



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

**held virtually**  
**on Wednesday 1 July 2020 at 6.30pm**

**I. ATTENDANCE**

Councillor Jackie Fristacky  
Councillor Stephen Jolly  
Councillor James Searle

Mary Osman (Manager Statutory Planning)  
John Theodosakis (Principal Planner)  
Cindi Johnston (Governance Officer)  
Rhys Thomas (Senior Governance Advisor)

**II. APOLOGIES AND LEAVE OF ABSENCE**

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

**IV. CONFIRMATION OF MINUTES**

**Internal Development Approvals Committee Resolution:**

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

That the minutes of the meeting of the Internal Development Approvals Committee held on Wednesday 10 June 2020 be confirmed.

**CARRIED**

**Printed on 100% recycled paper**

***"Welcome to the City of Yarra.  
Yarra City Council acknowledges the  
Wurundjeri Woi-wurrung as the  
Traditional Owners of this country,  
pays tribute to all Aboriginal and  
Torres Strait Islander people in Yarra  
and gives respect to the Elders past  
and present."***

### **Internal Development Approvals Committee Submissions**

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

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

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

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

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

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

*Extract from the Council Meeting Operations Policy, September 2019*

Councillor Jolly nominated Councillor Fristacky as Chair.

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

Councillor Fristacky assumed the Chair.

# 1 INTERNAL DEVELOPMENT APPROVALS COMMITTEE

Item		Page	Res. Page
1.1	Planning application No. PLN19/0780 - 17 - 23 Wangaratta Street and 68 Tanner Street, Richmond - Demolition of the existing building and construction of an eight-storey building for use as office(s) and shop(s) and reduction in the associated car parking requirement of the Yarra Planning Scheme.	6	25
1.2	PLN20/0006 - 462 - 482 Swan Street, Richmond - Construction of a thirteen storey building (including one level of plant, plus two basement levels), reduction in the car parking requirement associated with the retail/food and drinks premises and office uses (no permit required for uses) and alteration of access to a Road Zone, Category 1	26	

**(In respect of the above application, Council was notified on 29 June 2020 that the Minister for Planning has exercised his call in powers pursuant to section 97B(1)(a) of the *Planning and Environment Act 1987*.**

**As a result, Council is no longer the determining authority for this application and the matter was withdrawn from this Agenda prior to the Internal Development Approvals Committee (IDAC) meeting.**

**Council is awaiting further instructions from the Minister for Planning.)**

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**1.1 Planning application No. PLN19/0780 - 17 - 23 Wangaratta Street and 68 Tanner Street, Richmond - Demolition of the existing building and construction of an eight-storey building for use as office(s) and shop(s) and reduction in the associated car parking requirement of the Yarra Planning Scheme.**

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Reference: D20/85609

Authoriser: Senior Coordinator Statutory Planning

## **RECOMMENDATION**

That having considered all objections and relevant planning policies, the Committee resolves to advise VCAT, the permit applicant and parties to the proceedings, that if it were in a position to, it would have issued a Notice of Decision to Grant a Planning Permit for the demolition of the existing buildings and development of the land to construct a multi-level building for use as office(s) and shop(s) and a reduction in the car parking requirement at 17 – 19, 21 and 23 Wangaratta Street and 68 Tanner Street, Richmond generally in accordance with the plans noted previously as the “decision plans” and subject to the following conditions:

1. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions, and three copies must be provided. The plans must be generally in accordance with the plans being Drawings TP050, TP051, TP000, TP100, TP100, TP101, TP102, TP103, TP104, TP105, TP106, TP107, TP108, TP109, TP110, TP200, TP201, TP202, TP203, TP300, TP301 and TP090 – all Revision B prepared by MA Architects Pty Ltd, and issued 12/12/2019 but modified to show:
  - (a) All notations referring to ‘commercial premises’ deleted and replaced with ‘office’.
  - (b) Reduction of the overall building to a maximum of seven storeys by deleting Level 06 and the following setbacks incorporated:
    - (i) Level 06 setback 7m from Wangaratta Street with a portion at Levels 03 and 04 returning to Tanner Street for a maximum length of 10m and setback 3.5m;
    - (ii) Levels 03, 04 and 05 (with the exception of the return at Levels 03 and 04) setback 9m and Level 06 setback 12m from Tanner Street;
    - (iii) Levels 03, 04 and 05 setback 9m and Level 06 setback 12m from Botherambo Street;
  - (c) The lobby at the north-west corner deleted and the entrance to Shop 01 made more prominent.
  - (d) The main building entrance revised to ensure that this cannot become a litter trap.
  - (e) The deletion of the sliding door at the north-east corner of the ground floor plan and this replaced with shop-front glazing.
  - (f) The height of the concrete plinths at the base of the building along Wangaratta and Tanner Streets reduced to approximately 400mm – 450mm above the footpath level.
  - (g) The segmented section of street wall at Ground level replaced with glazing and the substation rotated 90 degrees (if possible) to allow for the further street activation of Botherambo Street.
  - (h) The seat within the front setback of shop tenancy 02 redesigned and integrated into the façade (i.e. not stand-alone).
  - (i) The footpath visitor bicycle parking spaces on the ground floor plan relocated to be shown within the title boundaries, accessible to visitors and when combined with those currently provided, equate to a total of 10 visitor bicycle space on the ground floor.
  - (j) Details (with cross-sections provided) of the vehicle crossing to Botherambo Street confirming that the finished level at the building line and the entrance ramp will not result in B99 design vehicles bottoming or scraping out.

- (k) A plan notation confirming that the service cabinet and substation doors will swing 180 degrees and latched to the wall when opened.
  - (l) The sight triangle on the north side of the vehicle entrance shown.
  - (m) The headroom clearance shown perpendicular to the vehicle ramp and be no less than 2.1m.
  - (n) A schedule of all materials and finishes including colours that includes graffiti proofing of walls and a patterned colour finish across the on-boundary upper levels walls exposed to the south.
  - (o) The ramp and transition grades of the vehicle access ramp dimensioned on the drawings.
  - (p) Any requirement of the endorsed Detailed Design Plan (condition 2) (where relevant to show on plans).
  - (q) Any requirement of the endorsed Landscape Plan (condition 5) (where relevant to show on plans).
  - (r) Any requirement of the endorsed Sustainable Management Plan (condition 9) (where relevant to show on plans).
  - (s) Any requirement of the endorsed Green Travel Plan (condition 12) (where relevant to show on plans).
  - (t) Any requirement of the endorsed Waste Management Plan (condition 14) (where relevant to show on plans).
  - (u) Any requirement of the endorsed Acoustic Report (condition 17) (where relevant to show on plans including notations of key commitments).
  - (v) Any requirement of the endorsed Wind Assessment Report (condition 20) (where relevant to show on plans).
2. In conjunction with the submission of development plans under Condition 1, a Façade Strategy and Materials and Finishes Plan to the satisfaction of the Responsible Authority must be submitted to and be approved by the Responsible Authority. When approved, the Façade Strategy and Materials and Finishes Plan will be endorsed and will then form part of this permit. This must detail:
- (a) elevations at a scale of 1:20 illustrating typical podium details, entries and doors;
  - (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 informal seating; and
  - (d) a sample board and coloured drawings outlining colours, materials and finishes.
3. 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.
4. As part of the ongoing progress and development of the site, MA Architects Pty. Ltd. or an architectural firm to the satisfaction of the Responsible Authority must be engaged to:
- (a) oversee design and construction of the development; and
  - (b) ensure the design quality and appearance of the development is realised as shown in the endorsed plans or otherwise to the satisfaction of the Responsible Authority.

## Use

5. Except with the prior written consent of the Responsible Authority, the office use authorised by this permit may only operate between the following hours:
- (a) Monday to Friday 7.00am – 10.00pm.
  - (b) Saturday and Sunday 8.00am – 8.00pm.

