



YARRA CITY COUNCIL
INTERNAL DEVELOPMENT APPROVALS
COMMITTEE
MINUTES

held virtually on Wednesday 13 May 2020 at 6.30pm

I. ATTENDANCE

Councillor Amanda Stone
Councillor Daniel Nguyen (substitute for Cr Chen Yi Mei)
Councillor Bridgid O'Brien

Mary Osman (Manager Statutory Planning)
Danielle Connell (Senior Co-ordinator Statutory Planning)
Michelle King (Acting Principal Planner)
Cindi Johnston (Governance Officer)

II. APOLOGIES AND LEAVE OF ABSENCE

Councillor Mi-Lin Chen Yi Mei

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

IV. CONFIRMATION OF MINUTES

Internal Development Approvals Committee Resolution:

Moved: Councillor Nguyen **Seconded:** Councillor O'Brien

That the minutes of the meeting of the Internal Development Approvals Committee held on Wednesday 25 March 2020 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 Nguyen nominated Councillor Stone as Chair.

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

Councillor Stone assumed the Chair.

INTERNAL DEVELOPMENT APPROVAL COMMITTEE RESOLUTION (PROCEDURAL)

Moved: Councillor Stone

Seconded: Councillor Nguyen

1. That in order to facilitate the conduct of virtual meetings of the Internal Development Approvals Committee, the Committee suspend the standing orders for all virtual meetings in accordance with clause 90 of the Yarra City Council Meeting Procedures Local Law as follows:
 - (a) All references to a person being “present” or “at the meeting” shall be taken to include their presence by teleconference;
 - (b) The requirement to leave the room due to a conflict of interest shall be taken to include disconnecting from the teleconference;
 - (c) The requirement to sign the confirmed minutes of a meeting may be held over until it is safe and convenient to do so;
 - (d) The presentation of submissions shall be made by a Council officer on behalf of the submitter, with the submission then being treated in the same manner as if the member of the public had been physically present;
 - (e) Council officers and Councillors may use such recording and transmitting devices as are necessary to facilitate the operation of the teleconference.

CARRIED UNANIMOUSLY

1 INTERNAL DEVELOPMENT APPROVALS COMMITTEE

Item		Page	Res. Page
1.1	PLN19/0312 - 194 Bridge Road, Richmond - Development of the land for partial demolition, construction of a five storey extension to the existing building (plus basement) and a reduction of car parking requirements of the Yarra Planning Scheme	6	12
1.2	PLN18/0183 - 19 Down Street Collingwood - the construction of an eight-storey (plus basement levels) building including office and food and drinks (cafe) premises (no permit required for uses) and a reduction in the car parking requirements.	19	24
1.3	PLN15/0947.02 - 1-3 Otter Street, Collingwood - Amendment to the planning permit for a change of use from a 7 storey mixed-use building (including dwellings and food and drinks premises) to an 8 storey hotel (inclusion of an internal mezzanine) with ancillary food and drinks premises including modifications to the permit preamble, conditions and approved built form with the removal of all on-site car parking	31	41
1.4	271 Bridge Road, 208, 224, 228, 230, and 238 Church Street, 42 and 46 Cameron Street and 25 and 37 - 39 Bank Street Richmond - PLN11/0834.03 - Section 72 Amendment to allow for changes to the permit preamble, conditions of the permit and changes to the endorsed plans including reconfiguration of uses, changes to car parking and bicycle provisions and built form changes.	52	76

1.1 PLN19/0312 - 194 Bridge Road, Richmond - Development of the land for partial demolition, construction of a five storey extension to the existing building (plus basement) and a reduction of car parking requirements of the Yarra Planning Scheme).

Reference: D20/76035

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 PLN19/0321 for the development of the land for partial demolition, construction of a five storey extension to the existing building (plus basement) and a reduction of car parking requirements of the Yarra Planning Scheme at No 194 Bridge Road Richmond subject to the following conditions:

1. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions, and three copies must be provided. The plans must be generally in accordance with the decision plans, prepared by BG Architects, dated 11 December 2019 (TP004-A, TP100-A, TP101-A, TP102-B, TP103-B, TP200-D, TP201-D, TP202-D, TP203-D, TP300-D, TP500-C, TP600, TP601-A and TP602-B) but amended to include:
 - (a) The changes shown in the sketch plans prepared by BG Architects, dated 16 April 2020 (TP004-B, TP100-C, TP101-C, TP102-C, TP103-C, TP200-G, TP201-F, TP202-G, TP203-F, TP300-G, TP500-E, TP600-A, TP601-B, TP602-D and TP603) as follows:
 - (i) Increased upper level setbacks of levels 3 and 4 to Waltham Street to 2.15m and rear/south boundary to 1.5m and 3.4m;
 - (ii) Clarification of material finishes to the 5 storey additions;
 - (iii) Clarification of the faded appearance of the artwork to the east and south walls;
 - (iv) Operable windows added to the proposed west wall of the curved stair/lift lobby and north wall to the medical centre;
 - (v) Reduced length of Waltham Street footpath extension by 1m;
 - (vi) Reduced width of crossover to 4m,
 - (vii) The garage door head height of 2.36m clearance and the 1:16 ramp length in garage as 4m, and
 - (viii) 20% of bicycle spaces in garage at grade:

And further modified to show the following:

- (b) Deletion of canvas awnings;
- (c) Deletion of fixed tables and chairs to the Waltham Street footpath;
- (d) Update the material schedule to show the colour of PC2 as "Dulux pearl gold satin";
- (e) Identify the masonry construction with grey rendered finish to the new three storey wall above the medical centre entryway to the Waltham Street frontage;
- (f) An updated schedule of all external materials and finishes (including materials samples). The schedule must show the materials, colour, finish and application methods (where relevant) of all external walls, fascias, window frames and cladding;

- (g) Any requirement of the amended Waste Management Plan required by condition 6 of this planning permit (where relevant to show on plans); and
 - (h) Any requirement of the Conservation Management Plan required by condition 8 of this planning permit (where relevant to show on plans).
- 2. The development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
 - 3. 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.

Sustainable Management Plan

- 4. Before the development commences, an amended Sustainable Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Sustainable Management Plan will be endorsed and will form part of this permit. The amended Sustainable Management Plan must be generally in accordance with the Sustainable Management Plan prepared by GIW Environmental Solutions and dated 15 May 2019, but modified to include:
 - (a) Two of the proposed bicycle spaces provided at grade in the basement;
 - (b) A full copy of the BESS report; and
 - (c) Evidence of daylight modelling results.
- 5. The provisions, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Waste Management Plan

- 6. Before the development commences, an amended Waste Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Waste Management Plan will be endorsed and will form part of this permit. The amended Waste Management Plan must be generally in accordance with the Waste Management Plan prepared by Ratio consultants and dated 26 September 2019, but modified to include:
 - (a) An enlarged waste storage area and to be clear of vehicle circulation areas in garage.
- 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.

Conservation Management Plan Required

- 8. Before the development commences, a Conservation Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Conservation Management Plan will be endorsed and will form part of this permit. The Conservation Management Plan must include, but not be limited to, the following:
 - (a) Fully dimensioned and accurately measured plans at a scale of no less than 1:50 prepared by a suitably qualified heritage practitioner/ architect, detailing:
 - (i) The render treatment to the heritage facades including detail of any repair works required;
 - (ii) Detail of all new windows and doors to the retained heritage building and to show their style and materials will be appropriate to the heritage character of the building;

- (iii) The proposed reconstruction, restoration or works to the existing three storey Waltham Street and Bridge Road heritage façades, existing “Australia Hotel” sign, roof, with notations clearly outlining any changes from existing conditions or use of new materials; and
 - (iv) Any specific requirements.
9. The provisions, recommendations and requirements of the endorsed Conservation Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Landscape Plan

10. Before the development commences, a Landscape Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Landscape Plan will be endorsed and will form part of this permit. The Landscape Plan must:
- (a) show the type, location, quantity, height at maturity and botanical names of all proposed plants;
 - (b) indicate the location and widths and depth of planter boxes; and
 - (c) demonstrate appropriate selection of plant species to ensure the operation of the perforated façade screen is not impeded by plantings.
- to the satisfaction of the Responsible Authority.
11. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, 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.

Waltham Street kerb extension

12. Before the development commences, or by such later date as approved in writing by the Responsible Authority, a Streetscape Works plan including detailed engineering designs for the proposed kerb extension to Waltham Street to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Streetscape Works plan will be endorsed and will form part of this permit. The plan is to show/include the following:
- (a) Footpath surface materials to be asphalt to match existing footpath surface and details of non-slip surface treatments to the glass bricks to the basement hatch; and
 - (b) Location and details of relocated stormwater drainage pits, kerb and channel footpath, setbacks of bicycle hoops to kerb edge (0.4m minimum required) and road pavement modifications.
13. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure (including the re-sheeting of the entire Bridge Road footpath for the width of the property frontage if required by the Responsible Authority) resulting from the development must be reinstated:
- (a) at the permit holder's cost, and

- (b) to the satisfaction of the Responsible Authority.
14. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the entire footpath frontage to Waltham Street must be demolished and re-instated as standard footpath with a maximum 1-40 cross-fall and with bluestone kerb and channel retained/reinstated:
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
 15. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the new vehicle crossing must be constructed:
 - (a) in accordance with any requirements or conditions imposed by Council;
 - (b) at the permit holder's cost; and
 - (c) to the satisfaction of the Responsible Authority.
 16. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way and with all redundant property drains to be removed.
 17. Prior to the completion of the development, subject to the relevant authority's consent, the relocation of street signs, pits, drainage infrastructure, power poles and car parking spaces (including car space line markings and footpath parking sensors) necessary to facilitate the development must be undertaken:
 - (a) in accordance with any requirements or conditions imposed by the relevant authority;
 - (b) at the permit holder's cost; andto the satisfaction of the Responsible Authority.
 18. 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.

General

19. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating access to the car park and pedestrian entrances must be provided within the property boundary. Lighting must be:
 - (a) located;
 - (b) directed;
 - (c) shielded; and
 - (d) of limited intensity, and
 - (e) to the satisfaction of the Responsible Authority.
20. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, all new on-boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.
21. Finished floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.
22. The uses must comply at all times with the State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N-1).

23. The use must comply at all times with the State Environment Protection Policy – Control of Music Noise from Public Premises (SEPP N-2).
24. Before the development commences, a Construction Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will form part of this permit. The plan must provide for:
 - (a) a pre-conditions survey (dilapidation report) of the land and all adjacent Council roads frontages and nearby road infrastructure;
 - (b) works necessary to protect road and other infrastructure;
 - (c) remediation of any damage to road and other infrastructure;
 - (d) containment of dust, dirt and mud within the land and method and frequency of clean up procedures to prevent the accumulation of dust, dirt and mud outside the land;
 - (e) facilities for vehicle washing, which must be located on the land;
 - (f) the location of loading zones, site sheds, materials, cranes and crane/hoisting zones, gantries and any other construction related items or equipment to be located in any street;
 - (g) site security;
 - (h) management of any environmental hazards including, but not limited to,:
 - (i) contaminated soil;
 - (ii) materials and waste;
 - (iii) dust;
 - (iv) stormwater contamination from run-off and wash-waters;
 - (v) sediment from the land on roads;
 - (vi) washing of concrete trucks and other vehicles and machinery; and
 - (vii) spillage from refuelling cranes and other vehicles and machinery;
 - (i) the construction program;
 - (j) preferred arrangements for trucks delivering to the land, including delivery and unloading points and expected duration and frequency;
 - (k) parking facilities for construction workers;
 - (l) measures to ensure that all work on the land will be carried out in accordance with the Construction Management Plan;
 - (m) an outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services;
 - (n) an emergency contact that is available for 24 hours per day for residents and the Responsible Authority in the event of relevant queries or problems experienced;
 - (o) the provision of a traffic management plan to comply with provisions of AS 1742.3-2002 Manual of uniform traffic control devices - Part 3: Traffic control devices for works on roads;
 - (p) a Noise and Vibration Management Plan showing methods to minimise noise and vibration impacts on nearby properties and to demonstrate compliance with Noise Control Guideline 12 for Construction (Publication 1254) as issued by the Environment Protection Authority in October 2008. The Noise and Vibration Management Plan must be prepared to the satisfaction of the Responsible Authority.
In preparing the Noise and Vibration Management Plan, consideration must be given to:
 - (i) using lower noise work practice and equipment;
 - (ii) the suitability of the land for the use of an electric crane;
 - (iii) silencing all mechanical plant by the best practical means using current technology;
 - (iv) fitting pneumatic tools with an effective silencer;
 - (v) other relevant considerations.
25. During the construction:
 - (a) any stormwater discharged into the stormwater drainage system must be in compliance with Environment Protection Authority guidelines;

- (b) stormwater drainage system protection measures must be installed as required to ensure that no solid waste, sediment, sand, soil, clay or stones from the land enters the stormwater drainage system;
 - (c) vehicle borne material must not accumulate on the roads abutting the land;
 - (d) the cleaning of machinery and equipment must take place on the land and not on adjacent footpaths or roads; and
 - (e) all litter (including items such as cement bags, food packaging and plastic strapping) must be disposed of responsibly.
26. The provisions, recommendations and requirements of the endorsed Construction Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
27. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
- (a) Monday-Friday (excluding public holidays) before 7 am or after 6 pm;
 - (b) Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday) before 9 am or after 3 pm;
 - (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.
28. 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:

Pursuant to clause 52.02 (Easements, Restrictions and Reserves) of the Yarra Planning Scheme a permit may be required to vary an easement.

A building permit may be required before development is commenced. Please contact Council's Building Services on 9205 5555 to confirm.

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

Provision must be made for drainage of the site to a legal point of discharge.

A vehicle crossing permit is required for the construction of the vehicle crossing. Please contact Council's Construction Management Branch on 9205 5555 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 business owners and employees within the development approved under this permit will not be permitted to obtain resident, business or visitor parking permits.

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

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

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

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

Additional Online Submissions received prior to the meeting

The Applicant – Tract Consulting.

Objectors – Peter Razos, Peter Risk, Hellier McFarland Pty Ltd, and Georgina Kyriakopoulos.

The above submissions were read out on the night by the Senior Governance Advisor.

INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION

Moved: Councillor Nguyen

Seconded: Councillor O'Brien

That having considered all objections and relevant planning documents, the Committee resolves to issue a Notice of Decision to Grant a Permit PLN19/0321 for the development of the land for partial demolition, construction of a five storey extension to the existing building (plus basement) and a reduction of car parking requirements of the Yarra Planning Scheme at No 194 Bridge Road Richmond subject to the following conditions:

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 - (i) Increased upper level setbacks of levels 3 and 4 to Waltham Street to 2.15m and rear/south boundary to 1.5m and 3.4m;
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 - (vi) Reduced width of crossover to 4m,
 - (vii) The garage door head height of 2.36m clearance and the 1:16 ramp length in garage as 4m, and
 - (viii) 20% of bicycle spaces in garage at grade:

- And further modified to show the following:
- (b) Deletion of canvas awnings;
 - (c) Deletion of fixed tables and chairs to the Waltham Street footpath;
 - (d) Update the material schedule to show the colour of PC2 as “Dulux pearl gold satin”;
 - (e) Identify the masonry construction with grey rendered finish to the new three storey wall above the medical centre entryway to the Waltham Street frontage;
 - (f) An updated schedule of all external materials and finishes (including materials samples). The schedule must show the materials, colour, finish and application methods (where relevant) of all external walls, fascias, window frames and cladding;
 - (g) Any requirement of the amended Waste Management Plan required by condition 6 of this planning permit (where relevant to show on plans); and
 - (h) Any requirement of the Conservation Management Plan required by condition 8 of this planning permit (where relevant to show on plans).

- 2. The development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
- 3. 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.

Sustainable Management Plan

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 - (a) Two of the proposed bicycle spaces provided at grade in the basement;
 - (b) A full copy of the BESS report; and
 - (c) Evidence of daylight modelling results.
- 5. The provisions, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Waste Management Plan

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 - (a) An enlarged waste storage area and to be clear of vehicle circulation areas in garage.
- 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.

Conservation Management Plan Required

8. Before the development commences, a Conservation Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Conservation Management Plan will be endorsed and will form part of this permit. The Conservation Management Plan must include, but not be limited to, the following:
 - (a) Fully dimensioned and accurately measured plans at a scale of no less than 1:50 prepared by a suitably qualified heritage practitioner/ architect, detailing:
 - (i) The render treatment to the heritage facades including detail of any repair works required;
 - (ii) Detail of all new windows and doors to the retained heritage building and to show their style and materials will be consistently appropriate to the heritage character of the building;
 - (iii) The proposed reconstruction, restoration or works to the existing three storey Waltham Street and Bridge Road heritage façades, including the plinth, existing “Australia Hotel” sign, roof, with notations clearly outlining any changes from existing conditions or use of new materials; and
 - (iv) Any specific requirements.
9. The provisions, recommendations and requirements of the endorsed Conservation Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Landscape Plan

10. Before the development commences, a Landscape Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Landscape Plan will be endorsed and will form part of this permit. The Landscape Plan must:
 - (a) show the type, location, quantity, height at maturity and botanical names of all proposed plants;
 - (b) indicate the location and widths and depth of planter boxes; and
 - (c) demonstrate appropriate selection of plant species to ensure the operation of the perforated façade screen is not impeded by plantings.

to the satisfaction of the Responsible Authority.

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

Waltham Street kerb extension

12. Before the development commences, or by such later date as approved in writing by the Responsible Authority, a Streetscape Works plan including detailed engineering designs for the proposed kerb extension to Waltham Street to the satisfaction of the Responsible

Authority must be submitted to and approved by the Responsible Authority. When approved, the Streetscape Works plan will be endorsed and will form part of this permit. The plan is to show/include the following:

- (a) Footpath surface materials to be asphalt to match existing footpath surface and details of non-slip surface treatments to the glass bricks to the basement hatch; and
 - (b) Location and details of relocated stormwater drainage pits, kerb and channel footpath, setbacks of bicycle hoops to kerb edge (0.4m minimum required) and road pavement modifications.
13. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure (including the re-sheeting of the entire Bridge Road footpath for the width of the property frontage if required by the Responsible Authority) resulting from the development must be reinstated:
- (a) at the permit holder's cost, and
 - (b) to the satisfaction of the Responsible Authority.
14. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the entire footpath frontage to Waltham Street must be demolished and re-instated as standard footpath with a maximum 1-40 cross-fall and with bluestone kerb and channel retained/reinstated:
- (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
15. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the new vehicle crossing must be constructed:
- (a) in accordance with any requirements or conditions imposed by Council;
 - (b) at the permit holder's cost; and
 - (c) to the satisfaction of the Responsible Authority.
16. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way and with all redundant property drains to be removed.
17. Prior to the completion of the development, subject to the relevant authority's consent, the relocation of street signs, pits, drainage infrastructure, power poles and car parking spaces (including car space line markings and footpath parking sensors) necessary to facilitate the development must be undertaken:
- (a) in accordance with any requirements or conditions imposed by the relevant authority;
 - (b) at the permit holder's cost; and
- to the satisfaction of the Responsible Authority.
18. 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.

General

19. Operable shutters to Waltham Street to be fully closed outside of operation hours to the satisfaction of the Responsible Authority.

20. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating access to the car park and pedestrian entrances must be provided within the property boundary. Lighting must be:

 - (a) located;
 - (b) directed;
 - (c) shielded; and
 - (d) of limited intensity, and
 - (e) to the satisfaction of the Responsible Authority.
21. 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.
22. Finished floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.
23. The uses must comply at all times with the State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N-1).
24. The use must comply at all times with the State Environment Protection Policy – Control of Music Noise from Public Premises (SEPP N-2).
25. Before the development commences, a Construction Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will form part of this permit. The plan must provide for:

 - (a) a pre-conditions survey (dilapidation report) of the land and all adjacent Council roads frontages and nearby road infrastructure;
 - (b) works necessary to protect road and other infrastructure;
 - (c) remediation of any damage to road and other infrastructure;
 - (d) containment of dust, dirt and mud within the land and method and frequency of clean up procedures to prevent the accumulation of dust, dirt and mud outside the land;
 - (e) facilities for vehicle washing, which must be located on the land;
 - (f) the location of loading zones, site sheds, materials, cranes and crane/hoisting zones, gantries and any other construction related items or equipment to be located in any street;
 - (g) site security;
 - (h) management of any environmental hazards including, but not limited to,:
 - (i) contaminated soil;
 - (ii) materials and waste;
 - (iii) dust;
 - (iv) stormwater contamination from run-off and wash-waters;
 - (v) sediment from the land on roads;
 - (vi) washing of concrete trucks and other vehicles and machinery; and
 - (vii) spillage from refuelling cranes and other vehicles and machinery;
 - (i) the construction program;
 - (j) preferred arrangements for trucks delivering to the land, including delivery and unloading points and expected duration and frequency;
 - (k) parking facilities for construction workers;
 - (l) measures to ensure that all work on the land will be carried out in accordance with the Construction Management Plan;
 - (m) an outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services;
 - (n) an emergency contact that is available for 24 hours per day for residents and the Responsible Authority in the event of relevant queries or problems experienced;

- (o) the provision of a traffic management plan to comply with provisions of AS 1742.3-2002 Manual of uniform traffic control devices - Part 3: Traffic control devices for works on roads;
- (p) a Noise and Vibration Management Plan showing methods to minimise noise and vibration impacts on nearby properties and to demonstrate compliance with Noise Control Guideline 12 for Construction (Publication 1254) as issued by the Environment Protection Authority in October 2008. The Noise and Vibration Management Plan must be prepared to the satisfaction of the Responsible Authority.
In preparing the Noise and Vibration Management Plan, consideration must be given to:
 - (i) using lower noise work practice and equipment;
 - (ii) the suitability of the land for the use of an electric crane;
 - (iii) silencing all mechanical plant by the best practical means using current technology;
 - (iv) fitting pneumatic tools with an effective silencer;
 - (v) other relevant considerations.

26. During the construction:

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

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

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

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

29. 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:

Pursuant to clause 52.02 (Easements, Restrictions and Reserves) of the Yarra Planning Scheme a permit may be required to vary an easement.

A building permit may be required before development is commenced. Please contact Council's Building Services on 9205 5555 to confirm.

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

Provision must be made for drainage of the site to a legal point of discharge.

A vehicle crossing permit is required for the construction of the vehicle crossing. Please contact Council's Construction Management Branch on 9205 5555 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 business owners and employees within the development approved under this permit will not be permitted to obtain resident, business or visitor parking permits.

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

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

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

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

CARRIED UNANIMOUSLY

1.2 PLN18/0183 - 19 Down Street Collingwood - the construction of an eight-storey (plus basement levels) building including office and food and drinks (cafe) premises (no permit required for uses) and a reduction in the car parking requirements.

Reference: D20/38841

Authoriser: Senior Coordinator Statutory Planning

RECOMMENDATION

That having considered all objections and relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant Planning Permit PLN18/0183 for the construction of a multi-storey office building and a reduction in the car parking requirements at 19 Down Street Collingwood, subject to the following conditions:

1. Before the development commences, amended plans to the satisfaction of the responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans must 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 SLAB + DKO (Revision 02, dated 11 November 2019) but modified to show:
 - (a) Reduction in the height of the plant area / lift overrun by 2m, resulting in a parapet height of FFL 50.750;
 - (b) Materials schedule updated to include colour samples which demonstrate the vertical colour graduation associated with the concrete of the building facades;
 - (c) Deletion of the notation stating that the 'gallery / theatre' is a potential tenancy;
 - (d) Location, capacity and connection of the rainwater tank as detailed in the endorsed Sustainability Management Plan;
 - (e) Provision of a step at the John Street adjacent to the rear pedestrian entrance;
 - (f) Notation to confirm that the redundant crossover along Down Street will be reinstated as footpath, kerb and channel to the satisfaction of the Responsible Authority;
 - (g) Width of car stacker entrance dimensioned;
 - (h) Convex visibility mirrors for the car stacker entrance shown and notated;
 - (i) Floor-to-ceiling clearance of the ground floor dimensioned;
 - (j) Notation to state that for any new internal concrete work, the finished floor levels along the edge of the slab must be set 40 mm above the edge of Down Street;
 - (k) A minimum of 50% of the visitor bicycle spaces to be provided as horizontal-at-grade spaces or otherwise be to the satisfaction of the Responsible Authority.
 - (l) All remaining hanging bicycle visitor spaces staggered vertically by 30mm or separated by 700mm clearances;
 - (m) Pram ramp shown at the Down Street pedestrian entrance with line marking on the road to state that vehicles cannot be parked in front of the ramp.
 - (n) Any change required by the endorsed Sustainability Management Plan (as required by condition 4), where relevant to show on the plans;
 - (o) Any change required by the endorsed Landscape Plan (as required by condition 6), where relevant to show on the plans;
 - (p) Any change required by the endorsed Waste Management Plan (as required by condition 8), where relevant to show on the plans;
 - (q) Any changes required by the endorsed Wind Assessment Report (as required by condition 13), where relevant to show on the plans.
2. The development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.

3. In conjunction with the submission of development plans under Condition 1, a Façade Strategy to the satisfaction of the Responsible Authority must be submitted to and be approved by the Responsible Authority. When approved, the Façade Strategy 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 upper level façade details;
 - (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.

Sustainability Management Plan

4. Before the development commences, an amended Sustainable Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Sustainable Management Plan will be endorsed and will form part of this permit. The amended Sustainable Management Plan must be generally in accordance with the Sustainable Management Plan prepared by Wood & Grieve Engineers (Stantec), Revision 010, dated 11 November 2019) but modified to include;
 - (a) Provision of a heat ramp to be used for showers within the end of trip facilities;
 - (b) Commitment to collection of organic waste;
 - (c) Clarify the VLT used for daylight calculations and update BESS report to remove reference to 60% daylight target;
 - (d) Provision of a preliminary energy modelling report and glazing calculations to demonstrate commitments beyond NCC minimum requirements;
 - (e) Clarification as to how choice of materials will reduce urban heat island effect.
5. The provisions, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Landscape Plan

6. Before the development commences, an amended Landscape Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Landscape Plan will be endorsed and will form part of this permit. The Landscape Plan must be generally in accordance with the Landscape Plan produced by Etched, dated October 2019 but modified to include:
 - (a) Show the type, location, quantity, size at planting, size at maturity and botanical and common name of all proposed plants;
 - (b) Detailed drawings of planters clearly showing materials, dimensions, layers, drainage and irrigation;
 - (c) A clear maintenance schedule,to the satisfaction of the Responsible Authority.
7. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the landscaping works shown on the endorsed Landscape Plan must be carried out and completed to the satisfaction of the Responsible Authority. The landscaping shown on the endorsed Landscape Plan must be maintained by:

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

to the satisfaction of the Responsible Authority.

Waste Management Plan

- 8. Before the development commences, an amended Waste Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Waste Management Plan will be endorsed and will form part of this permit. The Waste Management Plan must be generally in accordance with the Waste Management Plan produced by Low Impact Development Consulting dated 26 February 2019, but modified to include:
 - (a) Clarification of the total size of the bin storage area (in square metres)
 - (b) Investigate reducing the proposed number of collections per stream.
- 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.

Green Travel Plan

- 11. Before the development is occupied, a Green Travel Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Green Travel plan will be endorsed and will form part of this permit. The Green Travel Plan must include, but not be limited to, the following:
 - (a) a description of the location in the context of alternative modes of transport;
 - (b) employee resident welcome packs (e.g. provision of Myki/transport ticketing);
 - (c) sustainable transport goals linked to measurable targets, performance indicators and monitoring timeframes;
 - (d) a designated 'manager' or 'champion' responsible for coordination and implementation;
 - (e) details of bicycle parking and bicycle routes;
 - (f) details of GTP funding and management responsibilities;
 - (g) security arrangements to access the employee bicycle storage spaces; and
 - (h) signage and wayfinding information for bicycle facilities and pedestrians pursuant to Australian Standard AS2890.3;
 - (i) provisions for the Green Travel Plan to be updated not less than every 5 years.
- 12. The provisions, recommendations and requirements of the endorsed Green Travel Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Wind Assessment Report

- 13. Before the development commences, a Wind Assessment Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Wind Assessment Report will be endorsed and will form part of this permit.

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

Infrastructure

15. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any new vehicle crossing must be constructed:
 - (a) in accordance with any requirements or conditions imposed by Council;
 - (b) at the permit holder's cost; and
 - (c) to the satisfaction of the Responsible Authority.
16. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the redundant vehicular crossing along the Down Street frontage must be demolished and reinstated as standard footpath and kerb and channel:
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
17. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated, including the footpath along the property's Down Street frontage, with these footpaths to be reinstated:
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.

General

18. The development must comply at all times with the State Environment Protection Policy — Control of Noise from Commerce, Industry and Trade (SEPP N-1).
19. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating access to the pedestrian and vehicular entrances must be provided on the subject site. Lighting must be:
 - (a) located;
 - (b) directed;
 - (c) shielded; and
 - (d) of limited intensity,to the satisfaction of the Responsible Authority.
20. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
21. 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.
22. Before the building is occupied, any wall located on a boundary facing public property must be treated with a graffiti proof finish to the satisfaction of the Responsible Authority.

Construction Management Plan

23. Before the development commences, a construction management plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will form part of this permit. The plan must provide for:
 - (a) A pre-conditions survey (dilapidation report) of the land and all adjacent Council roads frontages and nearby road infrastructure.
 - (b) Works necessary to protect road and other infrastructure.
 - (c) Remediation of any damage to road and other infrastructure.
 - (d) Containment of dust, dirt and mud within the land and method and frequency of clean up procedures to prevent the accumulation of dust, dirt and mud outside the land.
 - (e) Facilities for vehicle washing, which must be located on the land.
 - (f) The location of loading zones, site sheds, materials, cranes and crane/hoisting zones, gantries and any other construction related items or equipment to be located in any street.
 - (g) Site security.
 - (h) Management of any environmental hazards including, but not limited to,:
 - (i) contaminated soil.
 - (ii) materials and waste.
 - (iii) dust.
 - (iv) stormwater contamination from run-off and wash-waters.
 - (v) sediment from the land on roads.
 - (vi) washing of concrete trucks and other vehicles and machinery.
 - (vii) spillage from refuelling cranes and other vehicles and machinery.
 - (i) The construction program.
 - (j) Preferred arrangements for trucks delivering to the land, including delivery and unloading points and expected duration and frequency.
 - (k) Parking facilities for construction workers.
 - (l) Measures to ensure that all work on the land will be carried out in accordance with the construction management plan.
 - (m) An outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services.
 - (n) An emergency contact that is available for 24 hours per day for residents and the Responsible Authority in the event of relevant queries or problems experienced.
 - (o) The provision of a traffic management plan to comply with provisions of AS 1742.3-2002 Manual of uniform traffic control devices - Part 3: Traffic control devices for works on roads.
24. The provisions, recommendations and requirements of the endorsed construction management plan must be implemented and complied with to the satisfaction of the Responsible Authority.
25. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
 - (a) Monday to Friday (excluding public holidays) before 7:00am or after 6:00pm.
 - (b) Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday) before 9:00am or after 3:00pm.
 - (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.

Permit Expiry

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

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

NOTES:

A 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 5095 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.

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

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

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

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

Additional Online Submission received prior to the meeting

The Applicant – DKO Architecture.

The above submission was read out on the night by the Senior Governance Advisor.

INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION

Moved: Councillor Stone

Seconded: Councillor O'Brien

That having considered all objections and relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant Planning Permit PLN18/0183 for the construction of a multi-storey office building and a reduction in the car parking requirements at 19 Down Street Collingwood, subject to the following conditions:

1. Before the development commences, amended plans to the satisfaction of the responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans must 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 SLAB + DKO (Revision 02, dated 11 November 2019) but modified to show:
 - (a) Reduction in the height of the plant area / lift overrun by 2m, resulting in a parapet height of FFL 50.750;

- (b) Materials schedule updated to include colour samples which demonstrate the vertical colour graduation associated with the concrete of the building facades;
 - (c) Deletion of the notation stating that the 'gallery / theatre' is a potential tenancy;
 - (d) Location, capacity and connection of the rainwater tank as detailed in the endorsed Sustainability Management Plan;
 - (e) Provision of a step at the John Street adjacent to the rear pedestrian entrance;
 - (f) Notation to confirm that the redundant crossover along Down Street will be reinstated as footpath, kerb and channel to the satisfaction of the Responsible Authority;
 - (g) Width of car stacker entrance dimensioned;
 - (h) Convex visibility mirrors for the car stacker entrance shown and notated;
 - (i) Floor-to-ceiling clearance of the ground floor dimensioned;
 - (j) Notation to state that for any new internal concrete work, the finished floor levels along the edge of the slab must be set 40 mm above the edge of Down Street;
 - (k) A minimum of 50% of the visitor bicycle spaces to be provided as horizontal-at-grade spaces or otherwise be to the satisfaction of the Responsible Authority.
 - (l) All remaining hanging bicycle visitor spaces staggered vertically by 30mm or separated by 700mm clearances;
 - (m) Pram ramp shown at the Down Street pedestrian entrance with line marking on the road to state that vehicles cannot be parked in front of the ramp.
 - (n) Any change required by the endorsed Sustainability Management Plan (as required by condition 4), where relevant to show on the plans;
 - (o) Any change required by the endorsed Landscape Plan (as required by condition 6), where relevant to show on the plans;
 - (p) Any change required by the endorsed Waste Management Plan (as required by condition 8), where relevant to show on the plans;
 - (q) Any changes required by the endorsed Wind Assessment Report (as required by condition 13), where relevant to show on the plans.
2. The development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
3. In conjunction with the submission of development plans under Condition 1, a Façade Strategy to the satisfaction of the Responsible Authority must be submitted to and be approved by the Responsible Authority. When approved, the Façade Strategy will be endorsed and will then form part of this permit. This must detail:
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 - (d) A sample board and coloured drawings outlining colours, materials and finishes.

Sustainability Management Plan

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- (a) Provision of a heat ramp to be used for showers within the end of trip facilities;
 - (b) Commitment to collection of organic waste;

- (c) Clarify the VLT used for daylight calculations and update BESS report to remove reference to 60% daylight target;
 - (d) Provision of a preliminary energy modelling report and glazing calculations to demonstrate commitments beyond NCC minimum requirements;
 - (e) Clarification as to how choice of materials will reduce urban heat island effect.
5. The provisions, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Landscape Plan

6. Before the development commences, an amended Landscape Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Landscape Plan will be endorsed and will form part of this permit. The Landscape Plan must be generally in accordance with the Landscape Plan produced by Etched, dated October 2019 but modified to include:
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 - (b) Detailed drawings of planters clearly showing materials, dimensions, layers, drainage and irrigation;
 - (c) A clear maintenance schedule,
- to the satisfaction of the Responsible Authority.
7. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the landscaping works shown on the endorsed Landscape Plan must be carried out and completed to the satisfaction of the Responsible Authority. The landscaping shown on the endorsed Landscape Plan must be maintained by:
- (a) implementing and complying with the provisions, recommendations and requirements of the endorsed Landscape Plan;
 - (b) not using the areas set aside on the endorsed Landscape Plan for landscaping for any other purpose; and
 - (c) replacing any dead, diseased, dying or damaged plants,
- to the satisfaction of the Responsible Authority.

Waste Management Plan

8. Before the development commences, an amended Waste Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Waste Management Plan will be endorsed and will form part of this permit. The Waste Management Plan must be generally in accordance with the Waste Management Plan produced by Low Impact Development Consulting dated 26 February 2019, but modified to include:
- (a) Clarification of the total size of the bin storage area (in square metres).
 - (b) Investigate reducing the proposed number of collections per stream.
 - (c) Provision for organic waste collection.

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.

Green Travel Plan

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 - (a) a description of the location in the context of alternative modes of transport;
 - (b) employee resident welcome packs (e.g. provision of Myki/transport ticketing);
 - (c) sustainable transport goals linked to measurable targets, performance indicators and monitoring timeframes;
 - (d) a designated 'manager' or 'champion' responsible for coordination and implementation;
 - (e) details of bicycle parking and bicycle routes;
 - (f) details of GTP funding and management responsibilities;
 - (g) security arrangements to access the employee bicycle storage spaces; and
 - (h) signage and wayfinding information for bicycle facilities and pedestrians pursuant to Australian Standard AS2890.3;
 - (i) provisions for the Green Travel Plan to be updated not less than every 5 years.
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Wind Assessment Report

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

Infrastructure

15. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any new vehicle crossing must be constructed:
 - (a) in accordance with any requirements or conditions imposed by Council;
 - (b) at the permit holder's cost; and
 - (c) to the satisfaction of the Responsible Authority.
16. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the redundant vehicular crossing along the Down Street frontage must be demolished and reinstated as standard footpath and kerb and channel:
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.

17. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated, including the footpath along the property's Down Street frontage, with these footpaths to be reinstated:
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.

General

18. The development must comply at all times with the State Environment Protection Policy — Control of Noise from Commerce, Industry and Trade (SEPP N-1).
19. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating access to the pedestrian and vehicular entrances must be provided on the subject site. Lighting must be:
 - (a) located;
 - (b) directed;
 - (c) shielded; and
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20. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
21. 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.
22. Before the building is occupied, any wall located on a boundary facing public property must be treated with a graffiti proof finish to the satisfaction of the Responsible Authority.

Construction Management Plan

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

- (v) sediment from the land on roads.
 - (vi) washing of concrete trucks and other vehicles and machinery.
 - (vii) spillage from refuelling cranes and other vehicles and machinery.
 - (i) The construction program.
 - (j) Preferred arrangements for trucks delivering to the land, including delivery and unloading points and expected duration and frequency.
 - (k) Parking facilities for construction workers.
 - (l) Measures to ensure that all work on the land will be carried out in accordance with the construction management plan.
 - (m) An outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services.
 - (n) An emergency contact that is available for 24 hours per day for residents and the Responsible Authority in the event of relevant queries or problems experienced.
 - (o) The provision of a traffic management plan to comply with provisions of AS 1742.3-2002 Manual of uniform traffic control devices - Part 3: Traffic control devices for works on roads.
24. The provisions, recommendations and requirements of the endorsed construction management plan must be implemented and complied with to the satisfaction of the Responsible Authority.
25. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
- (a) Monday to Friday (excluding public holidays) before 7:00am or after 6:00pm.
 - (b) Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday) before 9:00am or after 3:00pm.
 - (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.

Permit Expiry

26. This permit will expire if:

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

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

NOTES:

A 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 5095 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.

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

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

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

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

CARRIED UNANIMOUSLY

-
- 1.3 PLN15/0947.02 - 1-3 Otter Street, Collingwood - Amendment to the planning permit for a change of use from a 7 storey mixed-use building (including dwellings and food and drinks premises) to an 8 storey hotel (inclusion of an internal mezzanine) with ancillary food and drinks premises including modifications to the permit preamble, conditions and approved built form with the removal of all on-site car parking**
-

Reference: D20/78350

Authoriser: Manager Statutory Planning

RECOMMENDATION

That having considered all objections and relevant planning policies, the Committee resolves to advise the Victorian Civil and Administrative Tribunal that had it been in the position to, it would have issued a Notice of Decision to Grant an Amended Planning Permit PLN15/0947 for the amendment to the planning permit for a change of use from a mixed-use building (including dwellings and food and drinks premises) to a residential hotel with ancillary food and drinks premises including modifications to the permit preamble, conditions and approved built form with the removal of all on-site car parking at 1 – 3 Otter Street, Collingwood, subject to the following conditions:

Preamble (amended)

For the purpose of the following, in accordance with the endorsed plan(s).

- **Use of the land as a residential hotel;**
- **Construct a building or carry out works; and**
- **A waiver of the visitor bicycle requirements.**

In accordance with the endorsed plans.

