



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

**held on Wednesday 11 December 2019 at 6.30pm
in Meeting Rooms 1 & 2 at the Richmond Town Hall**

I. ATTENDANCE

Councillor Stephen Jolly
Councillor James Searle

Sarah Griffiths (Senior Co-ordinator Statutory Planning)
Michelle King (Acting Principal Planner)
Cindi Johnston (Governance Officer)

II. APOLOGIES AND LEAVE OF ABSENCE

Councillor Bridgid O'Brien

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

IV. CONFIRMATION OF MINUTES

Internal Development Approvals Committee Resolution:

Moved: Councillor Jolly **Seconded:** Councillor Searle

That the minutes of the meeting of the Internal Development Approvals Committee held on Wednesday 20 November 2019 be confirmed.

CARRIED

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***"Welcome to the City of Yarra.
Yarra City Council acknowledges the
Wurundjeri Woi-wurrung 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."***

Internal Development Approvals Committee Submissions

“Prior to the consideration of any Committee Business Report at a meeting of the Internal Development Approvals Committee, members of the public shall be invited by the Chairperson to make a verbal submission. In determining the order of submissions, the Chairperson shall first invite the applicant or their representatives to submit, followed by formal objectors and finally any other interested persons.

All submitters accepting the invitation to address the meeting shall make submissions in accordance with these guidelines (or a variation of these guidelines as determined by the Chairperson at their sole discretion).

- Speak for a maximum of five minutes;
- Direct their submission to the Chairperson;
- Confine their submission to the planning permit under consideration;
- If possible, explain their preferred decision in relation to a permit application (refusing, granting or granting with conditions) and set out any requested permit conditions.
- Avoid repetition and restating previous submitters;
- Refrain from asking questions or seeking comments from the Councillors, applicants or other submitters;
- If speaking on behalf of a group, explain the nature of the group and how the submitter is able to speak on their behalf.

Following public submissions, the applicant or their representatives will be given a further opportunity of two minutes to exercise a right of reply in relation to matters raised by previous submitters. Applicants may not raise new matters during this right of reply.

Councillors will then have an opportunity to ask questions of submitters. Submitters may determine whether or not they wish to take these questions.

Once all submissions have been received, the formal debate may commence. Once the debate has commenced, no further submissions, questions or comments from submitters can be received.”

Extract from the Council Meeting Operations Policy, September 2019

Councillor Jolly nominated Councillor Searle as Chair.

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

Councillor Searle assumed the Chair.

1 INTERNAL DEVELOPMENT APPROVALS COMMITTEE

Item		Page	Res. Page
1.1	PLN19/0281 - 653 Nicholson Street Carlton North - Planning Permit Application for buildings and works and the sale of liquor for consumption on and off premises (general licence) associated with the use of the premises as a bar (an as-of-right use in the zone) with live-music.	6	9
1.2	PLN19/0109 - 23-25 Gipps Street, Collingwood - Buildings and works to construct a four storey addition above the first floor car park to the rear of the existing building (overall height of six storeys) and a reduction in car parking requirements associated with an office (no permit required for use)	10	15

1.1 PLN19/0281 - 653 Nicholson Street Carlton North - Planning Permit Application for buildings and works and the sale of liquor for consumption on and off premises (general licence) associated with the use of the premises as a bar (an as-of-right use in the zone) with live-music.

Reference: D19/222458

Authoriser: Senior Co-ordinator 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 PLN19/0281 for buildings and works and the sale of liquor for consumption on and off premises (general licence) associated with the use of the premises as a bar (an as-of-right use in the zone) with live-music, at 653 Nicholson Street Carlton North VIC 3054, generally in accordance with the "decision plans: and subject to the following conditions:

