



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

**held on Wednesday 18 December 2019 at 6.30pm
in Meeting Rooms 1 & 2 at the Richmond Town Hall**

I. ATTENDANCE

Councillor Amanda Stone
Councillor Jackie Fristacky
Councillor Mi-Lin Chen Yi Mei

Amy Hodgen (Co-ordinator Statutory Planning)
Michelle King (Acting Principal Planner)
Cindi Johnston (Governance Officer)

II. APOLOGIES AND LEAVE OF ABSENCE

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

IV. CONFIRMATION OF MINUTES

Internal Development Approvals Committee Resolution:

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

That the minutes of the meeting of the Internal Development Approvals Committee held on Wednesday 11 December 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 Chen Yi Mei nominated Councillor Fristacky as Chair.

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

Councillor Fristacky assumed the Chair.

1 INTERNAL DEVELOPMENT APPROVALS COMMITTEE

| Item | | Page | Res. Page |
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| 1.1 | PLN19/0432 - 141 - 147 Queens Parade Clifton Hill - Partial demolition of the existing building for buildings and works to the façade and roof service platform, construct and display of internally illuminated business identification signs and reduction in the car parking requirement associated with the use of the land as a supermarket and bottle shop (no permit required for use) | 6 | 9 |
| 1.2 | PLN18/0468 - 14 Boyd Street, Richmond - Construction of a three storey dwelling and a reduction of the car parking requirements | 13 | 15 |
| 1.3 | PLN18/0002 - 1-3 Harcourt Parade, Cremorne - Development of the land with a multi-level residential hotel, construction and display of major promotional electronic sign and removal of covenant 1818808 from lot 1 on plan of subdivision 408289Y. | 18 | 30 |
| 1.4 | 100 Little Charles Street, Abbotsford VIC 3067 - Planning Permit Application No. PLN19/0178 Demolition of existing buildings and construction of a double-storey dwelling with roof deck | 42 | 44 |

1.1 PLN19/0432 - 141 - 147 Queens Parade Clifton Hill - Partial demolition of the existing building for buildings and works to the façade and roof service platform, construct and display of internally illuminated business identification signs and reduction in the car parking requirement associated with the use of the land as a supermarket and bottle shop (no permit required for use)

Reference: D19/228697

Authoriser: Senior Coordinator Statutory Planning

RECOMMENDATION

That having considered all objections and relevant planning documents, the Committee resolves to issue a Notice of Decision to Grant a Permit PLN19/0432 for partial demolition of the existing building for buildings and works to the façade and roof services platform, construct and display of internally illuminated business identification signs and reduction in the car parking requirement associated with the use of the land as a supermarket and bottle shop (no permit required for use) at 141 – 147 Queens parade Clifton Hill subject to the following conditions:

1. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions, and three copies must be provided. The plans must be generally in accordance with the decision plans, prepared by TRG Revision 3 dated 17/6/2019, but modified to show;
 - (a) the removal of all existing signage/boards on the existing/demolition plan;
 - (b) the external paint colour of the heritage building must be one colour, and modified to be Dulux 'Gentle Calm Quarter';
 - (c) Sign 2 and 3a deleted, or modified to be non-illumination or externally illuminated with small discrete spotlights;
 - (d) Sign 3B deleted or repositioned centrally over the window opening closest to the corner door opening;
 - (e) deletion of tiled wall finish to the street frontages of the double storey building;
 - (f) removal of the note stating *"all first floor windows to be tinted with an applied film, colour TBC"*;
 - (g) car parking to be nominated as for staff use only;
 - (h) the existing bollard and western most wheel stop within the carpark to be removed;
 - (i) open style railing for the rooftop walkway associated with the services deck;
 - (j) the walkway associated with the services deck constructed at roof level, with the exception of stairs servicing the services deck;
 - (k) any changes as required by the endorsement of the Delivery Vehicle Management Plan; and
 - (l) any changes as required by the endorsement of the Waste Management Plan.
2. The development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.

Loading and Unloading

3. All loading and unloading must be conducted within title boundaries and no vehicle larger than an 8.9m medium rigid vehicle is to be used.

4. Before the development commences, a Delivery Vehicle Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The Delivery Management Plan must include, but not limited to, the following information:
 - (a) delivery times, these time must be outside of peak hour times and School pickup/drop off times, or otherwise agreed to by the Responsible Authority;
 - (b) management of delivery vehicles during a vehicle's entry and exit into and out of the site from Gold Street;
 - (c) provision of a map/plan that shows the truck route to be used by delivery vehicles. The route taken to approach and leave the site must be from the nearest Arterial Road (Queens Parade). Truck access in local roads are to be minimised where possible;
 - (d) Swept Path Diagram for the exit movements. The diagrams are to show the complete turning movement path of an 8.95 metre long delivery truck exiting the site and turning into Gold Street. The diagram is to also include all existing road markings, traffic islands, and on-street parking in Gold Street;
 - (e) an analysis on how delivery vehicles will exit the site from the Right of Way when there is a traffic queue in the north-bound lanes of Gold Street; and
 - (f) the western most car park to be nominated as to be used for small cars only.

Once approved, the Delivery Vehicle Management Plan will be endorsed and will form part of this permit.

5. 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.

Waste Management

6. Before the development commences, a Waste Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. Once approved, the Waste Management Plan will be endorsed and will form part of this permit.
7. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
8. The collection of waste from the site must be by private collection, unless with the prior written consent of the Responsible Authority.

Signage

9. The location and details of the signs, including the supporting structure, 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.
10. The signs must be constructed, displayed and maintained to the satisfaction of the Responsible Authority.
11. The signs must not include any flashing or intermittent light.
12. External sign lighting must be designed, baffled and located to the satisfaction of the Responsible Authority.

General

13. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
14. The development must comply at all times with the State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N-1).
15. The development must comply at all times with the State Environment Protection Policy – Control of Music Noise from Public Premises (SEPP N-2).
16. 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) Saturday and public holidays (other than ANZAC Day, Christmas Day and Good Friday) before 9 am or after 3 pm; or
 - (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.

Expiry

17. 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 signs are not erected within 2 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.

18. The signage component of this permit expires 15 years from the date of the permit.

Notes:

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

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

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

Submissions

Mr Ken Warddell addressed the Committee on behalf of the Applicant.
The Applicant, Ms Amy Carlson also addressed the Committee.

The following people also addressed the Committee:

Mr George Nassios;
Ms Catherine Nassios; and
Ms Suzanne Hunt-Tuzo

INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION

Moved: Councillor Stone

Seconded: Councillor Chen Yi Mei

That having considered all objections and relevant planning documents, the Committee resolves to issue a Notice of Decision to Grant a Permit PLN19/0432 for partial demolition of the existing building for buildings and works to the façade and roof services platform, construct and display of internally illuminated business identification signs and reduction in the car parking requirement associated with the use of the land as a supermarket and bottle shop (no permit required for use) at 141 – 147 Queens parade Clifton Hill subject to the following conditions:

1. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions, and three copies must be provided. The plans must be generally in accordance with the decision plans, prepared by TRG Revision 3 dated 17/6/2019, but modified to show;
 - (a) the removal of all existing signage/boards on the existing/demolition plan;
 - (b) the external paint colour of the heritage building must be one colour, and modified to be Dulux 'Gentle Calm Quarter';
 - (c) Sign 2, 3a and 3b deleted, or modified to be non-illumination or externally illuminated with small discrete spotlights;
 - (d) Sign 3B deleted or repositioned centrally over the window opening closest to the corner door opening;
 - (e) deletion of tiled wall finish to the street frontages of the double storey building;
 - (f) removal of the note stating *"all first floor windows to be tinted with an applied film, colour TBC"*;
 - (g) car parking to be nominated as for staff use only;
 - (h) the existing bollard and western most wheel stop within the carpark to be removed;
 - (i) open style railing for the rooftop walkway associated with the services deck;
 - (j) the walkway associated with the services deck constructed at roof level, with the exception of stairs servicing the services deck;
 - (k) a minimum of 3 bicycle hoops on the Gold Street footpath adjacent the subject site. These hoops must be parallel to the kerb, be offset from the kerb by 0.6m, and must maintain a minimum 2.1m offset from the adjacent building line.
 - (l) any changes as required by the endorsement of the Delivery Vehicle Management Plan; and
 - (m) any changes as required by the endorsement of the Waste Management Plan.
2. The development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.