Conditions (amended or new conditions in bold)

- 1. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the decision plans by Hassell Architects dated 31/10/2019 but modified to show:**

(a) Ground floor plan to clearly show:

- (i) All areas of the food and drinks premises and lobby area (including but not limited to: reception desk, food and drinks area).**
- (ii) The 2sqm area for hard rubbish/e-waste to be consistent with the requirements outlined within the Waste Management Plan.**
- (iii) Changes to the ground and mezzanine floors in accordance with the sketch plans prepared by Hassell Architects dated 28/02/2020, showing:**
 - **Relocation of fire pump room from Bedford Street and replacement with staff access from ground level to mezzanine level. Staff entrance to be fully glazed.**
 - **Fire pump room to be relocated to the western portion of the building (interface with the ROW).**

- **Secondary staff entrance from ROW removed and replaced with linen store. Chem store and waste room reconfigured accordingly.**
- **Reconfiguration of the mezzanine level to accord with the relocated stair access at ground level and subsequent modifications to the window locations to suit the changes.**

But further modified to show:

- **The western elevation modified to incorporate a pattern, finish or surface material to the ground/mezzanine floor western boundary wall to provide visual interest.**
- (iv) Four bicycle hoops (total 8 bike spaces) on the Otter Street frontage provided in accordance with *Council's Street Furniture Details 01: Bicycle Hoops*.**
- (b) Provision of a window reveal strategy for the podium levels, including a detailed render of the podium windows and sectional details of the window reveals and window frames.**
- (c) The western elevation updated to:**
- (i) Modify the note regarding the screening to include reference to the screens being permanent and having a maximum 25% transparency.**
 - (ii) Remove the hatching applied to Levels 04-06 and making clear the extent of the solid walls to prevent overlooking, in accordance with the floor plans of these levels.**
 - (iii) Indicate the materiality of the gate along the western edge of the north-western hotel room on Level 04, in accordance with the requirements of clause 55.04-6 (overlooking).**

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

Architect involvement

- 3 As part of the ongoing consultant team, Hassell Architects or an architectural firm to the satisfaction of the responsible authority must be engaged to oversee the design and construction to ensure that the design quality and appearance of the approved development is realized.**

Hotel Management Plan

- 4 Before the use commences, a Hotel Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Hotel Management Plan will be endorsed and will form part of this permit. The Hotel Management Plan must include or show;**
- (a) The ground floor food and drinks premises operations to be open only during the hours of 7am to 10pm each day.**
 - (b) The mezzanine level pre-function room and conference room operations to be only during the hours of 7am to 10pm each day.**
 - (c) Details of the drop-off and pick-up provisions from Otter Street.**
 - (d) The provisions of the Green Travel Plan, including initiatives for hotel guests.**

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

Sustainable Management Plan

- 6 Before the development commences, an amended Sustainable Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Sustainable Management Plan will be endorsed and will form part of this permit. The amended Sustainable Management Plan must be generally in accordance with the Sustainable Management Plan prepared by Lucid Consulting, dated 8 October 2019, but modified to include or show:
- (a) A STORM Rating report and stormwater strategy.
 - (b) Removal of the statement that formal certification of the Green Star rating will not be pursued with details of Green Star project registration.
- 7 The provisions, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
- 8 Before the development is occupied, a report from the author of the Sustainability Management Plan, approved under this permit, or similarly qualified person or company, must be submitted to the Responsible Authority. The report must be to the satisfaction of the Responsible Authority and must confirm all measures specified in the Sustainability Management Plan have been implemented in accordance with the approved plan.

Waste Management Plan

- 9 The collection of waste from the site must be by private collection, unless with the prior written consent of the Responsible Authority.
- 10 The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Acoustic report

- 11 Before the development commences, an amended Acoustic Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Acoustic Report will be endorsed and will form part of this permit. The amended Acoustic Report must be generally in accordance with the Acoustic Report prepared by Acoustic Logic dated 19/09/2019, but modified to include (or show, or address):
- (a) The additional information presented within the letter prepared by Acoustic Logic dated 9/12/2019, submitted 19/12/2019.
- 12 The provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.

- 13 Following completion of the development, and prior to its occupation, an Acoustic Report to the satisfaction of the responsible authority must be submitted to, and be approved by, the responsible authority. The Acoustic Report must be prepared by a suitably qualified acoustic engineer and must demonstrate compliance of the mechanical plant with both State Environment Protection Policy (Noise from Commerce, Industry and Trade) No. N-1 and sleep disturbance targets at existing dwellings. When approved, the Acoustic Report will be endorsed and will then form part of this permit.**

Green Travel Plan

- 14 Before the development commences, an amended Green Travel Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Green Travel Plan will be endorsed and will form part of this permit. The amended Green Travel Plan must be generally in accordance with the Green Travel Plan prepared by GTA consultants, dated 16/09/2019, but modified to include or show:**
- (a) Information on public transport within the surrounding area displayed within the lobby;**
 - (b) Provision for all front of house hotel staff to be trained to provide assistance with finding public and sustainable transport options.**
- 15 The provisions, recommendations and requirements of the endorsed Green Travel Plan must be implemented and complied with to the satisfaction of the Responsible Authority.**

Street Tree

- 16 Before the development commences, the permit holder must make a one off contribution of \$2888 to the Responsible Authority to be used for the removal of the tree and stump and the planting of three new street tree plantings that are required as a result of the development.**

Environmental Audit

- 17 Before either the construction of the development authorised by this permit or the use authorised by this permit commence, an assessment of the land to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The assessment must be prepared by an environmental professional with suitable qualifications to the satisfaction of the Responsible Authority and must include:**
- (a) a description of previous land uses and activities on the land;**
 - (b) an assessment of the level, nature and distribution of any contamination within, or in close proximity to, the land;**
 - (c) details of any provisions, recommendations and requirements (including but not limited to, clean up, construction, ongoing maintenance or monitoring) required to effectively address and manage any contamination within the land; and**
 - (d) recommendations as to whether the land is suitable for the use for which the land is proposed to be developed and whether an Environmental Auditor should be appointed under section 53S of the *Environment Protection Act* 1970 (EP Act) to undertake an Environmental Audit in accordance with the provisions of the EP Act.**

- 18 If the assessment required by condition 10 does not result in a recommendation that an Environmental Auditor be appointed under section 53S of the EP Act to undertake an Environmental Audit in accordance with the provisions of the EP Act, all provisions, recommendations and requirements of the assessment must be implemented and complied with to the satisfaction of the Responsible Authority.
- 19 If the assessment required by condition 10 results in a recommendation that an Environmental Auditor be appointed under section 53S of the EP Act to undertake an Environmental Audit in accordance with the provisions of the EP Act, before the construction of the development authorised by this permit or the use authorised by this permit commence, the Environmental Auditor appointed under section 53S of the *Environment Protection Act* 1970 (EP Act) must undertake an Environmental Audit in accordance with the provisions of the EP Act and issue:
- (a) a Certificate of Environmental Audit for the land in accordance with section 53Y of the EP Act (Certificate); or
 - (b) a Statement of Environmental Audit for the land in accordance with section 53Z of the EP Act (Statement),

and the Certificate or Statement must be provided to the Responsible Authority.

If, pursuant to condition 12, a Statement is issued:

- (c) the:
 - use; and
 - development,authorised by this permit must not be undertaken unless the Statement clearly states that the land is suitable for the sensitive use for which the land is being developed;
- (d) the development authorised by this permit must not be undertaken until compliance is achieved with the terms and conditions that the Statement states must be complied with before the development commences (development pre-commencement conditions);
- (e) the use authorised by this permit must not be undertaken until compliance is achieved with all terms and conditions that the Statement states must be complied with before the use commences (use pre-commencement conditions);
- (f) before the construction of the development authorised by this permit commences, a letter prepared by the Environmental Auditor appointed under section 53S of the EP Act which states that the development pre-commencement conditions have been complied with must be submitted to the responsible authority.
- (g) before the use authorised by this permit commences, a letter prepared by the Environmental Auditor appointed under section 53S of the EP Act which states that the use pre-commencement conditions have been complied with must be submitted to the responsible authority;

- (h) if any term or condition of the Statement requires any ongoing maintenance or monitoring, the owner of the land (or another person in anticipation of becoming the owner) must enter into an agreement with the Responsible Authority pursuant to section 173 of the *Planning and Environment Act 1987* (Agreement). The Agreement must:
 - (i) provide for the undertaking of the ongoing maintenance and monitoring as required by the Statement; and
 - (ii) be executed before the sensitive use for which the land is being developed commences; and
 - (iii) the owner of the land, or other person in anticipation of becoming the owner, must pay all costs and expenses (including legal expenses) of, and incidental to, the Agreement (including those incurred by the Responsible Authority).

Road Infrastructure

- 20 Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any new vehicle crossing must be constructed:
 - (a) in accordance with any requirements or conditions imposed by Council;
 - (b) at the permit holder's cost; and
 - (c) to the satisfaction of the Responsible Authority.
- 21 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.
- 22 Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, **eight** bike spaces must be installed on the Otter Street footpath:
 - (a) at the permit holder's cost; and
 - (b) in a location and manner,

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, all building works and connections for underground utility services, the footpath immediately outside the property's Otter and Bedford Streets road frontages must be reconstructed (including kerb and channel):
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
- 24 Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the vehicle crossing servicing the Right of Way on Otter Street shall also be reconstructed:
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.

- 25 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.

Loading Area

- 26 **Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the area set aside on the endorsed plans for the loading bay, 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 loading bay;**
- to the satisfaction of the Responsible Authority.**
- 27 **Deleted.**
- 28 **Deleted.**

Lighting

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

Section 173 Agreement (Public Lighting for laneway adjacent to western boundary of the subject site):

30. Within six months of the commencement of the development authorised by this permit, the owner (or another person in anticipation of becoming the owner) must enter into an agreement with the Responsible Authority under section 173 of the Planning and Environment Act 1987, which provides for the following:
- (a) The owner must provide public lighting to the laneway adjacent to the western boundary of the property at 1-3 Otter Street, Collingwood to the satisfaction of the Yarra City Council;
 - (b) The owner is responsible for maintaining (in working order) public lighting to the laneway adjacent to the western boundary of the property at 1-3 Otter Street, Collingwood at all times, at the cost of the owners of the site and to the satisfaction of the Yarra City Council;

The owner, or other person in anticipation of becoming the owner, must prepare and submit documentation for title amendments and meet all of the expenses of the preparation and registration of the agreement, including the costs borne by the Responsible Authority.

General

- 31 The amenity of the area must not be detrimentally affected by the use, including through:
- (a) the transport of materials, goods or commodities to or from land;
 - (b) the appearance of any buildings, works or materials;
 - (c) the emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or
 - (d) the presence of vermin.
- to the satisfaction of the Responsible Authority.
- 32 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.
- 33 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.
- 34 The development must comply at all times with the State Environment Protection Policy — Control of Noise from Commerce, Industry and Trade (SEPP N-1).**
- 35 The development must comply at all times with the State Environment Protection Policy — Control of Music Noise from Public Premises (SEPP N-2).**
- 36 Delivery and collection of goods to and from the land may only occur between 7am and 10pm Monday to Saturday, or between 9am and 10pm on a Sunday or public holiday except for those allowed under any relevant local law.**
- 37 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.**
- 38 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.

Construction Management

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

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

- (ii) the suitability of the land for the use of an electric crane;
- (iii) silencing all mechanical plant by the best practical means using current technology;
- (iv) fitting pneumatic tools with an effective silencer;
- (v) other relevant considerations; and
- (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.

Time expiry

40 This permit will expire if one of the following circumstances applies:

- (a) The development is not started within two years of the issued date of this permit.
- (b) The development is not completed within four years of the issued date of this permit.
- (c) The use has not commenced within five years of the date of this permit.

In accordance with Section 69 of the *Planning and Environment Act 1987*, an application may be submitted to the Responsible Authority for an extension of the periods referred to in this condition.

Notes:

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

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

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

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

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

Additional Online Submissions received prior to the meeting

The Applicant – SJB Planning.

Objectors – Aidan Halloran, Tristan McCaughey and Helen Madden.

The above submissions were read out on the night by the Senior Governance Advisor.

INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION

Moved: Councillor Nguyen

Seconded: Councillor Stone

That having considered all objections and relevant planning policies, the Committee resolves to advise the Victorian Civil and Administrative Tribunal that had it been in the position to, it would have issued a Notice of Decision to Grant an Amended Planning Permit PLN15/0947 for the amendment to the planning permit for a change of use from a mixed-use building (including dwellings and food and drinks premises) to a residential hotel with ancillary food and drinks premises including modifications to the permit preamble, conditions and approved built form with the removal of all on-site car parking at 1 – 3 Otter Street, Collingwood, subject to the following conditions:

Preamble (amended)

For the purpose of the following, in accordance with the endorsed plan(s).

- **Use of the land as a residential hotel;**
- **Construct a building or carry out works; and**
- **A waiver of the visitor bicycle requirements.**

In accordance with the endorsed plans.

Conditions (amended or new conditions in bold)

1. **Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the decision plans by Hassell Architects dated 31/10/2019 but modified to show:**

(a) Ground floor plan to clearly show:

- (i) All areas of the food and drinks premises and lobby area (including but not limited to: reception desk, food and drinks area).**
- (ii) The 2sqm area for hard rubbish/e-waste to be consistent with the requirements outlined within the Waste Management Plan.**
- (iii) Changes to the ground and mezzanine floors in accordance with the sketch plans prepared by Hassell Architects dated 28/02/2020, showing:**
 - **Relocation of fire pump room from Bedford Street and replacement with staff access from ground level to mezzanine level. Staff entrance to be fully glazed.**
 - **Fire pump room to be relocated to the western portion of the building (interface with the ROW).**

- **Secondary staff entrance from ROW removed and replaced with linen store. Chem store and waste room reconfigured accordingly.**
- **Reconfiguration of the mezzanine level to accord with the relocated stair access at ground level and subsequent modifications to the window locations to suit the changes.**

But further modified to show:

- **The western elevation modified to incorporate a pattern, finish or surface material to the ground/mezzanine floor western boundary wall to provide visual interest.**
- (iv) Four bicycle hoops (total 8 bike spaces) on the Otter Street frontage provided in accordance with *Council's Street Furniture Details 01: Bicycle Hoops*.**
- (b) Provision of a window reveal strategy for the podium levels, including a detailed render of the podium windows and sectional details of the window reveals and window frames.**
- (c) The western elevation updated to:**
- (i) Modify the note regarding the screening to include reference to the screens being permanent and having a maximum 25% transparency.**
 - (ii) Remove the hatching applied to Levels 04-06 and making clear the extent of the solid walls to prevent overlooking, in accordance with the floor plans of these levels.**
 - (iii) Indicate the materiality of the gate along the western edge of the north-western hotel room on Level 04, in accordance with the requirements of clause 55.04-6 (overlooking).**

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

Architect involvement

- 3** As part of the ongoing consultant team, Hassell Architects or an architectural firm to the satisfaction of the responsible authority must be engaged to oversee the design and construction to ensure that the design quality and appearance of the approved development is realized.

Hotel Management Plan

- 4** **Before the use commences, a Hotel Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Hotel Management Plan will be endorsed and will form part of this permit. The Hotel Management Plan must include or show;**
- (a) The ground floor food and drinks premises operations to be open only during the hours of 7am to 10pm each day.**
 - (b) The mezzanine level pre-function room and conference room operations to be only during the hours of 7am to 10pm each day.**

- (c) **Details of the drop-off and pick-up provisions from Otter Street.**
- (d) **The provisions of the Green Travel Plan, including initiatives for hotel guests.**

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

Sustainable Management Plan

6 Before the development commences, an amended Sustainable Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Sustainable Management Plan will be endorsed and will form part of this permit. The amended Sustainable Management Plan must be generally in accordance with the Sustainable Management Plan prepared by Lucid Consulting, dated 8 October 2019, but modified to include or show:

- (a) **A STORM Rating report and stormwater strategy.**
- (b) **Removal of the statement that formal certification of the Green Star rating will not be pursued with details of Green Star project registration.**

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

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

Waste Management Plan

9. Before the use and development commences, an amended Waste Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Waste Management Plan will be endorsed and will form part of this permit. The amended Waste Management Plan must be generally in accordance with the Waste Management Plan prepared by Leigh Design and dated 17/09/2019, but modified to include:

- (a) **Provision for organic waste collection.**

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

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

Acoustic report

- 12** Before the development commences, an amended Acoustic Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Acoustic Report will be endorsed and will form part of this permit.

The amended Acoustic Report must be generally in accordance with the Acoustic Report prepared by Acoustic Logic dated 19/09/2019, but modified to include (or show, or address):

- (a) The additional information presented within the letter prepared by Acoustic Logic dated 9/12/2019, submitted 19/12/2019.

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

- 14** Following completion of the development, and prior to its occupation, an Acoustic Report to the satisfaction of the responsible authority must be submitted to, and be approved by, the responsible authority. The Acoustic Report must be prepared by a suitably qualified acoustic engineer and must demonstrate compliance of the mechanical plant with both State Environment Protection Policy (Noise from Commerce, Industry and Trade) No. N-1 and sleep disturbance targets at existing dwellings. When approved, the Acoustic Report will be endorsed and will then form part of this permit.

Green Travel Plan

- 15** Before the development commences, an amended Green Travel Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Green Travel Plan will be endorsed and will form part of this permit. The amended Green Travel Plan must be generally in accordance with the Green Travel Plan prepared by GTA consultants, dated 16/09/2019, but modified to include or show:

- (a) Information on public transport within the surrounding area displayed within the lobby;
- (b) Provision for all front of house hotel staff to be trained to provide assistance with finding public and sustainable transport options.

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

Street Tree

- 17** Before the development commences, the permit holder must make a one off contribution of \$2888 to the Responsible Authority to be used for the removal of the tree and stump and the planting of three new street tree plantings that are required as a result of the development.

Environmental Audit

- 18** Before either the construction of the development authorised by this permit or the use authorised by this permit commence, an assessment of the land to the satisfaction of the

Responsible Authority must be submitted to and approved by the Responsible Authority. The assessment must be prepared by an environmental professional with suitable qualifications to the satisfaction of the Responsible Authority and must include:

- (a) a description of previous land uses and activities on the land;
- (b) an assessment of the level, nature and distribution of any contamination within, or in close proximity to, the land;
- (c) details of any provisions, recommendations and requirements (including but not limited to, clean up, construction, ongoing maintenance or monitoring) required to effectively address and manage any contamination within the land; and
- (d) recommendations as to whether the land is suitable for the use for which the land is proposed to be developed and whether an Environmental Auditor should be appointed under section 53S of the *Environment Protection Act* 1970 (EP Act) to undertake an Environmental Audit in accordance with the provisions of the EP Act.

19 If the assessment required by condition 18 does not result in a recommendation that an Environmental Auditor be appointed under section 53S of the EP Act to undertake an Environmental Audit in accordance with the provisions of the EP Act, all provisions, recommendations and requirements of the assessment must be implemented and complied with to the satisfaction of the Responsible Authority.

20 If the assessment required by condition 18 results in a recommendation that an Environmental Auditor be appointed under section 53S of the EP Act to undertake an Environmental Audit in accordance with the provisions of the EP Act, before the construction of the development authorised by this permit or the use authorised by this permit commence, the Environmental Auditor appointed under section 53S of the *Environment Protection Act* 1970 (EP Act) must undertake an Environmental Audit in accordance with the provisions of the EP Act and issue:

- (a) a Certificate of Environmental Audit for the land in accordance with section 53Y of the EP Act (Certificate); or
- (b) a Statement of Environmental Audit for the land in accordance with section 53Z of the EP Act (Statement),

and the Certificate or Statement must be provided to the Responsible Authority.

If, pursuant to condition 20, a Statement is issued:

(c) the:

- use; and
- development,

authorised by this permit must not be undertaken unless the Statement clearly states that the land is suitable for the sensitive use for which the land is being developed;

- (d) the development authorised by this permit must not be undertaken until compliance is achieved with the terms and conditions that the Statement states must be complied with before the development commences (development pre-commencement conditions);

- (e) the use authorised by this permit must not be undertaken until compliance is achieved with all terms and conditions that the Statement states must be complied with before the use commences (use pre-commencement conditions);
- (f) before the construction of the development authorised by this permit commences, a letter prepared by the Environmental Auditor appointed under section 53S of the EP Act which states that the development pre-commencement conditions have been complied with must be submitted to the responsible authority.
- (g) before the use authorised by this permit commences, a letter prepared by the Environmental Auditor appointed under section 53S of the EP Act which states that the use pre-commencement conditions have been complied with must be submitted to the responsible authority;
- (h) if any term or condition of the Statement requires any ongoing maintenance or monitoring, the owner of the land (or another person in anticipation of becoming the owner) must enter into an agreement with the Responsible Authority pursuant to section 173 of the *Planning and Environment Act 1987* (Agreement). The Agreement must:
 - (i) provide for the undertaking of the ongoing maintenance and monitoring as required by the Statement; and
 - (ii) be executed before the sensitive use for which the land is being developed commences; and
 - (iii) the owner of the land, or other person in anticipation of becoming the owner, must pay all costs and expenses (including legal expenses) of, and incidental to, the Agreement (including those incurred by the Responsible Authority).

Road Infrastructure

- 21 Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any new vehicle crossing must be constructed:
 - (a) in accordance with any requirements or conditions imposed by Council;
 - (b) at the permit holder's cost; and
 - (c) to the satisfaction of the Responsible Authority.
- 22 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.
- 23 Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, **eight** bike spaces must be installed on the Otter Street footpath:
 - (a) at the permit holder's cost; and
 - (b) in a location and manner,

to the satisfaction of the Responsible Authority.