Sale and consumption of liquor

1. The sale and consumption of liquor 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.
2. Except with the prior written consent of the Responsible Authority, the on and off-premises sale and consumption of liquor may only occur between the following hours:
 - (a) Sunday to Thursday 11.00am to 11.00pm
 - (b) Friday to Saturday 11.00am to 1.00am (the following day)
 - (c) The rear courtyard to close at 10.00pm seven (7) days a week (other than to use the toilet facilities)
3. No more than a maximum of 100 patrons are permitted on the premises, with no more than 57 patrons in the rear courtyard at any one time, liquor is being sold or consumed.
4. After 10.00pm on any night, no more than 57 patrons are permitted on premises (within the internal bar area) at any one time.
5. The roller door (at the rear of the site, abutting the ROW) to be closed at all times during licensed hours.
6. After 10.00pm, no music to be played within the rear courtyard.
7. Before the commencement of the sale and consumption of liquor, the applicant must, to the satisfaction of the Responsible Authority, display a sign at the exit of the licensed premises advising patrons to respect the amenity of adjacent uses and to leave in a quiet and orderly manner.
8. The amenity of the area must not be detrimentally affected by the use, including through:
 - (a) the transport of materials, goods or commodities to or from land;
 - (b) the appearance of any buildings, works or materials;
 - (c) the emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil; or
 - (d) the presence of vermin;

to the satisfaction of the Responsible Authority.

9. The use must comply at all times with the State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N-1).
10. The use must comply at all times with the State Environment Protection Policy – Control of Music Noise from Public Premises (SEPP N-2).
11. Prior to the commencement of the licensed premises authorised by this permit, a Noise Limiter must be installed on the land. The Noise Limiter must:
 - (a) be set at a level specified by a qualified acoustic engineer;
 - (b) be used at all times (when background music is played and when amplified / live music is being played);
 - (c) ensure the emission of noise from amplified music does not exceed the levels specified in the State Environment Protection Policy – Control of Music Noise from Public Premises (SEPP N-2); and
 - (d) be maintained and operated at all times.

to the satisfaction of the Responsible Authority.

12. Before the sale and consumption of liquor 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 Acoustic Report will be endorsed and will form part of this permit. The amended Acoustic Report must be generally in accordance with the Acoustic Report prepared by Renzo Tonin & Associates dated 01 July 2019, but modified to include of the following:
 - (a) Commitment to the noise limiter being commissioned and locked by a suitably qualified acoustic consultant to ensure that its use results in SEPP N-2 compliance, including when the venue has doors and windows open.
 - (b) Commitment that all amplified music will go through the noise limiter.
13. The provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.
14. Within 3 months of the commencement of the sale and consumption of liquor, an Acoustic Report to the satisfaction of the Responsible Authority must be prepared by a suitably qualified acoustic engineer and must be submitted to and approved by the Responsible Authority. When approved, the Acoustic Report will be endorsed and will form part of this permit.

The acoustic report must assess the compliance of the venue and, where necessary, make recommendations to limit the noise impacts in accordance with the 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.

15. Before the commencement of the sale and consumption of liquor, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating the rear external area, toilets and front external area must be provided within the property boundary. Lighting must be:
 - (a) located;
 - (b) directed;
 - (c) shielded; and
 - (d) of limited intensity

to the satisfaction of the Responsible Authority.

16. Before the sale and consumption of liquor commences, an amended Noise and Amenity Action Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Noise and Amenity Action Plan will be endorsed and will form part of this permit. The amended Noise and Amenity and Action Plan must be generally in accordance with the Noise and Amenity Action Plan prepared by Moosa Bar and received by Council on 02 July 2019, but modified to include the following:
 - (a) Detail how the number of patrons will be reduced to 57 prior to the close of the rear courtyard at 10.00pm.
 - (b) Details of how the rear courtyard will be closed to patrons after 10.00pm (except for the use of the toilets) and methods to ensure patrons do not use the rear courtyard after 10.00pm.
 - (c) Clarify how patrons walking through the rear courtyard after 10.00pm to use the toilet facilities will be managed.
17. The provisions, recommendations and requirements of the endorsed Noise and Amenity Action Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
18. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
19. Except with the prior written consent of the Responsible Authority, the collection of waste by a private contractor must not occur after 10pm on any day, before 7am Monday to Saturday, or before 9am on a Sunday or public holiday.
20. Except with the prior written consent of the Responsible Authority, delivery and collection of goods to and from the land must not occur after 10pm on any day, before 8am Monday to Saturday, or before 9am on a Sunday or public holiday.
21. Except with the prior written consent of the Responsible Authority, emptying bottles into bins in outdoor areas must not occur after 10pm on any day, before 7am Monday to Saturday, or before 9am on a Sunday or public holiday.