Graffiti proof walls

3. On the completion of the development, any walls located on a boundary facing public property must be treated with a graffiti proof finish to the satisfaction of the Responsible Authority.

Loading and Unloading

4. All loading and unloading must be conducted within title boundaries and no vehicle larger than an 8.9m medium rigid vehicle is to be used.

5. Before the development commences, a Delivery Vehicle Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The Delivery Management Plan must include, but not limited to, the following information:
 - (a) delivery times, these time must be outside of peak hour times and School pickup/drop off times (8 am – 9.30am and 2.30pm - 4pm) , or otherwise agreed to by the Responsible Authority;
 - (b) management of delivery vehicles during a vehicle's entry and exit into and out of the site from Gold Street;
 - (c) provision of a map/plan that shows the truck route to be used by delivery vehicles. The route taken to approach and leave the site must be from the nearest Arterial Road (Queens Parade). Truck access in local roads are to be minimised where possible;
 - (d) Swept Path Diagram for the exit movements. The diagrams are to show the complete turning movement path of an 8.95 metre long delivery truck exiting the site and turning into Gold Street. The diagram is to also include all existing road markings, traffic islands, and on-street parking in Gold Street;
 - (e) an analysis on how delivery vehicles will exit the site from the Right of Way when there is a traffic queue in the north-bound lanes of Gold Street;
 - (f) the western most car park to be nominated as to be used for small cars only; and
 - (g) the store manager must be present on-site during delivery times;
 - (h) safety barrier to be erected during deliveries; and
 - (i) erection of sightline mirrors within the car parking area.

Once approved, the Delivery Vehicle Management Plan will be endorsed and will form part of this permit.

6. The provisions, recommendations and requirements of the endorsed Delivery Vehicle Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
7. Delivery and collection of goods to and from the land may only occur between the following hours except for those allowed under any relevant local laws:
 - (a) 7am to 10pm Monday to Saturday; and
 - (b) 9am to 10pm on Sunday or public holiday.

Waste Management

8. Before the development commences, a Waste Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. Once approved, the Waste Management Plan will be endorsed and will form part of this permit.
9. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
10. The collection of waste from the site must be by private collection, unless with the prior written consent of the Responsible Authority.

Signage

11. The location and details of the signs, including the supporting structure, 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.
12. The signs must be constructed, displayed and maintained to the satisfaction of the Responsible Authority.
13. The signs must not include any flashing or intermittent light.
14. External sign lighting must be designed, baffled and located to the satisfaction of the Responsible Authority.

General

15. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
16. The development must comply at all times with the State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N-1).
17. The development must comply at all times with the State Environment Protection Policy – Control of Music Noise from Public Premises (SEPP N-2).
18. 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) Saturday and public holidays (other than ANZAC Day, Christmas Day and Good Friday) before 9 am or after 3 pm; or
 - (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.

Expiry

19. 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 signs are not erected within 2 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.

20. The signage component of this permit expires 15 years from the date of the permit.

Notes:

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

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

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

CARRIED UNANIMOUSLY

1.2 PLN18/0468 - 14 Boyd Street, Richmond - Construction of a three storey dwelling and a reduction of the car parking requirements

Reference: D19/178587

Authoriser: Senior Coordinator Statutory Planning

RECOMMENDATION

That a Notice of Decision to Grant a Planning Permit PLN18/0468 be issued for the Construction of a three storey dwelling and a reduction of the car parking requirements at 14 Boyd Street, Richmond, generally in accordance with the plans noted previously as the “decision plans” and subject to the following conditions:

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the plans dated 06/11/18, Job No: G1435, Revision H (TP04) and Revision I (TP05, TP06, TP07 and TP08), but modified to show:
 - (a) The first floor terrace to accord with the sketch plans received on 13 November 2019, dated 06/11/18, Job No: G1435, Revision J (TP05, TP06, TP07 and TP08).
 - (b) The 2000 litre rainwater tank referenced within the STORM Rating Report (Transaction ID: 836125) shown, with the end use (rainwater tank plumbed to all toilets) annotated.
 - (c) Details of the north-facing first floor blinds, ensuring the blinds are visually transparent or visually articulated when closed, with all blinds shown on the north elevation at all levels.
 - (d) Detailed diagrams demonstrating compliance with the objective of Clause 54.04-6 (Overlooking) from the:
 - (i) South-facing first floor terrace to the north-facing ground floor windows of No. 2 Glass Street.
 - (ii) East-facing first floor and second floor habitable room windows to the west-facing ground floor windows of No. 16 Glass Street.
 - (iii) East-facing second floor balcony to the west-facing ground floor windows of No. 16 Glass Street.

Any additional screening measures used to achieve compliance are to be shown.
2. The development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
3. Before the development commences, a Landscape Plan for the front setback 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) show the type, location, quantity, height at maturity and botanical names of all proposed plants;
 - (b) indicate the location of all areas to be covered by lawn or other surface materials; and
 - (c) provide a specification of works to be undertaken prior to planting,

to the satisfaction of the Responsible Authority.

4. Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, the landscaping works shown on the endorsed Landscape Plan must be carried out and completed to the satisfaction of the Responsible Authority. The landscaping shown on the endorsed Landscape Plan must be maintained by:
 - (a) implementing and complying with the provisions, recommendations and requirements of the endorsed Landscape Plan;
 - (b) not using the areas set aside on the endorsed Landscape Plan for landscaping for any other purpose; and
 - (c) replacing any dead, diseased, dying or damaged plants,to the satisfaction of the Responsible Authority.
5. Before the dwelling is occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating the dwelling access from the common property and dwelling entrance 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.
6. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the reclaimed footpath must be 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.
7. 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.
8. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
 - (a) Monday-Friday (excluding public holidays) before 7 am or after 6 pm,;
 - (b) Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday) before 9 am or after 3 pm; or
 - (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.
9. This permit will expire if:
 - (a) the development is not commenced within two years of the date of this permit; or
 - (b) the development is not completed within four years of the date of this permit.

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

Notes:

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

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

Submissions

Mr Vaughn Connor addressed the Committee on behalf of the Applicant.

The following people also addressed the Committee:

Mr Michael Phillipson; and
Mr Darren Head.

INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION

Moved: Councillor Chen Yi Mei

Seconded: Councillor Stone

That a Notice of Decision to Grant a Planning Permit PLN18/0468 be issued for the Construction of a three storey dwelling and a reduction of the car parking requirements at 14 Boyd Street, Richmond, generally in accordance with the plans noted previously as the "decision plans" and subject to the following conditions:

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the plans dated 06/11/18, Job No: G1435, Revision H (TP04) and Revision I (TP05, TP06, TP07 and TP08), but modified to show:
 - (a) The first floor terrace to accord with the sketch plans received on 13 November 2019, dated 06/11/18, Job No: G1435, Revision J (TP05, TP06, TP07 and TP08).
 - (b) The 2000 litre rainwater tank referenced within the STORM Rating Report (Transaction ID: 836125) shown, with the end use (rainwater tank plumbed to all toilets) annotated.
 - (c) Details of the north-facing first floor blinds, ensuring the blinds are visually transparent or visually articulated when closed, with all blinds shown on the north elevation at all levels.
 - (d) Detailed diagrams demonstrating compliance with the objective of Clause 54.04-6 (Overlooking) from the:
 - (i) South-facing first floor terrace to the north-facing ground floor windows of No. 2 Glass Street.
 - (ii) East-facing first floor and second floor habitable room windows to the west-facing ground floor windows of No. 16 Glass Street.
 - (iii) East-facing second floor balcony to the west-facing ground floor windows of No. 16 Glass Street.

Any additional screening measures used to achieve compliance are to be shown.

(e) The western on-boundary wall of the carport to be reduced in height to 1.8 metres or deleted and replaced with a 1.8 metre high timber paling fence.

2. The development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
3. Before the development commences, a Landscape Plan for the front setback 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) show the type, location, quantity, height at maturity and botanical names of all proposed plants;
 - (b) indicate the location of all areas to be covered by lawn or other surface materials; and
 - (c) provide a specification of works to be undertaken prior to planting,to the satisfaction of the Responsible Authority.
4. Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, the landscaping works shown on the endorsed Landscape Plan must be carried out and completed to the satisfaction of the Responsible Authority. The landscaping shown on the endorsed Landscape Plan must be maintained by:
 - (a) implementing and complying with the provisions, recommendations and requirements of the endorsed Landscape Plan;
 - (b) not using the areas set aside on the endorsed Landscape Plan for landscaping for any other purpose; and
 - (c) replacing any dead, diseased, dying or damaged plants,to the satisfaction of the Responsible Authority.
5. Before the dwelling is occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating the dwelling access from the common property and dwelling entrance 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.
6. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the reclaimed footpath must be 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.
7. 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.

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

- (a) Monday-Friday (excluding public holidays) before 7 am or after 6 pm,;
- (b) Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday) before 9 am or after 3 pm; or
- (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.

9. Before the building is occupied, the wall located on the Glass Street boundary facing public property must be treated with a graffiti proof finish to the satisfaction of the Responsible Authority.

10. This permit will expire if:

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

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

Notes:

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

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

CARRIED UNANIMOUSLY

1.3 PLN18/0002 - 1-3 Harcourt Parade, Cremorne - Development of the land with a multi-level residential hotel, construction and display of major promotional electronic sign and removal of covenant 1818808 from lot 1 on plan of subdivision 408289Y.

Reference: D19/198275

Authoriser: Manager Statutory Planning

RECOMMENDATION

That having considered all objections and relevant planning policies, the Internal Development Approvals Committee resolves to issue a Notice of Decision to Grant a Planning Permit PLN18/0002 for the use and development of the land with a multi-storey building containing a residential hotel, construction and display of a major promotional electronic sign and removal of covenant 1818808 from lot 1 on plan of subdivision 408289Y at 1-3 Harcourt Parade, Cremorne 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 (plans prepared by Idle Architecture and received by Council on 26 February 2019) but modified to show the following:
 - (a) The eastern elevation replaced with that received by Council on 06th May 2019 that shows ribbed pre-cast panels of two varied shades of grey to the walls;
 - (b) For the car park:
 - (i) The shared space shown with a minimum width dimension of 2.7m,
 - (ii) The model of the car stacker to be used;
 - (iii) Compliance with regard to ground clearance checks for the vehicle crossings using the B99 design vehicle; and
 - (iv) At least 20% horizontal visitor bicycle parking spaces.
 - (c) Where relevant, any requirements of plans / information endorsed under conditions of this permit, including the Residential Hotel Use / Management Plan (Condition 5), the Acoustic report (Condition 12), the Sustainable Management Plan report (condition 15), the Waste Management Plan (condition 17), the Wind Assessment Report (condition 20), Landscaping Plan (Condition 22), the Green Travel Plan (condition 33), requirements of VicRoad's Conditions (Conditions 36 – 59) and Melbourne Water's Conditions (Conditions 60 – 69).
 - (d) An updated schedule of all external materials and finishes (including materials samples, colours and coloured elevations/perspectives). The schedule must show the materials, colour, finish and application methods (where relevant) of all external walls, roof, fascias, window frames, glazing types, cladding, doors and fences, including any materials that make a positive contributions to the building's energy performance.
 - (e) Plans to correctly show a maximum of 100 seats (level 4 (communal area)) associated with the breakfast and bar servery area.
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. Any damage to road(s) and footpath(s) or other Council infrastructure as a result of the development must be reinstated to the satisfaction of the Responsible Authority.

4. In conjunction with the submission of development plans under Condition 1, a Façade Strategy and Materials and Finishes Plan to the satisfaction of the Responsible Authority must be submitted to and be approved by the Responsible Authority. When approved, the Façade Strategy and Materials and Finishes Plan will be endorsed and will then form part of this permit. This must detail:
 - (a) elevation drawings at a scale of 1:20 illustrating typical podium details, entries and doors, and utilities and typical tower facade details with full details pertaining to the “Integrated Art Strategy” across the south-west interface and how this is going to be maintained;
 - (b) section drawings to demonstrate façade systems, including fixing details and joints between materials or changes in form;
 - (c) information about how the façade will be maintained, including any vegetation; and
 - (d) a sample board and coloured drawings outlining colours, materials and finishes.

Residential Hotel Use / Management Plan

5. Concurrent with the plans required by Condition 1, a Residential Hotel 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 then form part of the permit. The plan must detail the following:
 - (a) procedures, and standards for guests to minimise amenity and parking problems in the neighbourhood;
 - (b) ongoing measures to be taken to ensure residential hotel guests and visitors do not cause any unreasonable amenity impact to persons beyond the land;
 - (c) establishment of a line of communication with adjoining owners and occupiers aimed at identifying and addressing amenity concerns;
 - (d) an outline of all house rules intended to be used to manage residents and guests including:
 - (i) guest behaviour;
 - (ii) noise; and
 - (iii) methods of eviction if house rules are broken;
 - (e) details of eviction process in the event house rules are broken;
 - (f) standards for property maintenance, health and cleanliness;
 - (g) a maximum of 100 guests in the breakfast and bar server area; and
 - (h) security against thefts and break-ins, including security of guests' belongings.
6. The residential hotel use must be managed in accordance with the endorsed Residential Hotel Management Plan.
7. 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.
8. The residential hotel use must comply at all times with the State Environment Protection Policy — Control of Noise from Commerce, Industry and Trade (SEPP N-1).
9. The residential hotel use must comply at all times with the State Environment Protection Policy — Control of Music Noise from Public Premises (SEPP N-2).

10. The provision of music on the land must be at a background noise level at all times.
11. 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.

Acoustic Report

12. Concurrent with the plans required by Condition 1, 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 make reference to long term day and night average targets of 35dBA Leq8hr (bedrooms) and 40 dBA Leq16h (living rooms) for the residential hotel and 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.
13. Within 3 months of the commencement of the residential hotel use a supplementary Acoustic Report to the satisfaction of the Responsible Authority must be prepared by a suitably qualified acoustic engineer that confirms that all measures endorsed as part of the Acoustic Report required at Condition 12 have been implemented. The acoustic report 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.
14. The provisions, recommendations and requirements of the endorsed Acoustic Report(s) must be implemented and complied with to the satisfaction of the Responsible Authority.

