loss, death or injury in connection with the public accessing the land described in condition 38(a).

40 The owner, or other person in anticipation of becoming the owner, must meet all of the expenses of the preparation and registration of the agreement, including the reasonable costs borne by the Responsible Authority.

Car parking

41 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 management of any visitor car parking spaces and security arrangements for occupants of the development, including details on how visitors are to access car parking;
- (b) details of way-finding, cleaning and security of end of trip bicycle facilities;
- (c) the number and allocation of storage spaces;
- (d) any policing arrangements and formal agreements;
- (e) 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;
- (f) the collection of waste and garbage including the separate collection of organic waste and recyclables, which must be in accordance with the Waste Management Plan required by Condition 10; and
- (g) details regarding the management of loading and unloading of goods and materials.

42 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.

43 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,

all to the satisfaction of the Responsible Authority.

- 44 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

- 45 Before the development is occupied, an amended Green Travel Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Green Travel plan will be endorsed and will form part of this permit. The amended Green Travel Plan must be generally in accordance with the Green Travel Plan prepared by Impact Traffic Engineering prepared on 2 July 2018, but modified to include (or show, or address):
- (a) deletion of any language such as ‘could be introduced’ and instead of ‘should’ or otherwise committing to a particular action;
 - (b) the Action Plan at Appendix A to references to all actions included in the report, including any carpooling actions;
 - (c) the promotion of various public transport smartphone apps such as the Public Transport Victoria app and/or train or tram tracker;
 - (d) a description of the location in the context of alternative modes of transport;
 - (e) employee welcome packs (e.g. provision of Myki/transport ticketing);
 - (f) the provision of real time passenger information displays for nearby stops within each lobby;
 - (g) sustainable transport goals linked to measurable targets, performance indicators and monitoring timeframes;
 - (h) a designated ‘manager’ or ‘champion’ responsible for coordination and implementation;
 - (i) details of bicycle parking and bicycle routes;
 - (j) details of GTP funding and management responsibilities;
 - (k) the types of bicycle storage devices proposed to be used for employee and visitor spaces (i.e. hanging or floor mounted spaces);
 - (l) the types of lockers proposed within the change-room facilities, with at least 50% of lockers providing hanging storage space;
 - (m) security arrangements to access the employee bicycle storage spaces;
 - (n) signage and wayfinding information for bicycle facilities and pedestrians pursuant to Australian Standard AS2890.3;
 - (o) reference to a minimum 40A single phase electrical sub circuit should be installed to the car park areas for ‘EV readiness’; and
 - (p) provisions for the Green Travel Plan to be updated not less than every 5 years.
- 46 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

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

General

- 48 Finished floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.
- 49 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.
- 50 The use and development must comply at all times with the State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N-1).
- 51 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.
- 52 All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
- 53 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.
- 54 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

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

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

In preparing the Noise and Vibration Management Plan, consideration must be given to:

- (i) using lower noise work practice and equipment;
- (ii) the suitability of the land for the use of an electric crane;
- (iii) silencing all mechanical plant by the best practical means using current technology;
- (iv) fitting pneumatic tools with an effective silencer;
- (v) other relevant considerations; and
- (vi) any site-specific requirements.

During the construction:

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

Time expiry

56 This permit will expire if:

- (a) the development is not commenced within two years of the date of this permit; or
- (b) the development is not completed within four years of the date of this permit; or
- (c) the child care centre use has not commenced within five years of the date of this permit.

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

Submissions

Will Pearce of Human Habitats addressed the Committee on behalf of the applicant.

The following people also addressed the Committee:

Melanie Evans
Anna Bennett
Nicolas Voelcker
Zoe Crawford
Chris Bonnici
Grant Smith
Susan Davis
Jason Mansfield

INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION

Moved: Councillor Nguyen

Seconded: Councillor Coleman

That with respect to Planning Permit PLN18/0328, Council resolves to advise the Victorian Civil and Administrative Tribunal, the Permit Applicant and all parties that it does not support the substituted amended plans, and that if it were in a position to, it would have issued a Notice of Refusal for the use and development of the land for the construction of three mixed use buildings (including a childcare centre), reduction in car parking requirement, and alteration of access and building and works to a Road Zone Category 1 Road at 459 – 471 Church Street and 20-26 Brighton Street, Richmond, on the following grounds:

1. The scale, height and massing of the buildings will dominate the surrounding streetscape of Church, Shamrock and Brighton Streets, will dominate the wider heritage place and is contrary to policy at clauses 15.01-1S, 15.01-2S, 21.05-2, 22.10-3.2, 22.10-3.3 and the design objectives of Schedule 2 of the Design and Development Overlay.
2. The development will unreasonably impact on the amenity of the area.
3. The proposal results in unreasonable visual bulk impacts and inequitable development opportunities for the site to the east at No. 16 Brighton Street.
4. The proposal does not provide for a pedestrian friendly environment along Shamrock Street and does not provide for sufficient public realm improvements.

CARRIED UNANIMOUSLY

The meeting closed at 8.29pm.

Confirmed at the meeting held on Wednesday 27 March 2019

Chair