Buildings and works

22. The development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
23. Prior to the commencement of the sale and consumption of liquor, all works must be completed to the satisfaction of the Responsible Authority.
24. Within 2 months of the completion of the development, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated:
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
25. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
 - (a) before 7 am or after 6 pm, Monday-Friday (excluding public holidays);

- (b) before 9 am or after 3 pm, Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday); or
- (c) at any time on Sundays, ANZAC Day, Christmas Day and Good Friday.

Expiry

26. This permit will expire if:

- (a) the sale and consumption of liquor is not commenced within two years from the date of this permit;
- (b) the sale and consumption of liquor is discontinued for a period of two years;
- (c) the development is not commenced within six (6) months from the date of this permit; or
- (d) the development is not completed prior to the commencement of the sale and consumption of liquor.

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.

NOTES:

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

A building permit may be required before development is commenced. Please contact Council's Building Services on 9205 5428 to confirm.

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

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

Submissions

Mr James Permasel addressed the Committee on behalf of the Applicant.

Mr Anthony Doyle also addressed the Committee.

INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION

Moved: Councillor Jolly

Seconded: Councillor Searle

That the Recommendation be adopted.

CARRIED UNANIMOUSLY

1.2 PLN19/0109 - 23-25 Gipps Street, Collingwood - Buildings and works to construct a four storey addition above the first floor car park to the rear of the existing building (overall height of six storeys) and a reduction in car parking requirements associated with an office (no permit required for use)

Reference: D19/176712

RECOMMENDATION

That having considered all objections and relevant planning documents, the Committee resolves to issue a Notice of Decision to Grant a Planning Permit (PLN18/0109) for development of the site for buildings and works to construct a multi-storey addition and a reduction in car parking requirements at 23-25 Gipps Street, Collingwood subject to the following conditions:

1. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions, and three copies must be provided. The plans must be generally in accordance with the decision plans, project number 19005, drawn by office, received by Council on 11 October 2019, but modified to show:
 - (a) All floor plans to be shown in relation to all title boundaries, with minimum and maximum setbacks dimensioned.
 - (b) The planter boxes along the perimeter of the level one car parking to provide climbing plants, in lieu of shrubs.
 - (c) The employee bicycle spaces within a secure and lockable compound.
 - (d) The provision of four visitor bicycle spaces on-site.
 - (e) A notation included identifying that the employee bicycle spaces will be the 'Cora Bike Rack – E3ST & E3GP' model.
 - (f) The on-street bicycle hoops located parallel to the curb and positioned outside of the 'car door zones' of adjacent on-street car parking bays, in accordance with Council's requirements for 'street furniture, bicycle hoops'.
 - (g) A materials and finishes schedule should be provided, including a sample board and coloured drawings outlining colours, materials and finishes of all building elements including screening to rooftop plant.
 - (h) The location of the 20,000 litre water tank with end uses annotated.
 - (i) Any changes to the plans as a result of the amended Sustainable Management Plan required at Condition 4.
 - (j) Any changes to the plans as a result of the amended Landscape Plan required at Condition 6.
 - (k) Any changes to the plans as a result of the amended Green Travel Plan required at Condition 8.
2. The development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
3. Before the building is occupied, any wall located on a boundary facing public property must be treated with a graffiti proof finish to the satisfaction of the Responsible Authority.

Sustainable Management Plan

4. 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 Frater dated 3 October 2019, but modified to include or show:

- (a) In respect of the mechanical exhaust system, demonstration that outside air is provided at rates that exceed the requirements of AS 1668.2-1991 by at least 50% OR if natural ventilation is provided.
 - (b) More information on what type of HVAC system is to be provided.
5. The provisions, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Landscape Plan

6. 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 Davidson Design Studio, dated 12/04/2019, but modified to include:
- (a) Revised to accord with the updated scheme with respect to Condition 1 (a).
7. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the landscaping works shown on the endorsed Landscape Plan must be carried out and completed to the satisfaction of the Responsible Authority. The landscaping shown on the endorsed Landscape Plan must be maintained by:
- (a) implementing and complying with the provisions, recommendations and requirements of the endorsed Landscape Plan;
 - (b) not using the areas set aside on the endorsed Landscape Plan for landscaping for any other purpose; and
 - (c) replacing any dead, diseased, dying or damaged plants,

to the satisfaction of the Responsible Authority.