- 24** Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, all building works and connections for underground utility services, the footpath immediately outside the property's Otter and Bedford Streets road frontages must be reconstructed (including 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, the vehicle crossing servicing the Right of Way on Otter Street shall also be reconstructed:
- (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
- 26** 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.

Loading Area

- 27** 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 loading bay, 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 loading bay;
- to the satisfaction of the Responsible Authority.**
- 28** Deleted.
- 29** Deleted.

Lighting

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

Section 173 Agreement (Public Lighting for laneway adjacent to western boundary of the subject site):

31. Within six months of the commencement of the development authorised by this permit, the owner (or another person in anticipation of becoming the owner) must enter into an agreement with the Responsible Authority under section 173 of the Planning and Environment Act 1987, which provides for the following:

- (a) The owner must provide public lighting to the laneway adjacent to the western boundary of the property at 1-3 Otter Street, Collingwood to the satisfaction of the Yarra City Council;
- (b) The owner is responsible for maintaining (in working order) public lighting to the laneway adjacent to the western boundary of the property at 1-3 Otter Street, Collingwood at all times, at the cost of the owners of the site and to the satisfaction of the Yarra City Council;

The owner, or other person in anticipation of becoming the owner, must prepare and submit documentation for title amendments and meet all of the expenses of the preparation and registration of the agreement, including the costs borne by the Responsible Authority.

General

32 The amenity of the area must not be detrimentally affected by the use, including through:

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

to the satisfaction of the Responsible Authority.

33 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.

34 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.

35 **The development must comply at all times with the State Environment Protection Policy — Control of Noise from Commerce, Industry and Trade (SEPP N-1).**

36 **The development must comply at all times with the State Environment Protection Policy — Control of Music Noise from Public Premises (SEPP N-2).**

37 **Delivery and collection of goods to and from the land may only occur between 7am and 10pm Monday to Saturday, or between 9am and 10pm on a Sunday or public holiday except for those allowed under any relevant local law.**

38 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.

39 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.

Construction Management

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

- (a) a pre-conditions survey (dilapidation report) of the land and all adjacent Council roads frontages and nearby road infrastructure;
- (b) works necessary to protect road and other infrastructure;
- (c) remediation of any damage to road and other infrastructure;
- (d) containment of dust, dirt and mud within the land and method and frequency of clean up procedures to prevent the accumulation of dust, dirt and mud outside the land,
- (e) facilities for vehicle washing, which must be located on the land;
- (f) the location of loading zones, site sheds, materials, cranes and crane/hoisting zones, gantries and any other construction related items or equipment to be located in any street;
- (g) site security;
- (h) management of any environmental hazards including, but not limited to,:
 - (i) contaminated soil;
 - (ii) materials and waste;
 - (iii) dust;
 - (iv) stormwater contamination from run-off and wash-waters;
 - (v) sediment from the land on roads;
 - (vi) washing of concrete trucks and other vehicles and machinery; and
 - (vii) spillage from refuelling cranes and other vehicles and machinery;
- (i) the construction program;
- (j) preferred arrangements for trucks delivering to the land, including delivery and unloading points and expected duration and frequency;
- (k) parking facilities for construction workers;

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

Time expiry

41 This permit will expire if one of the following circumstances applies:

- (a) The development is not started within two years of the issued date of this permit.
- (b) The development is not completed within four years of the issued date of this permit.
- (c) The use has not commenced within five years of the date of this permit.

In accordance with Section 69 of the *Planning and Environment Act 1987*, an application may be submitted to the Responsible Authority for an extension of the periods referred to in this condition.

Notes:

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

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

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

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

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

CARRIED

-
- 1.4 271 Bridge Road, 208, 224, 228, 230, and 238 Church Street, 42 and 46 Cameron Street and 25 and 37 - 39 Bank Street Richmond - PLN11/0834.03 - Section 72 Amendment to allow for changes to the permit preamble, conditions of the permit and changes to the endorsed plans including reconfiguration of uses, changes to car parking and bicycle provisions and built form changes.**
-

Reference: D20/78067

Authoriser: Manager Statutory Planning

Cr O'Brien left the meeting at 7.34pm and returned at 7.37pm

RECOMMENDATION

1. That having considered all relevant matters, the Committee resolves to issue a Notice of Decision to Amend Planning Permit PLN11/0834.

With the following preamble

demolition, buildings and works, use of the land for dwellings, shop, ~~restricted recreation facility~~, food and drinks premises, restaurant, office, ~~childcare centre~~, use of part of the land for the sale and consumption of liquor, reduction in car parking requirements, and use of the northern part of the land for loading/unloading bay and waste collection.

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 decision plans prepared by SJB Architects, ~~received by Council on 11 and 19 July 2018~~ **dated 17 October 2019 and 29 November 2019** but modified to show:

Building Design

Podium

- (a) details of the material along the west title boundary (adjacent to Ark) at ground and first floor level;
- (b) all canopies and architectural projections along Church Street and Bridge Road to be setback a minimum 750mm from the back of the kerb;
- (c) good visibility in to the residential lobbies;
- (d) setback of the western car park edge at levels 1 & 2 to be increased to align with those ~~currently endorsed being ranging between~~ **to be a minimum of 3.98 – 4.5m.**
- (e) **plans updated to show (Levels 1 – 3) Building B to show insertion of skylights to the corridor and any other corresponding amendments as required as depicted in the schematic plans prepared by SJB Architects dated 19 March 2020;**
- (f) **plans updated to show Level 1 Building C to show new courtyard facilitating natural light to this corridor including changes to the storage cages at this level and any other corresponding amendments as required as depicted in the schematic plans prepared by SJB Architects dated 19 March 2020.**

Bridge Road Tower [Building A]

~~details of the operable screens proposed for the upper levels~~

- (g) basement car park to be contained within the subject sites title boundaries;
- (h) **floor plans update to show new window locations to the northern elevation consistent with condition 1o(vii);**

Building B

- (i) **floor plans update to show new window locations to the northern elevation consistent with condition 1o(v);**
- (j) **floor plans updated to show location of new planter areas at levels 1 & 2 of building B & C consistent with condition 1o(vi).**

Building C

~~a reduction in the parapet height (to apartment C6.01) as it presents to Church Street and for the first section of the return from 1.6m to approximately 300mm as depicted in the schematic plans prepared by SJB Architects dated 26 October 2018.~~

- (k) At level 3 details of location of porous screen or 2m high tree/**planting** as required by the wind assessment;
- (l) Details of doors to loading and parking area (Cameron Street).

Building D

- (m) **floor plans update to show new window locations to the northern elevation consistent with condition 1o(vii);**

~~setback apartments D6.03 and D6.04 an additional 2 metres from the western boundary or rake or an alternative measure to reduce visual bulk.~~

Building E

- (n) Plans and elevations to clearly show location of doors and windows

Building Materials / Façade Strategy

- (o) an updated schedule of all materials and finishes (including materials samples, colours coloured elevations and perspectives), **generally in accordance with the façade strategy prepared by SJB Architects dated December 2019.** The **strategy** ~~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 and must include:
 - i thumb nail sketches of key elements of the façade of each building **to the same level of detail as that endorsed.**
 - ii **confirmation that the ground level treatment to Building A (bridge Road) to be red brick.**
 - iii **Great detail regarding** material treatment of Building A lift core to **include a patterned treatment** to both the south and west elevations **as depicted in the façade package dated December 2019.**
 - iv **Deletion of material PE01 and PE02 and replaced with a more durable and integrated material to all elevations where this material is proposed, other than for areas defined as slab edges, soffits and the like.**

- v **Build B design resolution of the northern elevation showing additional window punctuations as depicted in the schematic plans prepared by SJB Architects dated 19 March 2020 and further modified to show this extended to the rear wing.**
- vi **Building B and C podium updated to include deletion of horizontal beams at levels 1 & 2 and the introduction of two concrete planter areas as depicted in the schematic plans prepared by SJB Architects dated 19 March 2020.**
- vii **Building A and D design resolution of the northern elevation showing additional window punctuations and or material treatment.**

~~Building A upper levels to be treated with a patterned mesh in a light colour as depicted in the schematic plans prepared by SJB Architects dated 26 October 2018.~~

~~Building B design resolution to be as depicted in the schematic plans prepared by SJB Architects dated 26 October 2018.~~

~~Building C Church Street podium façade levels 1 & 2 to replicate façade detailing (brick) of the remainder of the façade in a white or light grey colour~~
- viii Ground floor building C wall adjacent to lobby and substation to be **clearly detailed to articulate this wall and not present as a blank wall, this may include** patterned brick ~~work or the like~~ wall in a black or dark colour.
- ix Details of the grey mesh proposed on the Church Street podium
- x Details of materials proposed for the ground floor of building D;
- xi Details of car park / loading bay doors
- xii include details of graffiti proof coating to be applied to the ground floor interfaces of the buildings;

Landscape

- (p) updated landscape plans generally in accordance with the Landscape **plans** ~~Concepts~~ **February 2018 received by Council 2 December 2019** prepared by **Jack Merlo Design & Landscape** ~~MemLa~~ to the satisfaction of the Responsible Authority must be prepared by a suitably qualified person. When approved, the landscape plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and three copies must be provided. The plan must show:
 - i the location of all areas to be covered by lawn or other surface materials;
 - ii the location of any permanent structures, furniture, public seating or other facilities;
 - iii all public area footpaths, steps, ramps and crossings to comply with DDA – Tactile indicators, nosing's and handrails where necessary;
 - iv grades of all ramps shown on plan;
 - v grades of all footpaths shown on plan;

- vi details of **all** raised planters to ~~courtyards~~ to be confirmed (height, construction and tree planting details) **including soil volumes to demonstrate the capability to achieve intended canopy volumes to the satisfaction of the responsible authority**
- vii location and type of water tank for irrigation;
- viii detailed planting plan with plant schedule (common and botanical plant names, density, quantities, size at planting and maturity height;
- ix details of street furniture, including bench seats and street tree planters **including all clearances;**
- x existing and proposed levels including top wall and fence heights (where relevant);
- xi details of the installation methodology for the green wall to the car parking area, including planting and initial establishment requirements and details of the proposed maintenance regime to ensure the integrity of the green wall over its operation life, including plant replacement, irrigation and fertilisation and guidelines for monitoring;
- xii ongoing maintenance and management details of all publically accessible spaces;
- xiii **Cameron Street planter (northern most planter eastern side of laneway to delete *Eleaocarpu reticulatus* and replace with *Syzigium Austral* ‘Aussie Southern/Compact Lily Pilly’ or the like;**
- xiv **Cross over location of laneway adjacent to 267A Bridge Road,**
- xv **Locations of all new crossovers;**
- xvi a detailed lighting plan for all publicly accessible areas including private, communal and the public laneways ensuring lighting is baffled to minimise light spill;
- xvii a schedule of ‘way finding’ signage;
~~additional soft landscaping including planting details to assist in the delineation between the pedestrian and loading/waste management sections of the Bank Street square;~~
- xviii dimensioned cross sections and internal elevations detailing the interior of the laneways, access ways and Bank Street square;
~~deletion of *Quercus Rubra* Red Oak from Podium Level 3 plan and replace with a smaller tree~~
- xix **replacement of existing bollards to laneway off Cameron Street in consultation with Councils engineering unit;**
- xx **Repositioning of seating between trees (Bank Street) to facilitate a DDA complaint walkway.**
- xxi **Area between building line and the rear of Bank Street properties to be shown as bluestone or an alternative material to the satisfaction of the Responsible Authority.**

- xxii fencing details for Podium Level 3
- xxiii use of stormwater or grey water for irrigation of planters
- xxiv the ground floor plan to show locations of all existing street trees to be removed and retained and any protection works required
- xxv show a physical separation between moving traffic and the food and drinks premises seating in the form of temporary barriers such as (but not limited to) planter boxes on wheels in the western most laneway between the laneway and the 'trade out area';
- xxvi **inclusion of planting (planters with appropriately scaled trees) within the trade out area of the western laneway accessed from Bridge Road, the planting must not encumber vehicular access;**
- xxvii the relaying or new blue stone within Council's lane with need to meet Council's design standards.
- xxviii **All existing Street trees to be shown on plan**
- xxix The provision of 2 Street tree plantings along, Cameron Street and Bank Street **(within roadway consistent with existing trees)** in consultation with Councils open space and engineering units.
- xxx **The number, type and location of all publically accessible bike hoops in consultation with Council's sustainable transport unit;**
- xxxi **additional landscaping section to the western boundary at Podium Level 1 adjacent to office tenancy and core as shown on schematic plan prepared by SJB Architects dated 24 March 2020. Planting within this landscape strip to include climbing plants.**

~~Landscape images and plans to match the schematic plans prepared by SJB Architecture dated 26 October.~~

~~Additional landscape facilities including toilets, sinks, BBQ to be added to the communal terrace at level 3.~~

Acoustic

- (q) all works recommended in the report of the professional acoustic engineer referred to in condition 16;

Environmentally Sustainable Design Principles

- (r) all works recommended in the ESD report referred to in condition 19;

Wind Assessment

- (s) all works recommended in the wind assessment report referred to in condition 22;

Bicycle Parking

- (t) a minimum 7 public bicycle share spaces;
- (u) width of the bike ramps increased to 1.5m with ramp grades to be as close to 1:12 as possible **(with a maximum of 1:10)** in general compliance with AS2890.3
- (v) increased bike provision to 410 spaces with **a minimum of 103** spaces allocated for visitor parking to be located with the basement and in the laneway access spaces (Bridge Road) without hindering vehicular access.

- (w) 20% of residential /staff spaces to be provided as horizontal at ground level spaces.

Car Parking

- (x) **Disabled car parking spaces to comply with the Australian Standard for Off-Street Parking for People with Disabilities (AS2890.6:2009);**
- (y) **Provision of a long section ensuring critical headroom measurements at grade changes between ramps in accordance with (AS2890.1:2004); and**
- (z) **Swept path analysis of tandem car space 9 to ensure appropriate ingress and egress.**

~~Dimensions shown for parallel parking spaces at the south west corner of the Basement car spaces (9, 10 and 11) and the parallel parking spaces in Podium level 01 car spaces (5, 120 and 133);~~

~~Column locations to be in accordance with AS2890.1:2004;~~

~~Installation of appropriate signage and / or line marking /ground stencilling be installed at the location where one way aisles meet two way aisles.~~

~~Wayfinding signage for both drivers and cyclist to and from parking areas and entry/exit points;~~

~~Priority line marking within the basement and podium car parking levels at all conflict points~~

~~Appropriate pedestrian crossing signage be provided at each formal pedestrian crossing;~~

~~Location of speed humps at the approaches to pedestrian crossings if required;~~

Loading and Waste

- (aa) all **bin storage areas and any** works recommended in the waste management plan referred to in condition 77;

General

~~internal layout of apartments to comply with the apartment layout schematic plans prepared by SJB Architects dated 26 October 2018.~~

- (bb) location of the proposed water tank with a minimum capacity of 100,000 litres;
- (cc) all plans to be drawn within title boundaries (excluding architectural features, canopies and awnings) and to be fully dimensioned;
- (dd) a full set of all elevations and cross-sections including full internal elevations of all buildings and public spaces (including laneways) fully dimensioned with setbacks and heights of all buildings;
- (ee) Plans and elevations to clearly show location of doors and windows for both commercial and residential uses and all habitable rooms having openable windows; (with the exception of dwellings within Building E which must continue to have access to natural light by way of an openable window or sliding door);
- (ff) Where overlooking opportunities can be provided within a 9m radius and 45 degree arc from a habitable room window or private open space into another habitable room or private open space on or off site, the following must be applied:
 - i Minimum 1.7m fixed obscure glazing;

- ii Minimum 1.7 high, maximum 25% transparent screens; or
- iii Other method(s) to the satisfaction of the Responsible Authority.
- (gg) all publicly accessible areas to be shown as referred to in condition 23;
- (hh) deletion of all reference to business identification signage;
- (ii) location of all mailboxes;
- (jj) a demolition plan clearly detailing all structures and surfaces to be demolished within the portion of the site affected by the Heritage Overlay;
- (kk) all internal corridors in the apartment buildings to have a minimum width of 1.5m with an indentation at each entrance of up to 100mm to articulate dwelling entries;
- (ll) details and provision of **external storage** on an average of 4 cubic metres of storage for each dwelling;
- (mm) provision of an internal signage plan detailing indicative signage to guide residents, employees, visitors and the public to communal open spaces, commercial facilities, car parking areas, bicycle parking areas with priority given to pedestrian and cyclist wayfinding;
- (nn) all feature paving and in ground lighting proposed is to be contained within the site title boundaries;
- ~~(oo)~~ a minimum of ~~33~~**37**% of the dwellings or **136 dwellings** to be shown as including internal layout supporting adaptation for persons with limited mobility. ~~based on the schematic apartment layout plans prepared by SJB Architects dated 26 October 2018.~~

Endorsed Plans

- 2 All development and use must accord with the endorsed plans. Any alterations must be approved in writing by the Responsible Authority.
- 3 Floor levels shown on the endorsed plans must not be altered or modified. Any alterations must be approved in writing by the Responsible Authority.

Ongoing Involvement of the Architect

- 4 As part of the ongoing consultant team SJB Architects must be retained to complete the design and provide architectural oversight of the delivery of the detailed design as shown in the endorsed plans during the construction unless with the prior written approval of the Responsible Authority.

Cameron/Church Street Intersection

- 5 Within ~~six~~ **twelve** months of the development commencing **of as otherwise agreed to in writing by the Responsible Authority**, the design of the proposed works to the Cameron Street road reserve at the intersection with Church Street must be prepared by an independent and suitably qualified professional to the satisfaction of the Responsible Authority and in consultation with the Responsible Authority **and must be generally in accordance with the 'Cameron Street/Church Street Proposed Intersection Works plan' prepared by Traffix Group referenced as GRP23479-SK01 dated 24 September 2019**. The design must be submitted to and approved by the Responsible Authority. The design of the works must provide details of how the road reserve will be treat to enable:

~~the creation of separate right turn and left turn exit lanes, while retaining a single entry lane;~~

- (a) the removal of the two kerb extensions;
- (b) reinstatement of road pavement;
- (c) the re-setting of stones within the existing bluestone threshold treatment, demonstrating the threshold treatment is robust to accommodate vehicle loadings and repetitive movements, ensuring that stones are not dislodged;
- (d) removal of street trees (as necessary);
- (e) installation of no stopping (all times) restrictions on the south side of Cameron Street (including the loss of three on street car parking spaces) all between the subject sites access points and Church Street;
- (f) removal of parking restrictions (as necessary); and
- (g) any other works required.

Details must include, but are not to be limited to, all dimensions, existing reduced levels, proposed kerb levels, surface treatments, line marking, kerb, channel and footpath works, positions and details of all signs (existing and proposed), accurate locations of any stormwater pits and underground services.

- 6 Before any use commences on site and prior to the issue of a certificate of occupancy, all works associated with provision of the Cameron/Church Street intersection works as set out in condition 6 5 must be undertaken and completed at the cost of the permit holder to the satisfaction of the Responsible Authority.

Environmental Audit

- 7 Before any development approved under this permit starts:
- (a) a Certificate of Environmental Audit must be issued for the land in accordance with Part IXD of the *Environment Protection Act 1970*; or
 - (b) an environmental auditor appointed under the *Environment Protection Act 1970* must make a Statement of Environmental Audit in accordance with Part IXD of the *Environment Protection Act 1970* that the environmental conditions of the land are suitable for a sensitive use.
- 8 Notwithstanding the requirements of Condition 7, the following works can be carried out before a Statement of Environmental Audit or a Certificate of Environmental Audit is provided to the Responsible Authority:
- (a) Demolition, buildings and works necessarily forming part of the environmental audit process; and
 - (b) Demolition, buildings and works the Environmental Auditor engaged by the owner(s) advises must be carried out before a Statement or Certificate of Environmental Audit can be issued.
 - (c) Construction of buildings and works up to the ground floor level including the ground floor slab.

These works must be carried out in accordance with a works plan approved by the Environmental Auditor engaged by the owner(s). A copy of the works plan must be provided to the Responsible Authority before any demolition, buildings or works start for the purpose of this condition.