Sustainable Management Plan (SMP)

15. Concurrent with the plans required by Condition 1, an amended SMP to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended SMP will be endorsed and will form part of this permit. The amended SMP must be generally in accordance with the Sustainable Management Plan prepared by Sustainable Development Consultants and dated December 2017, but updated to meet:
 - (a) a BESS project score of 70 percent.
16. The provisions, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Waste Management Plan

17. Concurrent with the plans required by Condition 1, an amended waste management plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended waste management plan will be endorsed and will form part of this permit. The amended waste management plan must be generally in accordance with the waste management plan prepared by Leigh Design and dated 8 December 2017, but modified to include:
 - (a) detail on how organic waste and e-waste will be managed with no more than 3 collections for waste and recycling per week.

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. The collection of waste from the site must be by private collection, unless with the prior written consent of the Responsible Authority.

Wind Assessment Report

20. Concurrent with the plans required by Condition 1, a Wind Assessment Report prepared 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.
21. The provisions, recommendations and requirements of the endorsed Wind Assessment Report must be implemented and complied with to the satisfaction of the Responsible Authority.

Landscaping Plan

22. Concurrent with the plans required by Condition 1, 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) show the type, location, quantity, height at maturity and botanical names of all proposed plants including detailed planter descriptions; and
 - (b) provide a specification of maintenance methods, including any works to be undertaken prior to planting.

to the satisfaction of the Responsible Authority.

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

Road Infrastructure

24. 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.
25. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, all building works and connections for underground utility services outside the building's frontage must be constructed:

- (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
26. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, all public infrastructure, including re-sheeting of the footpath for the entire width of the property must be pursued:
- (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
27. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority 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.

Car parking

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; and
 - (d) line-marked or provided with some adequate means of showing the car parking spaces;
- to the satisfaction of the Responsible Authority.
29. Except with the prior written consent of the Responsible Authority, no less than 24 car spaces must be provided on the site at all times for staff and hotel guests.
30. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the car stackers must be installed in accordance with the manufacturer's specifications by a suitably qualified person.

The car stackers must be maintained thereafter to the satisfaction of the Responsible Authority.

Loading on Site

31. The loading and unloading of vehicles and the delivery of goods to and from the land must be conducted entirely within the land to the satisfaction of the Responsible Authority.

Bicycle parking

32. Except with the prior written consent of the Responsible Authority, no less than 29 bicycle spaces must be provided on the site at all times.

Green Travel Plan

33. Concurrent with the Condition 1 plans, 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 provide details in relation to the following:

- (a) the promotion of various public transport smartphone apps such as the Public Transport Victoria app and/or train or tram tracker;
- (b) a description of the location in the context of alternative modes of transport;
- (c) employee welcome packs (e.g. provision of Myki/transport ticketing);
- (d) the provision of real time passenger information displays for nearby stops within each lobby;
- (e) sustainable transport goals linked to measurable targets, performance indicators and monitoring timeframes;
- (f) a designated 'manager' or 'champion' responsible for coordination and implementation;
- (g) details of bicycle parking and bicycle routes;
- (h) details of GTP funding and management responsibilities;
- (i) the types of bicycle storage devices proposed to be used for employee and visitor spaces (i.e. hanging or floor mounted spaces);
- (j) the types of lockers proposed within the change-room facilities, with at least 50% of lockers providing hanging storage space;
- (k) security arrangements to access the employee bicycle storage spaces;
- (l) signage and wayfinding information for bicycle facilities and pedestrians pursuant to Australian Standard AS2890.3;
- (m) reference to a minimum 40A single phase electrical sub circuit should be installed to the car park areas for 'EV readiness'; and
- (n) provisions for the Green Travel Plan to be updated not less than every 5 years.

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

Lighting

35. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating access to the pedestrian and vehicular entrances and internal laneway must be provided on the subject site. Lighting must be:

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

to the satisfaction of the Responsible Authority.

VicRoad's Conditions (36 – 59)

36. The advertising sign must not protrude all around the entire sign as one message. Instead it must be contained within panel A (incorporate 1 segment) facing one direction and a separate image on panel B (incorporates 4 segments) facing the opposite direction in accordance with the marked-up plan provided by VicRoads with its comments dated 14 June 2019. This will avoid any graphic or legend (wording) being 'distorted' due to the angle and the curve as it changes over the width of the sign.
37. No image may be displayed on the electronic sign for less than 30 continuous seconds.
38. The images on panels A and B must change simultaneously.

39. The luminance of the advertising sign(s) must be such that it does not give a veiling luminance to the driver, of greater than 0.25 cd/m^2 , throughout the driver's approach to the advertising sign.
40. The control of the electronic sign(s) must be in accordance with the submitted lighting reports, which must form part of any issued Planning Permit:
 - (a) Lighting Impact Assessment-Outdoor Signage At 1-3 Harcourt Parade, Cremorne for Wardman Pty Ltd by Electrolight Australia Pty Ltd, dated 21 February 2019
41. The transition between images must be instantaneous.
42. The advertising content of the sign must not:
 - (a) Consist of more than one static image at a time.
 - (b) Contain any animation.
 - (c) Consist of a sequence of images giving the illusion of movement from one image to the next.
 - (d) Contain or consist of images which are capable of being interpreted as projections beyond the face of the advertising screen, such as through the use of 3D technology.
 - (e) Contain or consist of video, movie or television broadcasts.
 - (f) Contain or consist of present-time or other contemporary update information such as relating to news, weather or time.
 - (g) Contain any flashing, blinking, brightening or fading elements that create the illusion of movement or change.
 - (h) Be capable of being mistaken for a traffic signal or a traffic control device. This includes the use of red, amber or green circles, octagons, crosses or triangles.
 - (i) Be a traffic instruction, or be capable of being mistaken as, an instruction to a road user. This includes the use of the wording stop, give way, slow, turn left or turn right.
 - (j) Contain phone numbers, pricing or email addresses.
43. The sign and advertising content must not dazzle or distract road users' due to its colouring or content.
44. The sign and any displayed advertisement must not include ancillary extension, embellishment or accessorisation within or outside the permitted advertising area, unless VicRoads has agreed in writing, prior to installation.
45. The use of sound or motion to activate the sign is not permitted.
46. The use of sound to interact with any road user is not permitted.
47. The advertising sign must shut down and cease any form of visual display (and must remain in shut down mode until the issues are resolved), in the event of:
 - (a) an attack by a computer hacker, virus or similar resulting in the unauthorised display of visual images or messages.
 - (b) any malfunction of the advertising sign.
48. Prior to the commencement of the development, the developer must enter into an access agreement with CityLink to indemnify CityLink in relation to any claim or liability arising in relation to any land within CityLink lease area, and formalise any access requirements. This condition does not apply where written confirmation is obtained from CityLink that the above agreement is not required.
49. The permit holder must inform CityLink if the development will/has impacted any infrastructure or assets during construction.