Green Travel Plan

8. Before the development commences, an amended Green Travel Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Green Travel Plan will be endorsed and will form part of this permit. The amended Green Travel Plan must be generally in accordance with the Green Travel Plan prepared by TTM Consulting, dated 29.04.2019, but modified to include or show:
- (a) Updated to accord with the amendments to the plans made 11 October 2019 and the requirements of condition 1, where relevant.
 - (b) Employee welcome packs (e.g. provision of Myki/transport ticketing).
 - (c) Details of bicycle parking.
 - (d) The types of bicycle storage devices proposed to be used for employee, resident and visitor spaces (i.e. hanging or floor mounted spaces).
 - (e) The types of lockers proposed within the change room facilities, with at least 50 per cent of lockers providing hanging storage space.
 - (f) Security arrangements to access the employee bicycle storage spaces.
 - (g) Signage and wayfinding information for bicycle facilities and pedestrians pursuant to Australian Standard AS2890.3.
 - (h) Provisions for the green travel plan to be updated not less than every five years.

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

Waste Management Plan

10. The provisions, recommendations and requirements of the endorsed Waste Management Plan (prepared by Frater and dated 03.10.2019) must be implemented and complied with to the satisfaction of the Responsible Authority.
11. The collection of waste from the site must be by private collection, unless with the prior written consent of the Responsible Authority.

Car Parking

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

to the satisfaction of the Responsible Authority.

Lighting

13. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating access to the 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.

Infrastructure

14. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority the relocation of any service poles, structures or pits necessary to facilitate the development must be undertaken:
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
15. 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.
16. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, five bike racks must be installed along the Gipps Street frontage:
- (a) at the permit holder's cost; and
 - (b) in a location and manner,
- to the satisfaction of the Responsible Authority.

General

- 17. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.
- 18. Finished floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.
- 19. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
- 20. 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.
- 21. All redundant property drains are to be removed and reinstated with paving, kerb and channel to Council's satisfaction and at the Permit Holder's cost.
- 22. 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).
- 23. 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.

Construction Management Plan

- 24. 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.

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.
25. The provisions, recommendations and requirements of the endorsed Construction Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
26. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
- (a) Monday-Friday (excluding public holidays) before 7 am or after 6 pm;
 - (b) Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday) before 9 am or after 3 pm;
 - (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.

27. 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.

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

Notes:

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

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

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

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

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

Submission

Mr Shem Curry addressed the Committee on behalf of the Applicant.

INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION

Moved: Councillor Jolly

Seconded: Councillor Searle

That having considered all objections and relevant planning documents, the Committee resolves to issue a Notice of Decision to Grant a Planning Permit (PLN18/0109) for development of the site for buildings and works to construct a multi-storey addition and a reduction in car parking requirements at 23-25 Gipps Street, Collingwood subject to the following conditions:

1. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions, and three copies must be provided. The plans must be generally in accordance with the decision plans, project number 19005, drawn by office, received by Council on 11 October 2019, but modified to show:
 - (a) All floor plans to be shown in relation to all title boundaries, with minimum and maximum setbacks dimensioned.
 - (b) The planter boxes along the perimeter of the level one car parking to provide climbing plants, in lieu of shrubs.
 - (c) The employee bicycle spaces within a secure and lockable compound.
 - (d) The provision of four visitor bicycle spaces on-site.