- 9 The permit holder must:
 - (a) demolish or remove some or all of the buildings or works constructed up to the ground floor level (including the ground floor slab) authorised under condition 8(c) to the extent necessary where the Environmental Auditor engaged by the owner(s) advises further works must be carried out before a Statement of Environmental Audit or Certificate of Environmental Audit is issued and those works will be constrained in any way by the existing buildings or works already constructed or carried out under condition 8(c); and
 - (b) comply fully with the obligation under condition 9 at its own cost and in a timely manner.
- 10 Before the development approved under this permit starts (excluding demolition and buildings and/or works carried out in accordance with a works plan approved by the Environmental Auditor engaged by the owner(s)), a copy of the Statement or Certificate of Environmental Audit, and the complete audit report and audit area plan must be submitted to the Responsible Authority.
- 11 Where a Statement of Environmental Audit is issued in accordance with condition 7(b):
 - (a) The development and uses allowed by this permit must comply with the directions and conditions of the Statement of Environmental Audit to the satisfaction of the Responsible Authority;
 - (b) Before any sensitive use starts, a letter prepared by an Environmental Auditor appointed under Section 53S of the *Environment Protection Act 1970* must be submitted to the Responsible Authority confirming the directions and conditions contained in the Statement of Environmental Audit are satisfied; and
 - (c) Where any condition of the Statement of Environmental Audit requires any maintenance or monitoring of an ongoing nature, the owner(s) must enter into an Agreement with Council under section 173 of the *Planning and Environment Act 1987*. The Agreement must:
 - i Provide the undertaking of the ongoing maintenance and monitoring required by the Statement of Environmental Audit; and
 - ii Be executed before the sensitive use for which the land is being developed starts.

All expenses involved in the drafting, negotiating, lodging, registering and execution of the Agreement, including those incurred by the Responsible Authority, must be met by the owner(s).
- 12 Any ongoing groundwater management and abatement of groundwater contamination must be in accordance with all requirements of any Clean Up Notice issued by the Environment Protection Authority (EPA) under section 62A of the *Environment Protection Act 1970*, or any other relevant written notice or direction issued by the Environment Protection Authority, to the satisfaction of the Environment Protection Authority.
- 13 The use and/or development/buildings and works allowed by this permit must comply with the directions and conditions of any site assessment or statement of environmental audit issued for the land.

- 14 Prior to the occupation of dwellings ~~and commencement of the childcare centre use~~ a letter must be submitted to the Responsible Authority by an Environmental Auditor accredited with the EPA, to advise that all construction and remediation works necessary and required by a site assessment or an environmental audit or statement have been carried out.
- 15 Any handling and disposal of contaminated site soil must be in accordance with the requirements of any statement of environmental audit issued for the land, the requirements of the Environment Protection Authority and the *Environment Protection Act 1970*.

Acoustic Treatments

- 16 Before the **amended** plans are endorsed, an updated acoustic report generally in accordance with the ~~Watson Moss Growcott report dated December 2017~~ and the Acoustic Logic report dated ~~9 July 2018~~ **25 October 2019 and 16 January 2020** must be submitted to and approved by the Responsible Authority. Once approved, the acoustic report will be endorsed and will then form part of the permit. The report must be prepared by a suitably qualified acoustic engineer and include:
 - (a) **Any layout changes as a result of requirements under condition 1**
 - (b) an assessment of how the requirements of State Environment Protection Policy N-1 and relevant Australian Standards will be met and must prescribe the form of acoustic treatment to:
 - i protect all dwelling occupants from external noise sources from Bridge Road and Church Street including details of glazing types;
 - ii protect dwelling occupants with a specific interface to commercial tenancies above, next to or below from associated commercial noise sources including but not limited to loading (including reversing beepers), waste collection **and** plant and equipment (**including new plant on roof**) ~~and gym~~;
 - iii protect all dwelling occupants and nearby occupants from noise generated from the mechanical plant equipment and ventilation mechanisms installed or constructed as part of the development;
 - iv protect all dwelling occupants and nearby occupants with a direct interface with the loading areas and car park; and
 - v protect all dwellings within Building A from noise generated from use of the bin chutes.

~~details of acoustic treatment of the rooftop terrace fronting Bridge Road (westernmost above the second floor café) to limit noise emanating from the site to not exceed 48dB(A) when measure at the nearest residential dwelling at night time under the SEPP- N1 methodology;~~
 - (c) an assessment of how the requirements of State Environment Protection Policy N-2 and relevant Australian Standards will be met including music noise from ~~gym~~, cafes/restaurant etc.;
 - (d) specific details of acoustic attenuation (not just preliminary recommendations), including but not limited to mechanical services equipment, ~~the gym/yoga centre and the child care centre~~; and

~~breakout from the facility will comply with the relevant noise limits at the nearest noise sensitive receivers (existing and future). (Noting that the Revision 10 design features the Gym and Yoga Studio entrance across the hall from the entry doors of apartments B-0-14 and B-0-13, therefore this may require an airlock to the Gym and Yoga Studio entry door.)~~

~~Include 42 Cameron Street into the assessment and review any interface issues between the fresh food truck store and dwellings in building DDG-02, D-104 and D-203;~~

- (e) Address the modified loading area.
- 17 On the completion of any works required by the endorsed Acoustic report (condition 16) above and before the residential use commences, an updated acoustic report prepared by a suitably qualified acoustic consultant to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority demonstrating that the required level of noise attenuation has been achieved. The report must:
 - (a) confirm compliance with condition 16 of the permit; and
 - (b) provide measurement data taken from inside the dwellings of the development, demonstrating compliance with State Environment Protection Policy N-1 (indoor noise limits), however allowing internal noise measurements to be taken with openable external façade sections close.
- 18 The recommendations and any works contained in the approved acoustic reports pursuant to conditions 16 and 17 must be implemented and completed and where they are recommendations of an ongoing nature must be maintained all to the satisfaction of the Responsible Authority.

Environmentally Sustainable Design Principles

- 19 Before the **amended** plans are endorsed, an amended Environmentally Sustainable Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the report will then form part of this permit.

The Report must be generally in accordance with the ~~report Sustainability Management Plan for Coles Richmond Plaza (April 2018) prepared by Cundall~~ **Richmond Quarter Sustainability Management Plan (23 October 2019 prepared by ADP Consulting** but modified to address the following:

- (a) **Any layout changes as a result of requirements under condition 1 of the permit including the apartment layout schematic plans prepared by SJB Architects dated 19 March 2020** ~~26 October 2018~~.
- (b) **All recommendations included within the Consultant Advice Notice document prepared by ADP Consulting (28 February 2020 and 27 March 2020).**
- (c) An updated daylight modelling report **generally in accordance with the Richmond Quarter Daylight Report (11 October 2019) prepared by ADP Consulting** but modified to show:
 - (i) **All recommendations outlined in the Consultant Advice Notice document prepared by ADP Consulting (28 February 2020)**
 - (ii) **reflective of all internal and external changes;**

- (iii) inclusion of a daylight modelling report that confirms that albeit the use of tinted glazing a daylight factor of at least 1.5 per cent is met for 75% of the living areas across at least 80 per cent of dwellings;
 - (d) confirmation that door / window locks are to be provided to all balcony doors and windows so that they can be fixed/locked into position such that they can provide a secure opening for night purging;
 - (e) confirmation that the development will achieve at least 10 per cent or half a star (whichever is greater) above BCA minimum standards;
 - (f) details of insulation and sealing of penetrations between air-conditioned and unair-conditioned areas through the provision of seals to the loading dock area;
 - (g) incorporation where viable, solar boosted gas hot-water; and confirm the use of dimmable lighting systems;
 - (h) confirmation that a 100,000 litre water tank is sufficient to service watering of landscaping and flushing of retail tenancy toilets;
 - (i) confirmation the number and location of toilets that will be serviced by rainwater rather than mains water;
 - (j) natural ventilation to residential corridors, **as shown within the submitted ESD report dated 28 February and the Urban Design response submitted by SJB Architects dated 19 March and** in consultation with the wind assessment required by condition 22;
 - (k) provision for future electric vehicle and bicycle charging points; and
 - (l) provision for all electric vehicle charging stations to be powered by Green power.
- 20 The dwellings must achieve a minimum average of 6.5 star rating under first rate (BCA standards).
- 21 The provisions, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Wind Assessment

- 22 The provisions, recommendations and requirements of the endorsed Wind Impact Assessment prepared by Vipac dated 10 April 2018 **and addendum dated 15 October 2019** must be complied with and implemented to the satisfaction of the Responsible Authority.

Accessibility Plan

- 23 Before the **amended** plans are endorsed, an accessibility plan must be submitted to and approved by the Responsible Authority and must be generally in accordance with the access plan shown on page 88 of the original urban context report submitted with the application. Once approved, the accessibility plan will be endorsed and will then form part of the permit. The plan must show:
- (a) areas within the development that are proposed to have 24 hour access including but not limited to:
 - i western laneway accessed from Bridge Road;
 - ii part eastern laneway accessed from Bridge Road;
 - iii public square accessed from Bank Street;

- iv existing lane extending south from Cameron Street;
 - v civic space adjacent to Church Street;
 - vi residential lobby adjacent to Church Street; and
- (b) areas within the development that are proposed to have access during the centre operating hours.

24 Unfettered public access at all times must be maintained through areas nominated under condition 23(a).

Affordable Housing

25 Unless with the prior written consent of the Responsible Authority, provision of at least 13 apartments which meet the definition of 'affordable housing' to be managed by an accredited Housing Association. In the event that no agreement can be reached with a Housing Association, evidence of this must be submitted to the Responsible Authority for consideration.

Car and Bicycle Share

26 Before the development is occupied, a minimum of six car share vehicles and seven bicycle share facilities must be provided on the land. This must be by way of arrangement with a car share/bicycle share operator and/or the future Owners Corporation. The car share vehicles and the bicycle share facilities must be provided on the land for a minimum period of 10 years, to the satisfaction of the Responsible Authority. Any costs associated with ensuring on-going availability of the car share vehicles and the bicycle share facilities on the land must be borne by the Owners Corporation.

The provision of car share spaces and bicycle share facilities may be varied with the written consent of the Responsible Authority.

Green Travel Plan [GTP]

27 Prior to the occupation of the development, an **amended** Green Travel Plan prepared by a suitably qualified person to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. Once approved, the Plan will be endorsed and will then form part of the permit. The Plan must **be generally in accordance with the GTP prepared by the Traffix Group dated October 2019 and must** encourage the use of non-private vehicle transport modes by the occupiers of the land by addressing at a minimum:

- (a) Updated to reflect the new bicycle space allocation
- (b) the provision of a minimum three car share vehicles on site within close proximity to the vehicle entrance and located to the satisfaction of the Responsible Authority;
- (c) the provision of 10 electric charging stations in locations to the satisfaction of the Responsible Authority;
- (d) describe the location in the context of alternative modes of transport;
- (e) the provision of real time passenger information displays for nearby stops within each residential lobby and outside the Church street kiosk;
- (f) employee / resident welcome packs (e.g. provision of Met Cards/Myki);
- (g) a designated 'manager' or 'champion' responsible for co-ordination and implementation;
- (h) details of bicycle parking and bicycle routes;

- (i) details of car share and bicycle share schemes (including any discounts for residents/tenants and electric car charging points);
- (j) details of GTP funding and management responsibilities; and
- (k) include provisions to be updated not less than every five years.

Developer Contribution

- 28 Prior to the commencement of the development, the permit holder must pay a bank guarantee to the value of \$40,000 to the City of Yarra for future public transport improvements to Bridge Road and/or Church Street in the immediate vicinity of the site. The bank guarantee may be drawn down by Council and used for proposed works by either Yarra Trams, Department of Transport or VicRoads to carry out public transport improvements (e.g. increased tram capacity) in the immediate vicinity of the site along Bridge Road and/or Church Street, Richmond, in consultation with the permit holder.

The bank guarantee will be returned to the permit holder if the transport improvement works are not commenced by the relevant authorities, prior to the occupation of the final stage of the development.

Loading General

- 29 Unless with the prior written consent of the Responsible Authority, no trucks greater than 12.5 metre Heavy Rigid Vehicles may deliver or collect goods/garbage to the commercial uses at any time.

Loading and Waste Management – Cameron Street Loading Dock

- 30 All loading and unloading for the supermarket (including all commercial garbage and recycling collection) must be carried out within the confines of the designated Cameron Street loading dock (Cameron Street).
- 31 All loading dock deliveries and commercial garbage and recycling collection must be to the satisfaction of the Responsible Authority. During all loading and unloading activities, truck/vehicle motors must be turned off.
- 32 All truck/vehicles using the Cameron Street loading dock must enter and exit the site in a forward motion.
- 33 All delivery and collection of goods at the Cameron Street loading dock associated with the supermarket are restricted to the following hours and number of deliveries:

Day	Time Period	Maximum Number of Delivery Vehicles per 30 minutes
All Days (Monday to Sunday)	7.00 am – 6.00 pm	2
All Days (Monday to Sunday)	6.00 pm – 10.00 pm	1
Weekday (Monday to Friday)	5.00 am – 7.00 am	2

Saturday	5.00 am – 7.00 am	1
Sunday	5.00 am – 7.00 am	No vehicles

- 34 No more than a maximum of 30 deliveries/collection of goods to occur from the Cameron Street loading dock per day.

Loading and Waste Management – Bank Street Loading Dock

- 35 Waste collection may only occur between the following times, unless with the prior written consent of the Responsible Authority:

- (a) 7.00 am and 8.00 pm Monday to Saturday;
- (b) 9.00 am and 8.00 pm Sunday

- 36 Commercial loading may only occur between 6.00 am and 10.00 pm, seven days, unless with the prior written consent of the Responsible Authority.

Loading and Waste Management – Church Street Loading Dock

- 37 Waste collection may only occur between the following times, unless with the prior written consent of the Responsible Authority:

- (a) 7.00 and 8.00 pm Monday to Saturday;
- (b) 9.00 am and 8.00 pm Sunday.

- 38 Commercial loading may only occur between 6.00 am and 10.00 pm, seven days, unless with the prior written consent of the Responsible Authority.

Transport Management Plan

- 39 ~~Prior to the commencement of the development,~~ **Before the amended plans are endorsed, an amended** Transport Management Plan prepared by a suitably qualified professional to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Transport Management Plan will be endorsed and will then form part of the permit. The Transport Management Plan must **be generally in accordance with the TMP prepared by the Traffix Group dated October 2019 and must** address the following:

General

- (a) A review of directional line marking and control methods with the car park areas addressing safety for vehicle, bikes and pedestrians.
- (b) an internal signage plan distinguishing permanent parking areas (resident and commercial) from visitor parking areas, and car share programme parking areas, directional arrows and signage, information signs indicating location of disabled bays, small parking bays, bicycle parking, exits, restrictions, pay parking system etc.;
- (c) management system of trolley bay area's to ensure appropriate measures are in place for collection and storage;
- (d) security arrangements;
- (e) location of all real time travel information signs to be installed within the development;
- (f) right turn only between 10.00 pm – 7.00 am into Cameron Street from the site;

Car Parking

- (g) residential car parking must be allocated such that **an average of 0.5 spaces is provided**. ~~80% of all dwellings are allocated one car parking space. All two-bedroom dwellings must be provided with one on-site car parking space and all three-bedroom dwellings must be provided with an average of 1.5 on-site car parking spaces. This allocation of car spaces may be varied with the written consent of the Responsible Authority;~~
- (h) other car parking must be allocated as follows:
 - i 23 staff car parking spaces (shop, **food and drinks premises** ~~childcare, gym, yoga etc~~)
 - ii ~~40~~ **30** office car parking spaces;
 - iii ~~237~~ **233** retail/public/**staff** car parking spaces **including 8 'parking for parent with prams' spaces located in basement 1** ~~(inclusive of staff):~~
 - ~~including eight 'parking for parents with prams' spaces located in basement 1; and~~
 - ~~three car share parking spaces located in basement 1;~~
 - ~~four spaces allocated to drop off – pick up for the childcare centre~~
- (i) a minimum of 52 motorcycle parking bays;
- (j) a minimum of six car spaces for car share programme in locations to the satisfaction of the Responsible Authority;
- (k) management details of the car share programme provided;
- (l) the proposed parking fee structure, including shopper incentives for short term parking and details of ticketing systems, including any requirements for boom gates etc;
- (m) management of queuing at the entry and exit points of the car park during peak times to comply with Table 3.3 of the Australian Standards for Off - Street Car Parking AS/NZS2890.1 (2004);

Bicycle Spaces

- (n) a minimum of ~~557~~ **440** on site bicycle parking spaces:
 - i ~~368~~ **307** resident spaces;
 - ii ~~127~~ **403** visitor spaces;
 - iii **59 staff spaces;** and
 - iv 7 bike share spaces provided along the Church Street frontage **if a suitable provided cannot be contracted, these spaces are to be made available as publically accessible spaces to the satisfaction of the Responsible Authority;**
- (o) a mechanism to review the car parking (including car share spaces) and bicycle spaces to either re-allocate the spaces if demand warrants so, or provide more spaces if the opportunity arises. This may include future Owners Corporation review/input;
- (p) management details of the bike share programme provided;

Loading and Deliveries and Waste

- (q) no trucks greater than 12.5 metre Heavy Rigid Vehicles may deliver or collect goods/garbage to the commercial uses at any time;
 - (r) details regarding the management of loading and unloading of goods and materials for commercial and residential uses to the Bank Street loading area all in compliance with any other condition(s) of this permit;
 - (s) the provision of spotter to assist truck vehicles reversing into the loading/unloading (public square) area to Bank Street or any other measures to ensure public safety to the satisfaction of the Responsible Authority;
 - (t) management of separate pedestrian and loading bay areas in the Bank Street public square;
 - (u) confirmation commercial deliveries (except for supermarket) and loading will only occur within section of the public square in the land in plan of consolidation 105419 and how this will be managed; and
 - (v) details regarding the management of loading and unloading of goods and materials for the supermarket including frequency, times, truck sizes all in compliance with any other condition(s) of this permit.
- 40 Except with the further consent of the Responsible Authority, the management of the car park must, at all times, comply with the approved Transport Management Plan.

Car Parking, Crossovers and Footpaths

- 41 The area set aside for the parking of vehicles, together with the associated access lanes as delineated on the endorsed plan must:
- (a) be provided and completed to the satisfaction of the Responsible Authority prior to the commencement of the **use** hereby permitted;
 - (b) thereafter be maintained to the satisfaction of the Responsible Authority;
 - (c) be made available for such use at all times and not used for any other purpose;
 - (d) be properly formed to such levels that it can be used in accordance with the endorsed plan; and
 - (e) be drained and sealed with an all weather seal coat
- all to the satisfaction on the Responsible Authority.
- 42 Any redundant vehicle crossings must be broken out and reinstated with paving, kerb and channel of the surrounding area. The cost of these reinstatement works must be borne by the Permit Holder.
- 43 Any damaged road(s) and footpath(s) adjacent to the development site as a result of the development must be reinstated to the satisfaction of the Responsible Authority and at the expense of the Permit Holder.
- 44 Footpaths adjacent to the development site (along Bank Street, Cameron Street, Church Street and Bridge Road) must be reconstructed to the satisfaction of the Responsible Authority and at the expense of the Permit Holder.
- 45 All vehicle crossings must be constructed in accordance with City of Yarra Standard Drawings and Specifications;

- 46 The development's finished floor levels relative to the existing footpath and road levels must be such that pedestrian and vehicular access accord with the Australian/New Zealand Standard AS/NZS 2890.1:2004;
- 47 All existing kerb and channel, and road pavement surface levels should not be altered. Council may permit the adjustment of Building Line levels to provide access in accordance with AS/NZS 2890.1:2004;
- 48 At no cost to Council, any in-ground parking sensors surrounding the subject site that are required to be removed as part of the works approved by this development must be removed and or relocated/reinstated in consultation with and to the satisfaction of the Responsible Authority.
- 49 Before the development commences (excluding demolition and excavation), detailed design drawings must be prepared by a suitably qualified person and to the satisfaction of the Responsible Authority addressing all civil and road infrastructure works associated with the development.

Once approved, the plans will be endorsed and will then form part of the permit.