50. The developer is responsible for costs associated with any damage to CityLink infrastructure and assets prior, during and post construction including but not limited to:
 - (a) Groundwater Monitoring Infrastructure;
 - (b) Road Drainage;
 - (c) ADS Signage;
 - (d) VSLs Signage;
 - (e) Electrical Distribution Board;
 - (f) METS Phone;
 - (g) conduits.
51. Permit holder to bear all costs associated with CityLink undertaking dilapidation surveys before and after the development, including crack mapping and installing crack pins to allow crack opening to be accurately measured. The intention of these surveys is to allow any adverse impacts on CityLink during construction to be identified.
52. Access to CityLink lease area is prohibited. This condition does not apply where written confirmation is obtained from CityLink providing consent and approval to access the lease area. (Refer Condition 37 above).
53. Access to the property for construction, maintenance and or repairs must be obtained wholly from within the subject property, Gough Street and or Punt Road.
54. Any structure constructed adjacent to the CityLink lease area must be sufficiently setback to ensure all maintenance and repairs do not require access from within City Link lease boundary.
55. Construction is to be delivered in a method to protect, amongst other items all road users accessing or on CityLink.
56. Dust and debris generated by this development during the construction phase is to be minimised and managed to ensure there are no impacts to CityLink users.
57. Prior to the occupation of the development, a formal road safety audit must be submitted to and approved by VicRoads, CityLink and the Responsible Authority. The audit must include, but not be limited to, the façade including location of advertising signage/ promotional signs and access to them, building façade material, façade encroachment of driver sight lines, pedestrian and vehicle access/egress arrangements, loading arrangements, buildings and works within the public realm, internal circulation/layout, wind impact on structural stability, lighting and vegetation impact on adjoining roadway/s. The findings of the audit must be incorporated into the development at the developer's expense.
58. Before the development starts, excluding site preparation works, demolition, temporary sheds or structures for construction purposes, bulk excavation, site preparation and retention works, soil remediation, piling, footings, ground beams and ground slabs, amended plans must be submitted to and approved by VicRoads and CityLink. When approved by VicRoads and CityLink, the plans may be endorsed by the Responsible Authority and will then form part of the permit. The plans must be drawn to scale with dimensions and two copies must be provided. The plans must be generally in accordance with Drawings numbered TP2-00 to TP5-12, dated 15 December 2017, including revisions dated 11 April 2018, prepared by IDLE Architecture Studio but modified to show:
 - (a) A notation on plan requiring the external cladding detailed must have no coating or exterior finish which results in unreasonable disability glare to road users.

59. Before the use approved by this permit commences the following must be completed at no cost to and to the satisfaction of the Responsible Authority:
- (a) The installation of sign/s, line marking, painted arrow and associated road works prohibiting entry movements into the Porte Cochere from the western vehicular access on Gough Street.
 - (b) Modification or removal of any existing car parking spaces and associated road works on the south side of Gough Street to accommodate the new vehicular access arrangement.

Melbourne Water's Conditions (60 – 69)

60. The proposed building floor levels must be constructed with finished floor levels st no lower than 4.35 metres to Australian Height Datum, which is 600mm above the applicable flood level.
61. The entry / exit driveway of the basement car park must incorporate a flood proof apex set no lower than 4.35 metres to Australian Height Datum, which is 600mm above the applicable flood level.
62. All lifts and stairwells, windows opening, vents or other entry and exit points that could allow entry of floodwaters to the basement must be set no lower than 4.35 metres to Australian Height Datum, which is 600mm above the applicable flood level.
63. Setbacks are maintained as per submitted plans.
64. Prior to the commencement of works, a separate application direct to Melbourne Water must be made for any new or modified storm water connection to Melbourne Water's drains or watercourses. Prior to accepting an application, evidence must be provided demonstrating that Council considers that it is not feasible to connect to the local drainage system.
65. A Site Environmental Management Plan (SEMP) or equivalent must be develop and implemented to ensure that waterway values are protected during the construction process. At a minimum this must include sediment controls to avoid direct or indirect sediment discharge to any waterways.
66. Any new fencing / gates must be of an open style of construction (minimum 50% open) to allow for the passage of flood flows).
67. All open space within the property must be set at existing natural surface level so as not to obstruct the passage of flood flows.
68. No fill outside of the proposed building footprint except for minimal ramping into proposed carpark.
69. Prior to the commencement of works, amended detailed plans incorporating the above conditions needs to be submitted to Melbourne Water for approval.

General

70. Finished floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.
71. As part of the ongoing progress and development of the site, Idle Architecture Studio (being the architect who designed the Residential Hotel building), 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.
72. 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.
73. 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.
74. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
75. 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.

Major Promotion Sign

76. The location of the major promotion sign must accord with the endorsed plans. Any alterations must be approved by the Responsible Authority.
77. The major promotion sign must be constructed and maintained to the satisfaction of the Responsible Authority.
78. The sign must not:
- (a) Dazzle or distract drivers due to its colouring;
 - (b) Be able to be mistaken for a traffic signal because it has, for example, red circles, octagons, crosses or triangles.
 - (c) Be able to be mistaken as an instruction to drivers.

Construction Management

79. Before the use and 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
- (q) any site-specific requirements.

During the construction:

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

Removal of Covenant

80. This permit does not come into effect until the restriction in the Instrument of Transfer No. 1818808 dated 5 June 1941 pertaining to the development of Lot 1 on Plan of Subdivision 408289Y is removed in the Register of Titles.

Cultural Heritage

81. In the event that the site is identified as an Aboriginal Heritage Site during the construction phase, the mitigation strategy as detailed within the *Cultural Heritage Assessment and Implications for Development*, authored by Andrew Long and Associates and dated 28th November 2019, commencing at page 13 must be undertaken.

Construction Times

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

Time expiry

83. This permit will expire if:

- (a) The removal of the restriction is not registered in the Titles Office within 2 years of the date of this permit.
- (b) The development is not commenced within three years of the date of this permit;
- (c) The development is not completed within five years of the date of this permit;
- (d) The use is not commenced within six years of the date of this permit; and
- (e) The major promotion signage is not installed within five years of this permit.
- (f) The approval granted for the major promotion sign shall lapse fifteen (15) years from the date of this permit.

84. 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.

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

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

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 employees and hotel guests within the development approved under this permit will not be permitted to obtain employee or visitor parking permits.

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

Mr Andrew Clarke and Mr Chris Idle addressed the Committee on behalf of the Applicant.

INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION**Moved:** Councillor Chen Yi Mei**Seconded:** Councillor Stone

That having considered all objections and relevant planning policies, the Internal Development Approvals Committee resolves to issue a Notice of Decision to Grant a Planning Permit PLN18/0002 for the use and development of the land with a multi-storey building containing a residential hotel, construction and display of a major promotional electronic sign and removal of covenant 1818808 from lot 1 on plan of subdivision 408289Y at 1-3 Harcourt Parade, Cremorne 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 (plans prepared by Idle Architecture and received by Council on 26 February 2019) but modified to show the following:
 - (a) The eastern elevation replaced with that received by Council on 06th May 2019 that shows ribbed pre-cast panels of two varied shades of grey to the walls;
 - (b) For the car park:
 - (i) The shared space shown with a minimum width dimension of 2.7m,
 - (ii) The model of the car stacker to be used;
 - (iii) Compliance with regard to ground clearance checks for the vehicle crossings using the B99 design vehicle;
 - (iv) At least 20% horizontal visitor bicycle parking spaces;
 - (v) All bicycle spaces must be designed to comply with clearance requirement of AS2890.3; and
 - (vi) Provision of e-vehicle and e-bicycle charging points.
 - (c) Where relevant, any requirements of plans / information endorsed under conditions of this permit, including the Residential Hotel Use / Management Plan (Condition 5), the Acoustic report (Condition 12), the Sustainable Management Plan report (condition 15), the Waste Management Plan (condition 17), the Wind Assessment Report (condition 20), Landscaping Plan (Condition 22), the Green Travel Plan (condition 33), requirements of VicRoad's Conditions (Conditions 36 – 59) and Melbourne Water's Conditions (Conditions 60 – 69).
 - (d) An updated schedule of all external materials and finishes (including materials samples, colours and coloured elevations/perspectives). The schedule must show the materials, colour, finish and application methods (where relevant) of all external walls, roof, fascias, window frames, glazing types, cladding, doors and fences, including any materials that make a positive contributions to the building's energy performance.
 - (e) Plans to correctly show a maximum of 100 seats (level 4 (communal area)) associated with the breakfast and bar servery area.
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. Any damage to road(s) and footpath(s) or other Council infrastructure as a result of the development must be reinstated to the satisfaction of the Responsible Authority.