- (e) A notation included identifying that the employee bicycle spaces will be the 'Cora Bike Rack – E3ST & E3GP' model.
- (f) The on-street bicycle hoops located parallel to the curb and positioned outside of the 'car door zones' of adjacent on-street car parking bays, in accordance with Council's requirements for 'street furniture, bicycle hoops'.
- (g) A materials and finishes schedule should be provided, including a sample board and coloured drawings outlining colours, materials and finishes of all building elements including screening to rooftop plant.
- (h) The location of the 20,000 litre water tank with end uses annotated.
- (i) Any changes to the plans as a result of the amended Sustainable Management Plan required at Condition 4.
- (j) Any changes to the plans as a result of the amended Landscape Plan required at Condition 6.
- (k) Any changes to the plans as a result of the amended Green Travel Plan required at Condition 8.
- (l) The installation of circuits that can handle EV charging.

- 2. The development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
- 3. Before the building is occupied, any wall located on a boundary facing public property must be treated with a graffiti proof finish to the satisfaction of the Responsible Authority.

Sustainable Management Plan

- 4. 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 Frater dated 3 October 2019, but modified to include or show:
 - (a) In respect of the mechanical exhaust system, demonstration that outside air is provided at rates that exceed the requirements of AS 1668.2-1991 by at least 50% OR if natural ventilation is provided.
 - (b) More information on what type of HVAC system is to be provided.
- 5. The provisions, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Landscape Plan

- 6. 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 Davidson Design Studio, dated 12/04/2019, but modified to include:
 - (a) Revised to accord with the updated scheme with respect to Condition 1 (a).
- 7. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the landscaping works shown on the endorsed Landscape Plan must be carried out and completed to the satisfaction of the Responsible Authority. The landscaping shown on the endorsed Landscape Plan must be maintained by:

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

to the satisfaction of the Responsible Authority.

Green Travel Plan

8. Before the development commences, an amended Green Travel Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Green Travel Plan will be endorsed and will form part of this permit. The amended Green Travel Plan must be generally in accordance with the Green Travel Plan prepared by TTM Consulting, dated 29.04.2019, but modified to include or show:
- (a) Updated to accord with the amendments to the plans made 11 October 2019 and the requirements of condition 1, where relevant.
 - (b) Employee welcome packs (e.g. provision of Myki/transport ticketing).
 - (c) Details of bicycle parking.
 - (d) The types of bicycle storage devices proposed to be used for employee, resident and visitor spaces (i.e. hanging or floor mounted spaces).
 - (e) The types of lockers proposed within the change room facilities, with at least 50 per cent of lockers providing hanging storage space.
 - (f) Security arrangements to access the employee bicycle storage spaces.
 - (g) Signage and wayfinding information for bicycle facilities and pedestrians pursuant to Australian Standard AS2890.3.
 - (h) Provisions for the green travel plan to be updated not less than every five years.
9. The provisions, recommendations and requirements of the endorsed Green Travel Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Waste Management Plan

10. The provisions, recommendations and requirements of the endorsed Waste Management Plan (prepared by Frater and dated 03.10.2019) must be implemented and complied with to the satisfaction of the Responsible Authority.
11. The collection of waste from the site must be by private collection, unless with the prior written consent of the Responsible Authority.

Car Parking

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

to the satisfaction of the Responsible Authority.

Lighting

13. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating access to the 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.

Infrastructure

14. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority the relocation of any service poles, structures or pits necessary to facilitate the development must be undertaken:
- (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
15. 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.
16. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, five bike racks must be installed along the Gipps Street frontage:
- (a) at the permit holder's cost; and
 - (b) in a location and manner,
- to the satisfaction of the Responsible Authority.

General

17. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.
18. Finished floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.
19. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
20. 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.
21. All redundant property drains are to be removed and reinstated with paving, kerb and channel to Council's satisfaction and at the Permit Holder's cost.

22. 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).
23. 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.

Construction Management Plan

24. 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.

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.
25. The provisions, recommendations and requirements of the endorsed Construction Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
26. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
- (a) Monday-Friday (excluding public holidays) before 7 am or after 6 pm;
 - (b) Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday) before 9 am or after 3 pm;
 - (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.
27. 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.

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

Notes:

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

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

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

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

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

CARRIED UNANIMOUSLY

The meeting closed at 7.01pm.

Confirmed at the meeting held on Wednesday 18 December 2019

Chair