Before the development is completed, all works shown on the endorsed plans must be carried out and completed and at no cost and to the satisfaction of the Responsible Authority

Childcare Centre

~~Unless with the prior written consent of the Responsible Authority, no more than 40 places may be offered in the childcare centre at any time.~~

~~Unless with the prior written consent of the Responsible Authority, the childcare centre may only operate between 6.00 am to 6.00 pm Monday to Sunday.~~

Restricted Recreation Facility (Gym)

~~Unless with the prior written consent of the Responsible Authority, no more than 60 patrons and six staff may be present in the gym at any time.~~

~~Unless with the prior written consent of the Responsible Authority, the gym may only operate between:~~

~~(a) — 6.00 am to 10.00 pm Monday to Friday; and~~

~~(b) — 6.00 am to 10.00 pm Saturday and Sunday.~~

Restricted Recreation Facility (Yoga studio)

~~Unless with the prior written consent of the Responsible Authority, no more than 25 patrons and five staff may be present in the yoga studio at any time.~~

~~Unless with the prior written consent of the Responsible Authority, the yoga studio may only operate between:~~

~~(a) — 6.00 am to 10.00 pm Monday to Friday; and~~

~~(b) — 6.00 am to 10.00 pm Saturday and Sunday.~~

Bottle Shop

- 50 Unless with the prior written consent of the Responsible Authority, the sale of liquor hereby permitted may only be offered between 9.00 am – 11.00 pm Monday to Sunday.
- 51 During all hours in which the business is open to the public, entry must be made freely available to any authorised officer(s) of the responsible authority for the carrying out of any investigations associated with the sale of alcohol on the site.

- 52 During all operating hours of the use hereby authorised, there must be present on the site a person above the age of 18 years, who has been authorised by the occupier of the land and that person will be responsible for the good conduct of patrons arriving, using or leaving the land, (For the purposes of this permit, this person is known as "the Manager").
- 53 The Manager must be qualified in operating in accordance with the policies and guidelines prescribed by Liquor Licensing Victoria.
- 54 The Manager must at all times be authorised by the occupier of the premises to make statements and admissions on their behalf to any authorised officer of the Responsible Authority regarding the conduct of the premises for the use hereby authorised.

Operations Management Plan

- 55 Before any of the development is occupied, an Operations Management Plan prepared by an appropriately qualified person to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Operations Management Plan must address the following:
- (a) access arrangements to the tenancies;
 - (b) internal signage;
 - (c) security arrangements;
 - (d) servicing arrangements; and
 - (e) complaint resolution mechanisms.

Community Services Plan

- 56 Prior to the commencement of the uses hereby permitted, a community services plans 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 address:
- (a) implementation and management of the plaza to enable the opportunity for community events to be coordinated between council and the centre free of charge each year, including display spaces etc.;
 - (b) installation of real time information on public transport services and programs; and
 - (c) that the centre will be invested with wireless technology to the public lanes and spaces ensuring these areas support local commerce and contemporary e-commerce, community information and social networking.

General Amenity

- 57 Alarms associated with the commercial premises must be directly connected to a security service and must not produce noise beyond the premises.
- 58 The amenity of the area, particularly the Yarra River Corridor, must not be detrimentally affected by the use or development, through:
- (a) the transport of materials, goods or commodities to or from land;
 - (b) the appearance of any buildings, works or materials; and
 - (c) the emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or the presence of vermin.

- 59 All buildings must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
- 60 Noise emanating from the development, including plant and other equipment, must comply with the State Environment Protection Policy N-1 to the satisfaction of the Responsible Authority.
- 61 Noise emanating from the commercial uses within the development must comply with the permissible noise levels for entertainment noise as specified in the State Environment Protection Policy (Control of Music Noise from Public Premises) No. N2.

Landscaping

- 62 Before the occupation of the development, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.
- 63 The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority including that any dead or diseased or damaged plants are to be replaced.
- 64 Prior to commencement of the development the permit holder must make a one off contribution of a maximum of \$6,000 to the Responsible Authority to be used for street tree plantings to Hull Street.
- 65 Before the development commences, the permit holder must make a one off contribution of \$3220.00 (excluding GST) to the Responsible Authority to be use for 2 new street tree plantings along Cameron and Bank Streets that are required as a result of the development.
- 66 Before construction works start, a landscaping bond or bank guarantee of no less than 5% of the total landscaping value must be paid to the responsible authority. This bond will be returned in full no later than six months after the satisfactory completion of these works and subject to an inspection by the Responsible Authority.

Wayfinding and Lighting

- 67 **Prior to the occupation of the development, a detailed wayfinding signage plan must be submitted to and approved by the Responsible Authority. The plans must ensure the wayfinding signage is integrated into the design of the development.**
- 68 **Prior to the occupation of the development, a detailed lighting plan for all publicly accessible areas including private, communal and the public laneways must be submitted to and approved by the Responsible Authority. The plans must ensure lighting is integrated into the design of the development and is baffled to minimise light spill.**
- 69 The development must be provided with external lighting capable of illuminating access to each car parking spaces, storage, rubbish bin, recycling bin, pedestrian walkways, stairwells, lift, dwelling entrances and entry foyer. Lighting must be located, directed, shielded and of limited intensity so that no nuisance or loss of amenity is caused to any person within and beyond the site, to the satisfaction of the Responsible Authority.

General

- 70 Privacy screens as required in accordance with the endorsed plans must be installed prior to occupation of the building to the satisfaction of the Responsible Authority and maintained to the satisfaction of the Responsible Authority thereafter.
- 71 All new on boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.

- 72 All piping and ducting, other than for drainage above the ground floor storey of the building must be concealed.

Waste Management

- 73 **The collection, storage and disposal of waste must be undertaken generally in accordance with the approved Waste Management Plan prepared by Leigh Design dated 15 October 2019.**

~~Before the use and development commences, an amended Waste Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority.~~

~~When approved, the amended Waste Management Plan will be endorsed and will form part of this permit. The amended Waste Management Plan must be generally in accordance with the Waste Management Plan prepared by Leigh Design and dated 3 August 2018, but modified to include the following:~~

~~(a) An organic waste collection or a composting system for residents.~~

- 74 The collection of all waste must be in accordance with the approved Waste Management Plan. Rubbish, including bottles and packaging material, must at all times be stored within the building and screened from external view and be managed to the satisfaction of the Responsible Authority in accordance with the approved Waste Management Plan.
- 75 All commercial waste must be collected via a private collection service to the satisfaction of the Responsible Authority.

Construction Management Plan

- 76 Before any 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 as evidence of its approval. The plan must provide for or include the following:

- (a) a pre-conditions survey (dilapidation report) of the subject site and all adjacent Council roads frontages and nearby road infrastructure;
- (b) protection works necessary to road and other infrastructure (limited to an area reasonably proximate to the site);
- (c) remediation of any damage to road and other infrastructure (limited to an area reasonably proximate to the site);
- (d) containment of dust, dirt and mud within the site and method and frequency of clean up procedures in the event of build up of matter outside the site;
- (e) on site facilities for vehicle washing;
- (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 that the activities on-site pose including but not limited to: contaminated soil, materials and waste, dust, stormwater contamination from run-off and wash-waters, sediment from the site on roads, washing of concrete trucks and other vehicles and machinery, spillage from refuelling cranes and other vehicles and machinery;
- (i) construction program;
- (j) preferred arrangements for trucks delivering to the site including delivery and unloading points and expected frequency;
- (k) parking facilities for construction workers;
- (l) measures to ensure that sub-contractors/tradespersons operate 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, to the satisfaction of the Responsible Authority. In this regard, consideration (amongst other matters) may be given to:
 - i using lower noise work practice and equipment;
 - ii the suitability of the site for the use of an electric crane;
 - iii silencing all mechanical plant by the best practical means using current technology; and
 - iv fitting all pneumatic tools operated near a residential area with an effective silencer on their air exhaust port;
- (q) confirm the location of the Council drain within the laneway running adjacent to properties fronting Bank Street and ensure that the drain is protected and be made accessible to Council work works in times of maintenance or emergency; and
- (r) screening measures to prevent overlooking into 267 Bridge Road during construction.

77 During the construction, the following must occur:

- (a) any stormwater discharged into the stormwater drainage system to comply with EPA guidelines;
- (b) stormwater drainage system protection measures must be installed as required to ensure that no solid waste, sediment, sand, soil, clay or stones from the premises enters the stormwater drainage system;
- (c) vehicle borne material must not accumulate on the roads abutting the site;

- (d) the cleaning of machinery and equipment must take place on site and not on adjacent footpaths or roads;
- (e) all litter (including items such as cement bags, food packaging and plastic strapping) must be disposed of responsibly; and
- (f) all site operations must comply with the EPA Publication TG302/92.

78 The development once commenced, must be completed to the satisfaction of the Responsible Authority.

Transport for Victoria Condition (79 to 80)

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

VicRoads Conditions (81 – 83)

- 81 In the event that the Roads Corporation requires the land affected by the Public Acquisition Overlay – Schedule 1 (PAO1), VicRoads will advise the landowner in writing. Upon receiving this notice, the owner must remove, from the land affected by the overlay, all use and development permitted by this planning permit to the satisfaction of VicRoads and the Responsible Authority. The cost associated with removing the use and development from the land affected by the PAO1 is to be borne by the owner of the land.
- 82 No compensation is payable under part 5 of the *Planning and Environment Act 1987* in respect of anything done under this permit.
- 83 Construction plans for the buildings and works proposed within the areas affected by the PAO1 must be submitted to and approved by VicRoads prior to the commencement of any works on site.

The plans must demonstrate that the buildings and works proposed within the PAO1 areas may be removed by the owners of the building at a time as required by VicRoads.

Expiry

- 84 This permit will expire in one of the following circumstances applies:
- (a) the development is not started within three (3) years of the date of this permit;
 - (b) the development is not completed within seven (7) years of the date of this permit;
 - (c) the uses are not commenced within seven (7) years of the date of this permit.

The Responsible Authority may approve extensions to these time limits if requests are made before the permit expires or within three (3) months afterwards.

NOTE: A building permit may be required before development is commenced. Please contact Council's Building Department on PH 9205 5351 to confirm.

NOTE: In accordance with the Yarra Planning Scheme, a 4.5 per cent public open space contribution may apply in the event of the subdivision of the land.

NOTE: The design and construction of the vehicle crossing must also satisfy the requirements of Council's Community Amenity unit's Vehicular Access into Properties (Info Sheet and Application Form) before a vehicle crossing permit can be issued.

NOTE: The Permit Holder must apply for a Legal Point of Discharge under Regulation 610 – Stormwater Drainage of the *Building Regulations* 2006 from Yarra Building Services Unit.

NOTE: Any storm water drainage within the property must be provided and be connected to the nearest Council pit of adequate depth and capacity (legal point of discharge), to Council's satisfaction under Section 200 of the *Local Government Act* 1989 and Regulation 610.

NOTE: 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.

NOTE: The Permit Holder is required to identify any overflow paths surrounding the site and ensure that they are not obstructed. Please contact Council's Engineering Services Unit on 9205 5555 to discuss.

NOTE: The site must be drained to the legal point of discharge to the satisfaction of the Responsible Authority.

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

NOTE: A copy of this permit and the endorsed plan (and any subsequent variation) must form part of the document to any Contract of Sale or Lease for any part of the site after the date of the permit.

NOTE: The southern part of the site is subject to a Heritage Overlay pursuant to the Yarra Planning Scheme. Unless hereby approved, a planning permit may be required for any demolition, re-painting or other external alterations, sandblasting, exterior works including the installation of external air conditioning units, solar panels, and any other heating/cooling units) to an existing building or buildings, construction of a building or fence, changes to the natural topography of the land or the subdivision or consolidation of land.

NOTE: The food premises are required to comply with health and food safety regulations before commencing operation. Please contact Council's Public Health Unit on 9205 5166.

NOTE: The proposal includes construction over a carriageway easement. As easements are not strictly planning matters in this regard, the Permit Holder is required to consider this obligation.

NOTE: Permission is required from Council's Parking Services Unit to remove on-street parking spaces and/or modify parking restrictions.

VicRoads NOTE: Separate consent may be required from **the Department of Transport (Head, Transport for Victoria)** ~~VicRoads (the Roads Corporation)~~ under the Road Management Act 2004 for buildings and works (~~i.e. canopies and architectural features/projections~~) undertaken outside the title boundary within a Road Zone Category 1 (~~i.e. Church Street and Bridge Road~~). Please contact **Department of Transport** ~~VicRoads~~ prior to commencing any works.

Additional Online Submission received prior to the meeting.

The Applicant, SJB Planning.

The above submission was read out on the night by the Senior Governance Advisor.

INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION

Moved: Councillor Nguyen

Seconded: Councillor Stone

1. That having considered all relevant matters, the Committee resolves to issue a Notice of Decision to Amend Planning Permit PLN11/0834.

With the following preamble

demolition, buildings and works, use of the land for dwellings, shop, ~~restricted recreation facility~~, food and drinks premises, restaurant, office, ~~childcare centre~~, use of part of the land for the sale and consumption of liquor, reduction in car parking requirements, and use of the northern part of the land for loading/unloading bay and waste collection.

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 decision plans prepared by SJB Architects, ~~received by Council on 11 and 19 July 2018~~ **dated 17 October 2019 and 29 November 2019** but modified to show:

Building Design

Podium

- (a) **Introduction of splayed corners to the two Bridge Road buildings as they interface with the laneway/walkways expressed at ground and or up-to first floor level, generally consistent with the endorsed plans dated 3 September 2019;**
- (b) details of the material along the west title boundary (adjacent to Ark) at ground and first floor level;
- (c) all canopies and architectural projections along Church Street and Bridge Road to be setback a minimum 750mm from the back of the kerb;
- (d) good visibility in to the residential lobbies;
- (e) setback of the western car park edge at levels 1 & 2 to be ~~increased to align with those currently endorsed being ranging between~~ **to be a minimum of 3.98 – 4.5m.**
- (f) **plans updated to show (Levels 1 – 3) Building B to show insertion of skylights to the corridor and any other corresponding amendments as required as depicted in the schematic plans prepared by SJB Architects dated 19 March 2020;**
- (g) **plans updated to show Level 1 Building C to show new courtyard facilitating natural light to this corridor including changes to the storage cages at this level and any other corresponding amendments as required as depicted in the schematic plans prepared by SJB Architects dated 19 March 2020**

Bridge Road Tower [Building A]

~~details of the operable screens proposed for the upper levels~~

- (h) **Façade detailing to Building A (Bridge Road) to be simplified.**

- (i) basement car park to be contained within the subject sites title boundaries
- (i) **floor plans update to show new window locations to the northern elevation consistent with condition 1o(vii);**

Building B

- (k) **floor plans update to show new window locations to the northern elevation consistent with condition 1o(v);**
- (l) **floor plans updated to show location of new planter areas at levels 1 & 2 of building B & C consistent with condition 1o(vi).**

Building C

~~a reduction in the parapet height (to apartment C6.01) as it presents to Church Street and for the first section of the return from 1.6m to approximately 300mm as depicted in the schematic plans prepared by SJB Architects dated 26 October 2018.~~

- (m) At level 3 details of location of porous screen or 2m high tree/**planting** as required by the wind assessment;
- (n) Details of doors to loading and parking area (Cameron Street).

Building D

- (o) **floor plans update to show new window locations to the northern elevation consistent with condition 1o(vii);**

~~setback apartments D6.03 and D6.04 an additional 2 metres from the western boundary or rake or an alternative measure to reduce visual bulk.~~

Building E

- (p) Plans and elevations to clearly show location of doors and windows

Building Materials / Façade Strategy

- (q) an updated schedule of all materials and finishes (including materials samples, colours coloured elevations and perspectives), **generally in accordance with the façade strategy prepared by SJB Architects dated December 2019.** The **strategy 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 and must include:
 - i thumb nail sketches of key elements of the façade of each building **to the same level of detail as that endorsed.**
 - ii **confirmation that the ground level treatment to Building A (bridge Road) to be red brick.**
 - iii **Great detail regarding** material treatment of Building A lift core to **include a patterned treatment** to both the south and west elevations **as depicted in the façade package dated December 2019.**
 - iv **Deletion of material PE01 and PE02 and replaced with a more durable and integrated material to all elevations where this material is proposed, other than for areas defined as slab edges, soffits and the like.**

- v **Build B design resolution of the northern elevation showing additional window punctuations as depicted in the schematic plans prepared by SJB Architects dated 19 March 2020 and further modified to show this extended to the rear wing.**
- vi **Building B and C podium updated to include deletion of horizontal beams at levels 1 & 2 and the introduction of two concrete planter areas as depicted in the schematic plans prepared by SJB Architects dated 19 March 2020.**
- vii **Building A and D design resolution of the northern elevation showing additional window punctuations and or material treatment.**

~~Building A upper levels to be treated with a patterned mesh in a light colour as depicted in the schematic plans prepared by SJB Architects dated 26 October 2018.~~

~~Building B design resolution to be as depicted in the schematic plans prepared by SJB Architects dated 26 October 2018.~~

~~Building C Church Street podium façade levels 1 & 2 to replicate façade detailing (brick) of the remainder of the façade in a white or light grey colour.~~
- viii **Ground floor building C wall adjacent to lobby and substation to be **clearly detailed to articulate this wall and not present as a blank wall, this may include** patterned brick **work or the like** wall in a black or dark colour.**
- ~~ix Details of the grey mesh proposed on the Church Street podium~~
- x Details of materials proposed for the ground floor of building D;
- xi Details of car park / loading bay doors
- xii include details of graffiti proof coating to be applied to the ground floor interfaces of the buildings;

Landscape

- (r) updated landscape plans generally in accordance with the Landscape **plans** ~~Concepts~~ **February 2018 received by Council 2 December 2019** prepared by **Jack Merlo Design & Landscape** ~~MemLa~~ to the satisfaction of the Responsible Authority must be prepared by a suitably qualified person. When approved, the landscape plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and three copies must be provided. The plan must show:
 - i the location of all areas to be covered by lawn or other surface materials;
 - ii the location of any permanent structures, furniture, public seating or other facilities;
 - iii all public area footpaths, steps, ramps and crossings to comply with DDA – Tactile indicators, nosing's and handrails where necessary;
 - iv grades of all ramps shown on plan;
 - v grades of all footpaths shown on plan;

- vi details of **all** raised planters to ~~courtyards~~ to be confirmed (height, construction and tree planting details) **including soil volumes to demonstrate the capability to achieve intended canopy volumes to the satisfaction of the responsible authority**
- vii location and type of water tank for irrigation;
- viii detailed planting plan with plant schedule (common and botanical plant names, density, quantities, size at planting and maturity height;
- ix details of street furniture, including bench seats and street tree planters **including all clearances;**
- x existing and proposed levels including top wall and fence heights (where relevant);
- xi details of the installation methodology for the green wall to the car parking area, including planting and initial establishment requirements and details of the proposed maintenance regime to ensure the integrity of the green wall over its operation life, including plant replacement, irrigation and fertilisation and guidelines for monitoring;
- xii ongoing maintenance and management details of all publically accessible spaces;
- xiii Building D ground level planter areas increased to facilitate additional plantings to Cameron Street;**
- xiv Cameron Street planter (northern most planter eastern side of laneway to delete *Eleaocarpu reticulatus* and replace with *Syzigium Austral* ‘Aussie Southern/Compact Lily Pilly’ or the like;**
- xv Cross over location of laneway adjacent to 267A Bridge Road,**
- xvi Locations of all new crossovers;**
- xvii a detailed lighting plan for all publicly accessible areas including private, communal and the public laneways ensuring lighting is baffled to minimise light spill;
- xviii a schedule of ‘way finding’ signage;
~~additional soft landscaping including planting details to assist in the delineation between the pedestrian and loading/waste management sections of the Bank Street square;~~
- xix dimensioned cross sections and internal elevations detailing the interior of the laneways, access ways and Bank Street square;
~~deletion of *Quercus Rubra* Red Oak from Podium Level 3 plan and replace with a smaller tree~~
- xx replacement of existing bollards to laneway off Cameron Street in consultation with Councils engineering unit;**
- xxi Repositioning of seating between trees (Bank Street) to facilitate a DDA complaint walkway.**

- xxii Area between building line and the rear of Bank Street properties to be shown as bluestone or an alternative material to the satisfaction of the Responsible Authority.**
 - xxiii fencing details for Podium Level 3**
 - xxiv use of stormwater or grey water for irrigation of planters**
 - xxv the ground floor plan to show locations of all existing street trees to be removed and retained and any protection works required**
 - xxvi show a physical separation between moving traffic and the food and drinks premises seating in the form of temporary barriers such as (but not limited to) planter boxes on wheels in the western most laneway between the laneway and the 'trade out area';**
 - xxvii inclusion of planting (planters with appropriately scaled trees) within the trade out area of the western laneway accessed from Bridge Road, the planting must not encumber vehicular access;**
 - xxviii the relaying or new blue stone within Council's lane with need to meet Council's design standards.**
 - xxix All existing Street trees to be shown on plan**
 - xxx The provision of 2 Street tree plantings along, Cameron Street and Bank Street (within roadway consistent with existing trees) in consultation with Council's open space and engineering units.**
 - xxxi The number, type and location of all publically accessible bike hoops in consultation with Council's sustainable transport unit;**
 - xxxii additional landscaping section to the western boundary at Podium Level 1 adjacent to office tenancy and core as shown on schematic plan prepared by SJB Architects dated 24 March 2020. Planting within this landscape strip to include climbing plants.**
- ~~Landscape images and plans to match the schematic plans prepared by SJB Architecture dated 26 October.~~
- ~~Additional landscape facilities including toilets, sinks, BBQ to be added to the communal terrace at level 3.~~

Acoustic

- (s) all works recommended in the report of the professional acoustic engineer referred to in condition 16;

Environmentally Sustainable Design Principles

- (t) all works recommended in the ESD report referred to in condition 19;

Wind Assessment

- (u) all works recommended in the wind assessment report referred to in condition 22;

Bicycle Parking

- (v) a minimum 7 public bicycle share spaces;

- (w) width of the bike ramps increased to 1.5m with ramp grades to be as close to 1:12 as possible **(with a maximum of 1:10)** in general compliance with AS2890.3
- (x) increased bike provision to 410 spaces with **a minimum of 103** spaces allocated for visitor parking to be located with the basement and in the laneway access spaces (Bridge Road) without hindering vehicular access.
- (y) 20% of residential /staff spaces to be provided as horizontal at ground level spaces.