4. In conjunction with the submission of development plans under Condition 1, a Façade Strategy and Materials and Finishes Plan to the satisfaction of the Responsible Authority must be submitted to and be approved by the Responsible Authority. When approved, the Façade Strategy and Materials and Finishes Plan will be endorsed and will then form part of this permit. This must detail:
 - (a) elevation drawings at a scale of 1:20 illustrating typical podium details, entries and doors, and utilities and typical tower facade details with full details pertaining to the “Integrated Art Strategy” across the south-west interface and how this is going to be maintained;
 - (b) section drawings to demonstrate façade systems, including fixing details and joints between materials or changes in form;
 - (c) information about how the façade will be maintained, including any vegetation; and
 - (d) a sample board and coloured drawings outlining colours, materials and finishes.

Residential Hotel Use / Management Plan

5. Concurrent with the plans required by Condition 1, a Residential Hotel 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 then form part of the permit. The plan must detail the following:
 - (a) procedures, and standards for guests to minimise amenity and parking problems in the neighbourhood;
 - (b) ongoing measures to be taken to ensure residential hotel guests and visitors do not cause any unreasonable amenity impact to persons beyond the land;
 - (c) establishment of a line of communication with adjoining owners and occupiers aimed at identifying and addressing amenity concerns;
 - (d) an outline of all house rules intended to be used to manage residents and guests including:
 - (i) guest behaviour;
 - (ii) noise; and
 - (iii) methods of eviction if house rules are broken;
 - (e) details of eviction process in the event house rules are broken;
 - (f) standards for property maintenance, health and cleanliness;
 - (g) a maximum of 100 guests in the breakfast and bar server area; and
 - (h) security against thefts and break-ins, including security of guests' belongings.
6. The residential hotel use must be managed in accordance with the endorsed Residential Hotel Management Plan.
7. 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.
8. The residential hotel use must comply at all times with the State Environment Protection Policy — Control of Noise from Commerce, Industry and Trade (SEPP N-1).
9. The residential hotel use must comply at all times with the State Environment Protection Policy — Control of Music Noise from Public Premises (SEPP N-2).
10. The provision of music on the land must be at a background noise level at all times.

11. 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.

Acoustic Report

12. Concurrent with the plans required by Condition 1, 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 make reference to long term day and night average targets of 35dBA Leq8hr (bedrooms) and 40 dBA Leq16h (living rooms) for the residential hotel and 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.
13. Within 3 months of the commencement of the residential hotel use a supplementary Acoustic Report to the satisfaction of the Responsible Authority must be prepared by a suitably qualified acoustic engineer that confirms that all measures endorsed as part of the Acoustic Report required at Condition 12 have been implemented. The acoustic report 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.
14. The provisions, recommendations and requirements of the endorsed Acoustic Report(s) must be implemented and complied with to the satisfaction of the Responsible Authority.

Sustainable Management Plan (SMP)

15. Concurrent with the plans required by Condition 1, an amended SMP to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended SMP will be endorsed and will form part of this permit. The amended SMP must be generally in accordance with the Sustainable Management Plan prepared by Sustainable Development Consultants and dated December 2017, but updated to meet:
 - (a) a BESS project score of 70 percent.
16. The provisions, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Waste Management Plan

17. Concurrent with the plans required by Condition 1, an amended waste management plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended waste management plan will be endorsed and will form part of this permit. The amended waste management plan must be generally in accordance with the waste management plan prepared by Leigh Design and dated 8 December 2017, but modified to include:
 - (a) detail on how organic waste and e-waste will be managed with no more than 3 collections for waste and recycling per week.

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. The collection of waste from the site must be by private collection, unless with the prior written consent of the Responsible Authority.

Wind Assessment Report

20. Concurrent with the plans required by Condition 1, a Wind Assessment Report prepared 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.
21. The provisions, recommendations and requirements of the endorsed Wind Assessment Report must be implemented and complied with to the satisfaction of the Responsible Authority.

Landscaping Plan

22. Concurrent with the plans required by Condition 1, 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) show the type, location, quantity, height at maturity and botanical names of all proposed plants including detailed planter descriptions; and
 - (b) provide a specification of maintenance methods, including any works to be undertaken prior to planting.to the satisfaction of the Responsible Authority.
23. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, 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.

Road Infrastructure

24. 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.
25. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, all building works and connections for underground utility services outside the building's frontage must be constructed:

- (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
26. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, all public infrastructure, including re-sheeting of the footpath for the entire width of the property must be pursued:
- (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
27. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority 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.

Car parking

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; and
 - (d) line-marked or provided with some adequate means of showing the car parking spaces;
- to the satisfaction of the Responsible Authority.
29. Except with the prior written consent of the Responsible Authority, no less than 24 car spaces must be provided on the site at all times for staff and hotel guests.
30. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the car stackers must be installed in accordance with the manufacturer's specifications by a suitably qualified person.

The car stackers must be maintained thereafter to the satisfaction of the Responsible Authority.

Loading on Site

31. The loading and unloading of vehicles and the delivery of goods to and from the land must be conducted entirely within the land to the satisfaction of the Responsible Authority.

Bicycle parking

32. Except with the prior written consent of the Responsible Authority, no less than 29 bicycle spaces must be provided on the site at all times.

Green Travel Plan

33. Concurrent with the Condition 1 plans, 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 provide details in relation to the following:

- (a) the promotion of various public transport smartphone apps such as the Public Transport Victoria app and/or train or tram tracker;
- (b) a description of the location in the context of alternative modes of transport;
- (c) employee welcome packs (e.g. provision of Myki/transport ticketing);
- (d) the provision of real time passenger information displays for nearby stops within each lobby;
- (e) sustainable transport goals linked to measurable targets, performance indicators and monitoring timeframes;
- (f) a designated 'manager' or 'champion' responsible for coordination and implementation;
- (g) details of bicycle parking and bicycle routes;
- (h) details of GTP funding and management responsibilities;
- (i) the types of bicycle storage devices proposed to be used for employee and visitor spaces (i.e. hanging or floor mounted spaces);
- (j) the types of lockers proposed within the change-room facilities, with at least 50% of lockers providing hanging storage space;
- (k) security arrangements to access the employee bicycle storage spaces;
- (l) signage and wayfinding information for bicycle facilities and pedestrians pursuant to Australian Standard AS2890.3;
- (m) reference to a minimum 40A single phase electrical sub circuit should be installed to the car park areas for 'EV readiness'; and
- (n) provisions for the Green Travel Plan to be updated not less than every 5 years.

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

Lighting

35. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating access to the pedestrian and vehicular entrances and internal laneway must be provided on the subject site. Lighting must be:

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

to the satisfaction of the Responsible Authority.

VicRoad's Conditions (36 – 59)

36. The advertising sign must not protrude all around the entire sign as one message. Instead it must be contained within panel A (incorporate 1 segment) facing one direction and a separate image on panel B (incorporates 4 segments) facing the opposite direction in accordance with the marked-up plan provided by VicRoads with its comments dated 14 June 2019. This will avoid any graphic or legend (wording) being 'distorted' due to the angle and the curve as it changes over the width of the sign.
37. No image may be displayed on the electronic sign for less than 30 continuous seconds.
38. The images on panels A and B must change simultaneously.