Car Parking

- (z) Disabled car parking spaces to comply with the Australian Standard for Off-Street Parking for People with Disabilities (AS2890.6:2009);**
- (aa) Provision of a long section ensuring critical headroom measurements at grade changes between ramps in accordance with (AS2890.1:2004); and**
- (bb) Swept path analysis of tandem car space 9 to ensure appropriate ingress and egress.**

~~Dimensions shown for parallel parking spaces at the south west corner of the Basement car spaces (9, 10 and 11) and the parallel parking spaces in Podium level 01 car spaces (5, 120 and 133);~~

~~Column locations to be in accordance with AS2890.1:2004;~~

~~Installation of appropriate signage and / or line marking /ground stencilling be installed at the location where one way aisles meet two way aisles.~~

~~Wayfinding signage for both drivers and cyclist to and from parking areas and entry/exit points;~~

~~Priority line marking within the basement and podium car parking levels at all conflict points~~

~~Appropriate pedestrian crossing signage be provided at each formal pedestrian crossing;~~

~~Location of speed humps at the approaches to pedestrian crossings if required;~~

Loading and Waste

- (cc) all bin storage areas and any** works recommended in the waste management plan referred to in condition 77;

General

~~internal layout of apartments to comply with the apartment layout schematic plans prepared by SJB Architects dated 26 October 2018.~~

- (dd)** location of the proposed water tank with a minimum capacity of 100,000 litres;
- (ee)** all plans to be drawn within title boundaries (excluding architectural features, canopies and awnings) and to be fully dimensioned;
- (ff)** a full set of all elevations and cross-sections including full internal elevations of all buildings and public spaces (including laneways) fully dimensioned with setbacks and heights of all buildings;
- (gg)** Plans and elevations to clearly show location of doors and windows for both commercial and residential uses and all habitable rooms having openable windows; (with the exception of dwellings within Building E which must continue to have access to natural light by way of an openable window or sliding door);

- (hh) Where overlooking opportunities can be provided within a 9m radius and 45 degree arc from a habitable room window or private open space into another habitable room or private open space on or off site, the following must be applied:
 - i Minimum 1.7m fixed obscure glazing;
 - ii Minimum 1.7 high, maximum 25% transparent screens; or
 - iii Other method(s) to the satisfaction of the Responsible Authority.
- (ii) all publicly accessible areas to be shown as referred to in condition 23;
- (jj) deletion of all reference to business identification signage;
- (kk) location of all mailboxes;
- (ll) a demolition plan clearly detailing all structures and surfaces to be demolished within the portion of the site affected by the Heritage Overlay;
- (mm) all internal corridors in the apartment buildings to have a minimum width of 1.5m with an indentation at each entrance of up to 100mm to articulate dwelling entries;
- (nn) details and provision of **external storage on** an average of 4 cubic metres of storage for each dwelling;
- (oo) provision of an internal signage plan detailing indicative signage to guide residents, employees, visitors and the public to communal open spaces, commercial facilities, car parking areas, bicycle parking areas with priority given to pedestrian and cyclist wayfinding;
- (pp) all feature paving and in ground lighting proposed is to be contained within the site title boundaries;
- ~~(qq) a minimum of 3337% of the dwellings or 136 dwellings to be shown as including internal layout supporting adaptation for persons with limited mobility. based on the schematic apartment layout plans prepared by SJB Architects dated 26 October 2018.~~

Endorsed Plans

- 2 All development and use must accord with the endorsed plans. Any alterations must be approved in writing by the Responsible Authority.
- 3 Floor levels shown on the endorsed plans must not be altered or modified. Any alterations must be approved in writing by the Responsible Authority.

Ongoing Involvement of the Architect

- 4 As part of the ongoing consultant team SJB Architects must be retained to complete the design and provide architectural oversight of the delivery of the detailed design as shown in the endorsed plans during the construction unless with the prior written approval of the Responsible Authority.

Cameron/Church Street Intersection

- 5 Within ~~six~~ **twelve** months of the development commencing **of as otherwise agreed to in writing by the Responsible Authority**, the design of the proposed works to the Cameron Street road reserve at the intersection with Church Street must be prepared by an independent and suitably qualified professional to the satisfaction of the Responsible Authority and in consultation with the Responsible Authority **and must be generally in accordance with the 'Cameron Street/Church Street Proposed Intersection Works plan' prepared by Traffix Group referenced as GRP23479-SK01 dated 24 September 2019**. The design must be submitted to and approved by the Responsible Authority. The design of the works must provide details of how the road reserve will be treat to enable:

~~the creation of separate right turn and left turn exit lanes, while retaining a single entry lane;~~

- (a) the removal of the two kerb extensions;
- (b) reinstatement of road pavement;
- (c) the re-setting of stones within the existing bluestone threshold treatment, demonstrating the threshold treatment is robust to accommodate vehicle loadings and repetitive movements, ensuring that stones are not dislodged;
- (d) removal of street trees (as necessary);
- (e) installation of no stopping (all times) restrictions on the south side of Cameron Street (including the loss of three on street car parking spaces) all between the subject sites access points and Church Street;
- (f) removal of parking restrictions (as necessary); and
- (g) any other works required.

Details must include, but are not to be limited to, all dimensions, existing reduced levels, proposed kerb levels, surface treatments, line marking, kerb, channel and footpath works, positions and details of all signs (existing and proposed), accurate locations of any stormwater pits and underground services.

- 6 Before any use commences on site and prior to the issue of a certificate of occupancy, all works associated with provision of the Cameron/Church Street intersection works as set out in condition ~~6~~ **5** must be undertaken and completed at the cost of the permit holder to the satisfaction of the Responsible Authority.

Environmental Audit

- 7 Before any development approved under this permit starts:
- (a) a Certificate of Environmental Audit must be issued for the land in accordance with Part IXD of the *Environment Protection Act 1970*; or
 - (b) an environmental auditor appointed under the *Environment Protection Act 1970* must make a Statement of Environmental Audit in accordance with Part IXD of the *Environment Protection Act 1970* that the environmental conditions of the land are suitable for a sensitive use.
- 8 Notwithstanding the requirements of Condition 7, the following works can be carried out before a Statement of Environmental Audit or a Certificate of Environmental Audit is provided to the Responsible Authority:

- (a) Demolition, buildings and works necessarily forming part of the environmental audit process; and
- (b) Demolition, buildings and works the Environmental Auditor engaged by the owner(s) advises must be carried out before a Statement or Certificate of Environmental Audit can be issued.
- (c) Construction of buildings and works up to the ground floor level including the ground floor slab.

These works must be carried out in accordance with a works plan approved by the Environmental Auditor engaged by the owner(s). A copy of the works plan must be provided to the Responsible Authority before any demolition, buildings or works start for the purpose of this condition.

9 The permit holder must:

- (a) demolish or remove some or all of the buildings or works constructed up to the ground floor level (including the ground floor slab) authorised under condition 8(c) to the extent necessary where the Environmental Auditor engaged by the owner(s) advises further works must be carried out before a Statement of Environmental Audit or Certificate of Environmental Audit is issued and those works will be constrained in any way by the existing buildings or works already constructed or carried out under condition 8(c); and
- (b) comply fully with the obligation under condition 9 at its own cost and in a timely manner.

10 Before the development approved under this permit starts (excluding demolition and buildings and/or works carried out in accordance with a works plan approved by the Environmental Auditor engaged by the owner(s)), a copy of the Statement or Certificate of Environmental Audit, and the complete audit report and audit area plan must be submitted to the Responsible Authority.

11 Where a Statement of Environmental Audit is issued in accordance with condition 7(b):

- (a) The development and uses allowed by this permit must comply with the directions and conditions of the Statement of Environmental Audit to the satisfaction of the Responsible Authority.
- (b) Before any sensitive use starts, a letter prepared by an Environmental Auditor appointed under Section 53S of the *Environment Protection Act 1970* must be submitted to the Responsible Authority confirming the directions and conditions contained in the Statement of Environmental Audit are satisfied; and
- (c) Where any condition of the Statement of Environmental Audit requires any maintenance or monitoring of an ongoing nature, the owner(s) must enter into an Agreement with Council under section 173 of the *Planning and Environment Act 1987*. The Agreement must:
 - i Provide the undertaking of the ongoing maintenance and monitoring required by the Statement of Environmental Audit; and
 - ii Be executed before the sensitive use for which the land is being developed starts.

All expenses involved in the drafting, negotiating, lodging, registering and execution of the Agreement, including those incurred by the Responsible Authority, must be met by the owner(s).

- 12 Any ongoing groundwater management and abatement of groundwater contamination must be in accordance with all requirements of any Clean Up Notice issued by the Environment Protection Authority (EPA) under section 62A of the *Environment Protection Act* 1970, or any other relevant written notice or direction issued by the Environment Protection Authority, to the satisfaction of the Environment Protection Authority.
- 13 The use and/or development/buildings and works allowed by this permit must comply with the directions and conditions of any site assessment or statement of environmental audit issued for the land.
- 14 Prior to the occupation of dwellings ~~and commencement of the childcare centre use~~ a letter must be submitted to the Responsible Authority by an Environmental Auditor accredited with the EPA, to advise that all construction and remediation works necessary and required by a site assessment or an environmental audit or statement have been carried out.
- 15 Any handling and disposal of contaminated site soil must be in accordance with the requirements of any statement of environmental audit issued for the land, the requirements of the Environment Protection Authority and the *Environment Protection Act* 1970.

Acoustic Treatments

- 16 Before the **amended** plans are endorsed, an updated acoustic report generally in accordance with the ~~Watson Moss Growcott report dated December 2017~~ and the Acoustic Logic report dated ~~9 July 2018~~ **25 October 2019 and 16 January 2020** must be submitted to and approved by the Responsible Authority. Once approved, the acoustic report will be endorsed and will then form part of the permit. The report must be prepared by a suitably qualified acoustic engineer and include:

(a) **Any layout changes as a result of requirements under condition 1**

- (b) an assessment of how the requirements of State Environment Protection Policy N-1 and relevant Australian Standards will be met and must prescribe the form of acoustic treatment to:
 - i protect all dwelling occupants from external noise sources from Bridge Road and Church Street including details of glazing types;
 - ii protect dwelling occupants with a specific interface to commercial tenancies above, next to or below from associated commercial noise sources including but not limited to loading (including reversing beepers), waste collection **and** plant and equipment **(including new plant on roof)** ~~and gym~~;
 - iii protect all dwelling occupants and nearby occupants from noise generated from the mechanical plant equipment and ventilation mechanisms installed or constructed as part of the development;
 - iv protect all dwelling occupants and nearby occupants with a direct interface with the loading areas and car park; and
 - v protect all dwellings within Building A from noise generated from use of the bin chutes.

~~details of acoustic treatment of the rooftop terrace fronting Bridge Road (westernmost above the second floor café) to limit noise emanating from the site to not exceed 48dB(A) when measure at the nearest residential dwelling at night time under the SEPP- N1 methodology;~~

- (c) an assessment of how the requirements of State Environment Protection Policy N-2 and relevant Australian Standards will be met including music noise from gym, cafes/restaurant etc.;
- (d) specific details of acoustic attenuation (not just preliminary recommendations), including but not limited to mechanical services equipment, ~~the gym/yoga centre and the child care centre;~~ and

~~breakout from the facility will comply with the relevant noise limits at the nearest noise sensitive receivers (existing and future). (Noting that the Revision 10 design features the Gym and Yoga Studio entrance across the hall from the entry doors of apartments B-0-14 and B-0-13, therefore this may require an airlock to the Gym and Yoga Studio entry door.)~~

~~Include 42 Cameron Street into the assessment and review any interface issues between the fresh food truck store and dwellings in building DDG-02, D-104 and D-203;~~

- (e) Address the modified loading area.

17 On the completion of any works required by the endorsed Acoustic report (condition 16) above and before the residential use commences, an updated acoustic report prepared by a suitably qualified acoustic consultant to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority demonstrating that the required level of noise attenuation has been achieved. The report must:

- (a) confirm compliance with condition 16 of the permit; and
- (b) provide measurement data taken from inside the dwellings of the development, demonstrating compliance with State Environment Protection Policy N-1 (indoor noise limits), however allowing internal noise measurements to be taken with operable external façade sections close.

18 The recommendations and any works contained in the approved acoustic reports pursuant to conditions 16 and 17 must be implemented and completed and where they are recommendations of an ongoing nature must be maintained all to the satisfaction of the Responsible Authority.

Environmentally Sustainable Design Principles

19 Before the **amended** plans are endorsed, an amended Environmentally Sustainable Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the report will then form part of this permit.

The Report must be generally in accordance with the ~~report Sustainability Management Plan for Coles Richmond Plaza (April 2018) prepared by Cundall~~ **Richmond Quarter Sustainability Management Plan (23 October 2019 prepared by ADP Consulting** but modified to address the following:

- (a) **Any layout changes as a result of requirements under condition 1 of the permit including the apartment layout schematic plans prepared by SJB Architects dated 19 March 2020 ~~26 October 2018~~.**
- (b) **All recommendations included within the Consultant Advice Notice document prepared by ADP Consulting (28 February 2020 and 27 March 2020).**
- (c) An updated daylight modelling report **generally in accordance with the Richmond Quarter Daylight Report (11 October 2019) prepared by ADP Consulting** but modified to show:
 - (i) **All recommendations outlined in the Consultant Advice Notice document prepared by ADP Consulting (28 February 2020)**
 - (ii) **reflective of all internal and external changes;**
 - (iii) inclusion of a daylight modelling report that confirms that albeit the use of tinted glazing a daylight factor of at least 1.5 per cent is met for 75% of the living areas across at least 80 per cent of dwellings;
- (d) confirmation that door / window locks are to be provided to all balcony doors and windows so that they can be fixed/locked into position such that they can provide a secure opening for night purging;
- (e) confirmation that the development will achieve at least 10 per cent or half a star (whichever is greater) above BCA minimum standards;
- (f) details of insulation and sealing of penetrations between air-conditioned and unair-conditioned areas through the provision of seals to the loading dock area;
- (g) incorporation where viable, solar boosted gas hot-water **or the equivalent as outlined in the Consultant Advice Notice document prepared by ADP Consulting (28 February 2020 and 27 March 2020)** and confirm the use of dimmable lighting systems;
- (h) confirmation that a 100,000 litre water tank is sufficient to service watering of landscaping and flushing of retail tenancy toilets;
- (i) confirmation the number and location of toilets that will be serviced by rainwater rather than mains water;
- (j) natural ventilation to residential corridors, **as shown within the submitted ESD report dated 28 February and the Urban Design response submitted by SJB Architects dated 19 March** and in consultation with the wind assessment required by condition 22;
- (k) provision for future electric vehicle and bicycle charging points; and
- (l) provision for all electric vehicle charging stations to be powered by Green power.

20 The dwellings must achieve a minimum average of 6.5 star rating under first rate (BCA standards).

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

Wind Assessment

- 22 The provisions, recommendations and requirements of the endorsed Wind Impact Assessment prepared by Vipac dated 10 April 2018 **and addendum dated 15 October 2019** must be complied with and implemented to the satisfaction of the Responsible Authority.

Accessibility Plan

- 23 Before the **amended** plans are endorsed, an accessibility plan must be submitted to and approved by the Responsible Authority and must be generally in accordance with the access plan shown on page 88 of the original urban context report submitted with the application. Once approved, the accessibility plan will be endorsed and will then form part of the permit. The plan must show:
- (a) areas within the development that are proposed to have 24 hour access including but not limited to:
 - i western laneway accessed from Bridge Road;
 - ii part eastern laneway accessed from Bridge Road;
 - iii public square accessed from Bank Street;
 - iv existing lane extending south from Cameron Street;
 - v civic space adjacent to Church Street;
 - vi residential lobby adjacent to Church Street; and
 - (b) areas within the development that are proposed to have access during the centre operating hours.
- 24 Unfettered public access at all times must be maintained through areas nominated under condition 23(a).

Affordable Housing

- 25 Unless with the prior written consent of the Responsible Authority, provision of at least 13 apartments which meet the definition of 'affordable housing' to be managed by an accredited Housing Association. In the event that no agreement can be reached with a Housing Association, evidence of this must be submitted to the Responsible Authority for consideration.

Car and Bicycle Share

- 26 Before the development is occupied, a minimum of six car share vehicles and seven bicycle share facilities must be provided on the land. This must be by way of arrangement with a car share/bicycle share operator and/or the future Owners Corporation. The car share vehicles and the bicycle share facilities must be provided on the land for a minimum period of 10 years, to the satisfaction of the Responsible Authority. Any costs associated with ensuring on-going availability of the car share vehicles and the bicycle share facilities on the land must be borne by the Owners Corporation.

The provision of car share spaces and bicycle share facilities may be varied with the written consent of the Responsible Authority.

Green Travel Plan [GTP]

- 27 Prior to the occupation of the development, an **amended** Green Travel Plan prepared by a suitably qualified person to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. Once approved, the Plan will be endorsed and will then form part of the permit.

The Plan must **be generally in accordance with the GTP prepared by the Traffix Group dated October 2019 and must** encourage the use of non-private vehicle transport modes by the occupiers of the land by addressing at a minimum:

- (a) Updated to reflect the new bicycle space allocation
- (b) the provision of a minimum three car share vehicles on site within close proximity to the vehicle entrance and located to the satisfaction of the Responsible Authority;
- (c) the provision of 10 electric charging stations in locations to the satisfaction of the Responsible Authority;
- (d) describe the location in the context of alternative modes of transport;
- (e) the provision of real time passenger information displays for nearby stops within each residential lobby and outside the Church street kiosk;
- (f) employee / resident welcome packs (e.g. provision of Met Cards/Myki);
- (g) a designated 'manager' or 'champion' responsible for co-ordination and implementation;
- (h) details of bicycle parking and bicycle routes;
- (i) details of car share and bicycle share schemes (including any discounts for residents/tenants and electric car charging points);
- (j) details of GTP funding and management responsibilities; and
- (k) include provisions to be updated not less than every five years.

Developer Contribution

- 28 Prior to the commencement of the development, the permit holder must pay a bank guarantee to the value of \$40,000 to the City of Yarra for future public transport improvements to Bridge Road and/or Church Street in the immediate vicinity of the site. The bank guarantee may be drawn down by Council and used for proposed works by either Yarra Trams, Department of Transport or VicRoads to carry out public transport improvements (e.g. increased tram capacity) in the immediate vicinity of the site along Bridge Road and/or Church Street, Richmond, in consultation with the permit holder.

The bank guarantee will be returned to the permit holder if the transport improvement works are not commenced by the relevant authorities, prior to the occupation of the final stage of the development.

Loading General

- 29 Unless with the prior written consent of the Responsible Authority, no trucks greater than 12.5 metre Heavy Rigid Vehicles may deliver or collect goods/garbage to the commercial uses at any time.

Loading and Waste Management – Cameron Street Loading Dock

- 30 All loading and unloading for the supermarket (including all commercial garbage and recycling collection) must be carried out within the confines of the designated Cameron Street loading dock (Cameron Street).
- 31 All loading dock deliveries and commercial garbage and recycling collection must be to the satisfaction of the Responsible Authority. During all loading and unloading activities, truck/vehicle motors must be turned off.

- 32 All truck/vehicles using the Cameron Street loading dock must enter and exit the site in a forward motion.
- 33 All delivery and collection of goods at the Cameron Street loading dock associated with the supermarket are restricted to the following hours and number of deliveries:

Day	Time Period	Maximum Number of Delivery Vehicles per 30 minutes
All Days (Monday to Sunday)	7.00 am – 6.00 pm	2
All Days (Monday to Sunday)	6.00 pm – 10.00 pm	1
Weekday (Monday to Friday)	5.00 am – 7.00 am	2
Saturday	5.00 am – 7.00 am	1
Sunday	5.00 am – 7.00 am	No vehicles

- 34 No more than a maximum of 30 deliveries/collection of goods to occur from the Cameron Street loading dock per day.

Loading and Waste Management – Bank Street Loading Dock

- 35 Waste collection may only occur between the following times, unless with the prior written consent of the Responsible Authority:
- (a) 7.00 am and 8.00 pm Monday to Saturday;
 - (b) 9.00 am and 8.00 pm Sunday

- 36 Commercial loading may only occur between 6.00 am and 10.00 pm, seven days, unless with the prior written consent of the Responsible Authority.

Loading and Waste Management – Church Street Loading Dock

- 37 Waste collection may only occur between the following times, unless with the prior written consent of the Responsible Authority:
- (a) 7.00 and 8.00 pm Monday to Saturday;
 - (b) 9.00 am and 8.00 pm Sunday.

- 38 Commercial loading may only occur between 6.00 am and 10.00 pm, seven days, unless with the prior written consent of the Responsible Authority.

Transport Management Plan

- 39 ~~Prior to the commencement of the development,~~ **Before the amended plans are endorsed,** an **amended** Transport Management Plan prepared by a suitably qualified professional to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Transport Management Plan will be endorsed and will then form part of the permit.

The Transport Management Plan must **be generally in accordance with the TMP prepared by the Traffix Group dated October 2019 and must** address the following:

General

- (a) A review of directional line marking and control methods with the car park areas addressing safety for vehicle, bikes and pedestrians.
- (b) an internal signage plan distinguishing permanent parking areas (resident and commercial) from visitor parking areas, and car share programme parking areas, directional arrows and signage, information signs indicating location of disabled bays, small parking bays, bicycle parking, exits, restrictions, pay parking system etc.;
- (c) management system of trolley bay area's to ensure appropriate measures are in place for collection and storage;
- (d) security arrangements;
- (e) location of all real time travel information signs to be installed within the development;
- (f) right turn only between 10.00 pm – 7.00 am into Cameron Street from the site;

Car Parking

- (g) residential car parking must be allocated such that **an average of 0.5 spaces is provided**. ~~80% of all dwellings are allocated one car parking space. All two-bedroom dwellings must be provided with one on-site car parking space and all three-bedroom dwellings must be provided with an average of 1.5 on-site car parking spaces.~~ This allocation of car spaces may be varied with the written consent of the Responsible Authority;
- (h) other car parking must be allocated as follows:
 - i 23 staff car parking spaces (shop, **food and drinks premises** ~~childcare, gym, yoga etc~~)
 - ii ~~40~~ **30** office car parking spaces;
 - iii ~~237-233~~ **233** retail/public/**staff** car parking spaces **including 8 'parking for parent with prams' spaces located in basement 1** ~~(inclusive of staff):~~
 - ~~including eight 'parking for parents with prams' spaces located in basement 1; and~~
 - ~~three car share parking spaces located in basement 1;~~
 - ~~four spaces allocated to drop off – pick up for the childcare centre~~
- (i) a minimum of 52 motorcycle parking bays;
- (j) a minimum of six car spaces for car share programme in locations to the satisfaction of the Responsible Authority;
- (k) management details of the car share programme provided;
- (l) the proposed parking fee structure, including shopper incentives for short term parking and details of ticketing systems, including any requirements for boom gates etc;
- (m) management of queuing at the entry and exit points of the car park during peak times to comply with Table 3.3 of the Australian Standards for Off - Street Car Parking AS/NZS2890.1 (2004);

Bicycle Spaces

- (n) a minimum of **557** ~~440~~ on site bicycle parking spaces:
 - i **368** ~~307~~ resident spaces;
 - ii **127** ~~103~~ visitor spaces;
 - iii **59 staff spaces**; and
 - iv 7 bike share spaces provided along the Church Street frontage **if a suitable provided cannot be contracted, these spaces are to be made available as publically accessible spaces to the satisfaction of the Responsible Authority**;
- (o) a mechanism to review the car parking (including car share spaces) and bicycle spaces to either re-allocate the spaces if demand warrants so, or provide more spaces if the opportunity arises. This may include future Owners Corporation review/input;
- (p) management details of the bike share programme provided;

Loading and Deliveries and Waste

- (q) no trucks greater than 12.5 metre Heavy Rigid Vehicles may deliver or collect goods/garbage to the commercial uses at any time;
- (r) details regarding the management of loading and unloading of goods and materials for commercial and residential uses to the Bank Street loading area all in compliance with any other condition(s) of this permit;
- (s) the provision of spotter to assist truck vehicles reversing into the loading/unloading (public square) area to Bank Street or any other measures to ensure public safety to the satisfaction of the Responsible Authority;
- (t) management of separate pedestrian and loading bay areas in the Bank Street public square;
- (u) confirmation commercial deliveries (except for supermarket) and loading will only occur within section of the public square in the land in plan of consolidation 105419 and how this will be managed; and
- (v) details regarding the management of loading and unloading of goods and materials for the supermarket including frequency, times, truck sizes all in compliance with any other condition(s) of this permit.

40 Except with the further consent of the Responsible Authority, the management of the car park must, at all times, comply with the approved Transport Management Plan.

Car Parking, Crossovers and Footpaths

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

(e) be drained and sealed with an all weather seal coat
all to the satisfaction on the Responsible Authority.

- 42 Any redundant vehicle crossings must be broken out and reinstated with paving, kerb and channel of the surrounding area. The cost of these reinstatement works must be borne by the Permit Holder.
- 43 Any damaged road(s) and footpath(s) adjacent to the development site as a result of the development must be reinstated to the satisfaction of the Responsible Authority and at the expense of the Permit Holder.
- 44 Footpaths adjacent to the development site (along Bank Street, Cameron Street, Church Street and Bridge Road) must be reconstructed to the satisfaction of the Responsible Authority and at the expense of the Permit Holder.
- 45 All vehicle crossings must be constructed in accordance with City of Yarra Standard Drawings and Specifications;
- 46 The development's finished floor levels relative to the existing footpath and road levels must be such that pedestrian and vehicular access accord with the Australian/New Zealand Standard AS/NZS 2890.1:2004;
- 47 All existing kerb and channel, and road pavement surface levels should not be altered. Council may permit the adjustment of Building Line levels to provide access in accordance with AS/NZS 2890.1:2004;
- 48 At no cost to Council, any in-ground parking sensors surrounding the subject site that are required to be removed as part of the works approved by this development must be removed and or relocated/reinstated in consultation with and to the satisfaction of the Responsible Authority.
- 49 Before the development commences (excluding demolition and excavation), detailed design drawings must be prepared by a suitably qualified person and to the satisfaction of the Responsible Authority addressing all civil and road infrastructure works associated with the development.

Once approved, the plans will be endorsed and will then form part of the permit.

Before the development is completed, all works shown on the endorsed plans must be carried out and completed and at no cost and to the satisfaction of the Responsible Authority

Childcare Centre

~~Unless with the prior written consent of the Responsible Authority, no more than 40 places may be offered in the childcare centre at any time.~~

~~Unless with the prior written consent of the Responsible Authority, the childcare centre may only operate between 6.00 am to 6.00 pm Monday to Sunday.~~

Restricted Recreation Facility (Gym)

~~Unless with the prior written consent of the Responsible Authority, no more than 60 patrons and six staff may be present in the gym at any time.~~

~~Unless with the prior written consent of the Responsible Authority, the gym may only operate between:~~

~~(a) 6.00 am to 10.00 pm Monday to Friday; and~~

~~(b) 6.00 am to 10.00 pm Saturday and Sunday.~~

Restricted Recreation Facility (Yoga studio)

~~Unless with the prior written consent of the Responsible Authority, no more than 25 patrons and five staff may be present in the yoga studio at any time.~~

~~Unless with the prior written consent of the Responsible Authority, the yoga studio may only operate between:~~

~~(a) 6.00 am to 10.00 pm Monday to Friday; and~~

~~(b) 6.00 am to 10.00 pm Saturday and Sunday.~~

Bottle Shop

50 Unless with the prior written consent of the Responsible Authority, the sale of liquor hereby permitted may only be offered between 9.00 am – 11.00 pm Monday to Sunday.

51 During all hours in which the business is open to the public, entry must be made freely available to any authorised officer(s) of the responsible authority for the carrying out of any investigations associated with the sale of alcohol on the site.

52 During all operating hours of the use hereby authorised, there must be present on the site a person above the age of 18 years, who has been authorised by the occupier of the land and that person will be responsible for the good conduct of patrons arriving, using or leaving the land, (For the purposes of this permit, this person is known as "the Manager").

53 The Manager must be qualified in operating in accordance with the policies and guidelines prescribed by Liquor Licensing Victoria.

54 The Manager must at all times be authorised by the occupier of the premises to make statements and admissions on their behalf to any authorised officer of the Responsible Authority regarding the conduct of the premises for the use hereby authorised.

Operations Management Plan

55 Before any of the development is occupied, an Operations Management Plan prepared by an appropriately qualified person to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Operations Management Plan must address the following:

- (a) access arrangements to the tenancies;
- (b) internal signage;
- (c) security arrangements;
- (d) servicing arrangements; and
- (e) complaint resolution mechanisms.

Community Services Plan

56 Prior to the commencement of the uses hereby permitted, a community services 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 address:

- (a) implementation and management of the plaza to enable the opportunity for community events to be coordinated between council and the centre free of charge each year, including display spaces etc.;
- (b) installation of real time information on public transport services and programs; and

- (c) that the centre will be invested with wireless technology to the public lanes and spaces ensuring these areas support local commerce and contemporary e-commerce, community information and social networking.

General Amenity

- 57 Alarms associated with the commercial premises must be directly connected to a security service and must not produce noise beyond the premises.
- 58 The amenity of the area, particularly the Yarra River Corridor, must not be detrimentally affected by the use or development, through:
 - (a) the transport of materials, goods or commodities to or from land;
 - (b) the appearance of any buildings, works or materials; and
 - (c) the emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or the presence of vermin.
- 59 All buildings must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
- 60 Noise emanating from the development, including plant and other equipment, must comply with the State Environment Protection Policy N-1 to the satisfaction of the Responsible Authority.
- 61 Noise emanating from the commercial uses within the development must comply with the permissible noise levels for entertainment noise as specified in the State Environment Protection Policy (Control of Music Noise from Public Premises) No. N2.

Landscaping

- 62 Before the occupation of the development, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.
- 63 The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority including that any dead or diseased or damaged plants are to be replaced.
- 64 Prior to commencement of the development the permit holder must make a one off contribution of a maximum of \$6,000 to the Responsible Authority to be used for street tree plantings to Hull Street.
- 65 Before the development commences, the permit holder must make a one off contribution of \$3220.00 (excluding GST) to the Responsible Authority to be use for 2 new street tree plantings along Cameron and Bank Streets that are required as a result of the development.
- 66 Before construction works start, a landscaping bond or bank guarantee of no less than 5% of the total landscaping value must be paid to the responsible authority. This bond will be returned in full no later than six months after the satisfactory completion of these works and subject to an inspection by the Responsible Authority.

Wayfinding and Lighting

- 67 **Prior to the occupation of the development, a detailed wayfinding signage plan must be submitted to and approved by the Responsible Authority. The plans must ensure the wayfinding signage is integrated into the design of the development.**

- 68 Prior to the occupation of the development, a detailed lighting plan for all publicly accessible areas including private, communal and the public laneways must be submitted to and approved by the Responsible Authority. The plans must ensure lighting is integrated into the design of the development and is baffled to minimise light spill.**
- 69 The development must be provided with external lighting capable of illuminating access to each car parking spaces, storage, rubbish bin, recycling bin, pedestrian walkways, stairwells, lift, dwelling entrances and entry foyer. Lighting must be located, directed, shielded and of limited intensity so that no nuisance or loss of amenity is caused to any person within and beyond the site, to the satisfaction of the Responsible Authority.

General

- 70 Privacy screens as required in accordance with the endorsed plans must be installed prior to occupation of the building to the satisfaction of the Responsible Authority and maintained to the satisfaction of the Responsible Authority thereafter.
- 71 All new on boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.
- 72 All piping and ducting, other than for drainage above the ground floor storey of the building must be concealed.

Waste Management

- 73 The collection, storage and disposal of waste must be undertaken generally in accordance with the approved Waste Management Plan prepared by Leigh Design dated 15 October 2019.**

~~Before the use and development commences, an amended Waste Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority.~~

~~When approved, the amended Waste Management Plan will be endorsed and will form part of this permit. The amended Waste Management Plan must be generally in accordance with the Waste Management Plan prepared by Leigh Design and dated 3 August 2018, but modified to include the following:~~

~~(a) —An organic waste collection or a composting system for residents.~~

- 74 The collection of all waste must be in accordance with the approved Waste Management Plan. Rubbish, including bottles and packaging material, must at all times be stored within the building and screened from external view and be managed to the satisfaction of the Responsible Authority in accordance with the approved Waste Management Plan.
- 75 All commercial waste must be collected via a private collection service to the satisfaction of the Responsible Authority.

Construction Management Plan

- 76 Before any 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 as evidence of its approval. The plan must provide for or include the following:
- (a) a pre-conditions survey (dilapidation report) of the subject site and all adjacent Council roads frontages and nearby road infrastructure;

- (b) protection works necessary to road and other infrastructure (limited to an area reasonably proximate to the site);
- (c) remediation of any damage to road and other infrastructure (limited to an area reasonably proximate to the site);
- (d) containment of dust, dirt and mud within the site and method and frequency of clean up procedures in the event of build up of matter outside the site;
- (e) on site facilities for vehicle washing;
- (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 that the activities on-site pose including but not limited to: contaminated soil, materials and waste, dust, stormwater contamination from run-off and wash-waters, sediment from the site on roads, washing of concrete trucks and other vehicles and machinery, spillage from refuelling cranes and other vehicles and machinery;
- (i) construction program;
- (j) preferred arrangements for trucks delivering to the site including delivery and unloading points and expected frequency;
- (k) parking facilities for construction workers;
- (l) measures to ensure that sub-contractors/tradespersons operate 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, to the satisfaction of the Responsible Authority. In this regard, consideration (amongst other matters) may be given to:
 - i using lower noise work practice and equipment;
 - ii the suitability of the site for the use of an electric crane;
 - iii silencing all mechanical plant by the best practical means using current technology; and
 - iv fitting all pneumatic tools operated near a residential area with an effective silencer on their air exhaust port;

- (q) confirm the location of the Council drain within the laneway running adjacent to properties fronting Bank Street and ensure that the drain is protected and be made accessible to Council work works in times of maintenance or emergency; and
- (r) screening measures to prevent overlooking into 267 Bridge Road during construction.

77 During the construction, the following must occur:

- (a) any stormwater discharged into the stormwater drainage system to comply with EPA guidelines;
- (b) stormwater drainage system protection measures must be installed as required to ensure that no solid waste, sediment, sand, soil, clay or stones from the premises enters the stormwater drainage system;
- (c) vehicle borne material must not accumulate on the roads abutting the site;
- (d) the cleaning of machinery and equipment must take place on site and not on adjacent footpaths or roads;
- (e) all litter (including items such as cement bags, food packaging and plastic strapping) must be disposed of responsibly; and
- (f) all site operations must comply with the EPA Publication TG302/92.

78 The development once commenced, must be completed to the satisfaction of the Responsible Authority.

Transport for Victoria Condition (79 to 80)

79 The permit holder must take all reasonable steps to ensure that disruption to tram operation along Bridge Road and Church Street is kept to a minimum during the construction of the development. Foreseen disruptions to tram operations during construction and mitigation measures must be communicated to Yarra Trams and Public Transport Victoria thirty-five days (35) prior.

80 The permit holder must ensure that all track, tram and overhead infrastructure is not damaged. Any damage to public transport infrastructure must be rectified to the satisfaction of the Public Transport Victoria at the full cost of the permit holder.

VicRoads Conditions (81 – 83)

81 In the event that the Roads Corporation requires the land affected by the Public Acquisition Overlay – Schedule 1 (PAO1), VicRoads will advise the landowner in writing. Upon receiving this notice, the owner must remove, from the land affected by the overlay, all use and development permitted by this planning permit to the satisfaction of VicRoads and the Responsible Authority. The cost associated with removing the use and development from the land affected by the PAO1 is to be borne by the owner of the land.

82 No compensation is payable under part 5 of the *Planning and Environment Act 1987* in respect of anything done under this permit.

83 Construction plans for the buildings and works proposed within the areas affected by the PAO1 must be submitted to and approved by VicRoads prior to the commencement of any works on site.

The plans must demonstrate that the buildings and works proposed within the PAO1 areas may be removed by the owners of the building at a time as required by VicRoads.

Expiry

84 This permit will expire is one of the following circumstances applies:

- (a) the development is not started within three (3) years of the date of this permit;
- (b) the development is not completed within seven (7) years of the date of this permit;
- (c) the uses are not commenced within seven (7) years of the date of this permit.

The Responsible Authority may approve extensions to these time limits if requests are made before the permit expires or within three (3) months afterwards.

NOTE: A building permit maybe required before development is commenced. Please contact Council's Building Department on PH 9205 5351 to confirm.

NOTE: In accordance with the Yarra Planning Scheme, a 4.5 per cent public open space contribution may apply in the event of the subdivision of the land.

NOTE: The design and construction of the vehicle crossing must also satisfy the requirements of Council's Community Amenity unit's Vehicular Access into Properties (Info Sheet and Application Form) before a vehicle crossing permit can be issued.

NOTE: The Permit Holder must apply for a Legal Point of Discharge under Regulation 610 – Stormwater Drainage of the *Building Regulations* 2006 from Yarra Building Services Unit.

NOTE: Any storm water drainage within the property must be provided and be connected to the nearest Council pit of adequate depth and capacity (legal point of discharge), to Council's satisfaction under Section 200 of the *Local Government Act* 1989 and Regulation 610.

NOTE: 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.

NOTE: The Permit Holder is required to identify any overflow paths surrounding the site and ensure that they are not obstructed. Please contact Council's Engineering Services Unit on 9205 5555 to discuss.

NOTE: The site must be drained to the legal point of discharge to the satisfaction of the Responsible Authority.

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

NOTE: A copy of this permit and the endorsed plan (and any subsequent variation) must form part of the document to any Contract of Sale or Lease for any part of the site after the date of the permit.

NOTE: The southern part of the site is subject to a Heritage Overlay pursuant to the Yarra Planning Scheme. Unless hereby approved, a planning permit may be required for any demolition, re-painting or other external alterations, sandblasting, exterior works including the installation of external air conditioning units, solar panels, and any other heating/cooling units) to an existing building or buildings, construction of a building or fence, changes to the natural topography of the land or the subdivision or consolidation of land.

NOTE: The food premises are required to comply with health and food safety regulations before commencing operation. Please contact Council's Public Health Unit on 9205 5166.

NOTE: The proposal includes construction over a carriageway easement. As easements are not strictly planning matters in this regard, the Permit Holder is required to consider this obligation.

NOTE: Permission is required from Council's Parking Services Unit to remove on-street parking spaces and/or modify parking restrictions.

VicRoads NOTE: Separate consent may be required from **the Department of Transport (Head, Transport for Victoria)** ~~VicRoads (the Roads Corporation)~~ under the Road Management Act 2004 for buildings and works (~~i.e. canopies and architectural features/ projections~~) undertaken outside the title boundary within a Road Zone Category 1 (~~i.e. Church Street and Bridge Road~~). Please contact **Department of Transport** ~~VicRoads~~ prior to commencing any works.

CARRIED UNANIMOUSLY

The meeting closed at 7.46pm.

Confirmed at the meeting held on Wednesday 27 May 2020

Chair