39. The luminance of the advertising sign(s) must be such that it does not give a veiling luminance to the driver, of greater than 0.25 cd/m², throughout the driver's approach to the advertising sign.
40. The control of the electronic sign(s) must be in accordance with the submitted lighting reports, which must form part of any issued Planning Permit:
 - (a) Lighting Impact Assessment-Outdoor Signage At 1-3 Harcourt Parade, Cremorne for Wardman Pty Ltd by Electrolight Australia Pty Ltd, dated 21 February 2019
41. The transition between images must be instantaneous.
42. The advertising content of the sign must not:
 - (a) Consist of more than one static image at a time.
 - (b) Contain any animation.
 - (c) Consist of a sequence of images giving the illusion of movement from one image to the next.
 - (d) Contain or consist of images which are capable of being interpreted as projections beyond the face of the advertising screen, such as through the use of 3D technology.
 - (e) Contain or consist of video, movie or television broadcasts.
 - (f) Contain or consist of present-time or other contemporary update information such as relating to news, weather or time.
 - (g) Contain any flashing, blinking, brightening or fading elements that create the illusion of movement or change.
 - (h) Be capable of being mistaken for a traffic signal or a traffic control device. This includes the use of red, amber or green circles, octagons, crosses or triangles.
 - (i) Be a traffic instruction, or be capable of being mistaken as, an instruction to a road user. This includes the use of the wording stop, give way, slow, turn left or turn right.
 - (j) Contain phone numbers, pricing or email addresses.
43. The sign and advertising content must not dazzle or distract road users' due to its colouring or content.
44. The sign and any displayed advertisement must not include ancillary extension, embellishment or accessorisation within or outside the permitted advertising area, unless VicRoads has agreed in writing, prior to installation.
45. The use of sound or motion to activate the sign is not permitted.
46. The use of sound to interact with any road user is not permitted.
47. The advertising sign must shut down and cease any form of visual display (and must remain in shut down mode until the issues are resolved), in the event of:
 - (a) an attack by a computer hacker, virus or similar resulting in the unauthorised display of visual images or messages.
 - (b) any malfunction of the advertising sign.
48. Prior to the commencement of the development, the developer must enter into an access agreement with CityLink to indemnify CityLink in relation to any claim or liability arising in relation to any land within CityLink lease area, and formalise any access requirements. This condition does not apply where written confirmation is obtained from CityLink that the above agreement is not required.
49. The permit holder must inform CityLink if the development will/has impacted any infrastructure or assets during construction.

50. The developer is responsible for costs associated with any damage to CityLink infrastructure and assets prior, during and post construction including but not limited to:
 - (a) Groundwater Monitoring Infrastructure;
 - (b) Road Drainage;
 - (c) ADS Signage;
 - (d) VSLs Signage;
 - (e) Electrical Distribution Board;
 - (f) METS Phone;
 - (g) conduits.
51. Permit holder to bear all costs associated with CityLink undertaking dilapidation surveys before and after the development, including crack mapping and installing crack pins to allow crack opening to be accurately measured. The intention of these surveys is to allow any adverse impacts on CityLink during construction to be identified.
52. Access to CityLink lease area is prohibited. This condition does not apply where written confirmation is obtained from CityLink providing consent and approval to access the lease area. (Refer Condition 37 above).
53. Access to the property for construction, maintenance and or repairs must be obtained wholly from within the subject property, Gough Street and or Punt Road.
54. Any structure constructed adjacent to the CityLink lease area must be sufficiently setback to ensure all maintenance and repairs do not require access from within City Link lease boundary.
55. Construction is to be delivered in a method to protect, amongst other items all road users accessing or on CityLink.
56. Dust and debris generated by this development during the construction phase is to be minimised and managed to ensure there are no impacts to CityLink users.
57. Prior to the occupation of the development, a formal road safety audit must be submitted to and approved by VicRoads, CityLink and the Responsible Authority. The audit must include, but not be limited to, the façade including location of advertising signage/ promotional signs and access to them, building façade material, façade encroachment of driver sight lines, pedestrian and vehicle access/egress arrangements, loading arrangements, buildings and works within the public realm, internal circulation/layout, wind impact on structural stability, lighting and vegetation impact on adjoining roadway/s. The findings of the audit must be incorporated into the development at the developer's expense.
58. Before the development starts, excluding site preparation works, demolition, temporary sheds or structures for construction purposes, bulk excavation, site preparation and retention works, soil remediation, piling, footings, ground beams and ground slabs, amended plans must be submitted to and approved by VicRoads and CityLink. When approved by VicRoads and CityLink, the plans may be endorsed by the Responsible Authority and will then form part of the permit. The plans must be drawn to scale with dimensions and two copies must be provided. The plans must be generally in accordance with Drawings numbered TP2-00 to TP5-12, dated 15 December 2017, including revisions dated 11 April 2018, prepared by IDLE Architecture Studio but modified to show:
 - (a) A notation on plan requiring the external cladding detailed must have no coating or exterior finish which results in unreasonable disability glare to road users.

59. Before the use approved by this permit commences the following must be completed at no cost to and to the satisfaction of the Responsible Authority:
- (a) The installation of sign/s, line marking, painted arrow and associated road works prohibiting entry movements into the Porte Cochere from the western vehicular access on Gough Street.
 - (b) Modification or removal of any existing car parking spaces and associated road works on the south side of Gough Street to accommodate the new vehicular access arrangement.

Melbourne Water's Conditions (60 – 69)

60. The proposed building floor levels must be constructed with finished floor levels st no lower than 4.35 metres to Australian Height Datum, which is 600mm above the applicable flood level.
61. The entry / exit driveway of the basement car park must incorporate a flood proof apex set no lower than 4.35 metres to Australian Height Datum, which is 600mm above the applicable flood level.
62. All lifts and stairwells, windows opening, vents or other entry and exit points that could allow entry of floodwaters to the basement must be set no lower than 4.35 metres to Australian Height Datum, which is 600mm above the applicable flood level.
63. Setbacks are maintained as per submitted plans.
64. Prior to the commencement of works, a separate application direct to Melbourne Water must be made for any new or modified storm water connection to Melbourne Water's drains or watercourses. Prior to accepting an application, evidence must be provided demonstrating that Council considers that it is not feasible to connect to the local drainage system.
65. A Site Environmental Management Plan (SEMP) or equivalent must be develop and implemented to ensure that waterway values are protected during the construction process. At a minimum this must include sediment controls to avoid direct or indirect sediment discharge to any waterways.
66. Any new fencing / gates must be of an open style of construction (minimum 50% open) to allow for the passage of flood flows).
67. All open space within the property must be set at existing natural surface level so as not to obstruct the passage of flood flows.
68. No fill outside of the proposed building footprint except for minimal ramping into proposed carpark.
69. Prior to the commencement of works, amended detailed plans incorporating the above conditions needs to be submitted to Melbourne Water for approval.

General

70. Finished floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.
71. As part of the ongoing progress and development of the site, Idle Architecture Studio (being the architect who designed the Residential Hotel building), 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.
72. 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.
73. 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.
74. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
75. 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.

Major Promotion Sign

76. The location of the major promotion sign must accord with the endorsed plans. Any alterations must be approved by the Responsible Authority.
77. The major promotion sign must be constructed and maintained to the satisfaction of the Responsible Authority.
78. The sign must not:
- (a) Dazzle or distract drivers due to its colouring;
 - (b) Be able to be mistaken for a traffic signal because it has, for example, red circles, octagons, crosses or triangles.
 - (c) Be able to be mistaken as an instruction to drivers.

Construction Management

79. Before the use and 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
- (q) any site-specific requirements.

During the construction:

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

Removal of Covenant

80. This permit does not come into effect until the restriction in the Instrument of Transfer No. 1818808 dated 5 June 1941 pertaining to the development of Lot 1 on Plan of Subdivision 408289Y is removed in the Register of Titles.

Cultural Heritage

81. In the event that the site is identified as an Aboriginal Heritage Site during the construction phase, the mitigation strategy as detailed within the *Cultural Heritage Assessment and Implications for Development*, authored by Andrew Long and Associates and dated 28th November 2019, commencing at page 13 must be undertaken.

Construction Times

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

Time expiry

83. This permit will expire if:

- (a) The removal of the restriction is not registered in the Titles Office within 2 years of the date of this permit.
- (b) The development is not commenced within three years of the date of this permit;
- (c) The development is not completed within five years of the date of this permit;
- (d) The use is not commenced within six years of the date of this permit; and
- (e) The major promotion signage is not installed within five years of this permit.
- (f) The approval granted for the major promotion sign shall lapse fifteen (15) years from the date of this permit.

84. 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.

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

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

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 employees and hotel guests within the development approved under this permit will not be permitted to obtain employee or visitor parking permits.

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

1.4 100 Little Charles Street, Abbotsford VIC 3067 - Planning Permit Application No. PLN19/0178

Reference: D19/224715

RECOMMENDATION

That having considered all relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant a Planning Permit PLN19/0178 for demolition of existing buildings and construction of a double-storey dwelling with roof deck at 100 Little Charles Street, Abbotsford VIC 3067, generally in accordance with the plans noted previously as the "decision plan" and subject to the following conditions:

1. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions, and three copies must be provided. The plans must be generally in accordance with the decision plans prepared by Justin Thyer Design (Drawings TP00-TP19), submitted on 19 August 2019, but modified to show:
 - (a) The following changes generally in accordance with the sketch plans submitted on 4 December 2019:
 - (i) A reduction in height of the northern boundary wall, to a maximum height of 6.042m, with a raking wall to the section above.
 - (ii) The finish of the first floor wall with corrugated metal cladding in Colorbond "Monument".
 - (iii) Associated re-location of stair access to the roof deck.
 - (b) Demonstrate that Standard A15 of Clause 54.04-6 (Overlooking Objective) of the Yarra Planning Scheme continues to be met in relation to views from the proposed roof deck to the north-adjointing secluded private open space (associated with the north-adjointing townhouse fronting Little Charles Street) as a result of condition 1(a).
 - (c) Provision of an operable skylight to the first floor lounge and associated modifications to the roof/pool deck.
 - (d) Provision of at least one canopy tree within the rear yard.
 - (e) Provision of external shading to upper level east facing glazing.
 - (f) External lighting to the front pedestrian entrance.
 - (g) The finished floor levels of the garage along the edge of the internal concrete slab set 40mm above the edge of Little Charles Street.
 - (h) A 1:20 scale cross-sectional drawing of the vehicle entrance and Little Charles Street demonstrating that the entrance of the garage is designed to allow vehicles to enter and exit the garage without scraping or bottoming out.
 - (i) Provision of stormwater treatment measures that achieve a minimum Melbourne Water STORM rating of 100%.
 - (j) Deletion of text to the front door.
2. The development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
3. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated:

- (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
4. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating the dwelling front pedestrian entrance must be provided within the property boundary. All external lighting to the dwelling must be:
- (a) located;
 - (b) directed;
 - (c) shielded; and
 - (d) of limited intensity,
- to the satisfaction of the Responsible Authority.
5. Before the development is occupied, or by such later date as approved in writing by the Responsible Authority, all screening and other measures to prevent overlooking as shown on the endorsed plans must be installed to the satisfaction of the Responsible Authority. Once installed the screening and other measures must be maintained to the satisfaction of the Responsible Authority.
6. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, all new on-boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.
7. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
- (a) Monday-Friday (excluding public holidays) before 7 am or after 6 pm;
 - (b) Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday) before 9 am or after 3 pm; or
 - (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.
8. This permit will expire if:
- (a) the development is not commenced within two years of the date of this permit; or
 - (b) the development is not completed within four years of the date of this permit.

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

Notes:

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.

Provision must be made for drainage of the site to a legal point of discharge. Please contact Council's Building Services on 9205 5428 for further information.

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

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

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

Submissions

Ms Sue Zhang addressed the Committee on behalf of the Applicant.

Mr David Ware also addressed the Committee.

INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION

Moved: Councillor Stone

Seconded: Councillor Fristacky

That having considered all relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant a Planning Permit PLN19/0178 for demolition of existing buildings and construction of a double-storey dwelling with roof deck at 100 Little Charles Street, Abbotsford VIC 3067, generally in accordance with the plans noted previously as the "decision plan" and subject to the following conditions:

1. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions, and three copies must be provided. The plans must be generally in accordance with the decision plans prepared by Justin Thyer Design (Drawings TP00-TP19), submitted on 19 August 2019, but modified to show:
 - (a) The following changes generally in accordance with the sketch plans submitted on 4 December 2019:
 - (i) A reduction in height of the northern boundary wall, to a maximum height of 6.042m, with a raking wall to the section above.
 - (ii) The finish of the first floor wall with corrugated metal cladding in Colorbond "Monument".
 - (iii) Associated re-location of stair access to the roof deck.
 - (b) Demonstrate that Standard A15 of Clause 54.04-6 (Overlooking Objective) of the Yarra Planning Scheme continues to be met in relation to views from the proposed roof and pool deck to:
 - (i) the north-adjointing secluded private open space (associated with the north-adjointing townhouse fronting Little Charles Street); and
 - (ii) the east-facing habitable room windows of dwellings on the western side of Little Charles Street,as a result of condition 1(a).
 - (c) Provision of an operable skylight to the first floor lounge and associated modifications to the roof/pool deck.
 - (d) Provision of at least one canopy tree within the rear yard.
 - (e) Provision of external shading to upper level east facing glazing.
 - (f) External lighting to the front pedestrian entrance.

- (g) The finished floor levels of the garage along the edge of the internal concrete slab set 40mm above the edge of Little Charles Street.
 - (h) A 1:20 scale cross-sectional drawing of the vehicle entrance and Little Charles Street demonstrating that the entrance of the garage is designed to allow vehicles to enter and exit the garage without scraping or bottoming out.
 - (i) Provision of stormwater treatment measures that achieve a minimum Melbourne Water STORM rating of 100%.
 - (j) Deletion of text to the front door.
2. The development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
3. Before the building is occupied, the ground floor wall facing Little Charles Street must be treated with a graffiti proof finish to the satisfaction of the Responsible Authority.
4. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated:
- (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
5. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating the dwelling front pedestrian entrance must be provided within the property boundary. All external lighting to the dwelling must be:
- (a) located;
 - (b) directed;
 - (c) shielded; and
 - (d) of limited intensity,
- to the satisfaction of the Responsible Authority.
6. 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.
7. 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.
8. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
- (a) Monday-Friday (excluding public holidays) before 7 am or after 6 pm;
 - (b) Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday) before 9 am or after 3 pm; or
 - (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.
9. This permit will expire if:

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

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

Notes:

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

CARRIED UNANIMOUSLY

The meeting closed at 9.05pm.

Confirmed at the meeting held on Wednesday 15 January 2020

Chair