6. Except with the prior written consent of the Responsible Authority, the use of the office terraces are restricted to the hours referenced within Condition 22 with no more than one (1) evening per month by gatherings of more than 25 people.
7. No speakers external to the building within the terraces are to be erected or used.
8. Except with the prior written consent of the Responsible Authority, the shop use authorised by this permit may only operate between the following hours:
  - (a) Monday to Sunday 7.00am – 7.00pm.
9. The amenity of the area must not be detrimentally affected by the use or development, 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.
10. Except with the prior written consent of the Responsible Authority, delivery and collection of goods to and from the land may only occur between 7am and 10pm on any day.

#### Landscape Plan

11. Concurrent with the plans requested at Condition 1, a Landscape Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Landscape Plan will be endorsed and will form part of this permit. The Landscape Plan must show:
  - (a) make reference to design changes as required by Condition 1 and include additional landscaping at the entrances to the building and at Level 04, along the northern interface.
  - (b) The landscaping on any of the upper levels and how this is going to be maintained, including information on waterproofing, growing media, irrigation and mulch. Details of how any mulch specified on the higher levels will not be at risk of blowing away during high wind events must be provided.
  - (c) Indicate depths of the masonry planters where they have not been specified on the current plans.
  - (d) Details of custom furniture proposed, ensuring safety and compliance standards are met.
12. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the landscaping works shown on the endorsed Landscape Plan must be carried out and completed to the satisfaction of the Responsible Authority. The landscaping shown on the endorsed Landscape Plan must be maintained by:
  - (a) implementing and complying with the provisions, recommendations and requirements of the endorsed Landscape Plan;
  - (b) not using the areas set aside on the endorsed Landscape Plan for landscaping for any other purpose; and
  - (c) replacing any dead, diseased, dying or damaged plants,to the satisfaction of the Responsible Authority.



13. Before the development commences, the permit holder must make a one off contribution of \$2,820.15 to the Responsible Authority to be used for new street tree plantings that are required as a result of the development.
14. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, three street trees must be installed within Botherambo Street:
  - (a) at the permit holder's cost; and
  - (b) in a location and manner,to the satisfaction of the Responsible Authority.

#### Sustainable Management Plan

15. Concurrent with the plans requested at Condition 1, 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 ADP Consulting dated 01 November 2019 but modified to make reference to design changes as required by Condition 1 and include the following details
  - (a) Additional shading treatments to the north and west façade of the building.
  - (b) At least 5% of car parks to be EV ready or wired.
  - (c) The BESS report to remove any reference to TVOC as an innovation point.
  - (d) Reference to the reuse and recycling of materials in the scheme.
  - (e) An evaluation how the design choices have reduced embodied energy (particularly of steel and concrete).
  - (f) Demonstration of how material and landscape choices reduce the urban heat island effect.
  - (g) Information on how the DHW systems manage the risk of microbial contamination.
  - (h) A target through the CWMP of at least 80%.
16. The provisions, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
17. 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.

#### Green Travel Plan

18. Concurrent with the plans requested at Condition 1, 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 Ratio Consultants Pty. Ltd. dated October 2019, but modified to make reference to:
  - (a) Description of the location in the context of alternative modes of transport;
  - (b) Employee welcome packs (e.g. provision of Myki/transport ticketing);
  - (c) Sustainable transport goals linked to measurable targets, performance indicators and monitoring timeframes;

- (d) A designated 'manager' or 'champion' responsible for co-ordination and implementation;
  - (e) Details of bicycle parking and bicycle routes;
  - (f) Details of GTP funding and management responsibilities;
  - (g) The types of bicycle storage devices proposed to be used for employee and visitor spaces (i.e. hanging or floor mounted spaces);
  - (h) Security arrangements to access the employee bicycle storage spaces;
  - (i) Signage and wayfinding information for bicycle facilities and pedestrians pursuant to Australian Standard AS2890.3; and
  - (j) Provisions for the GTP to be updated not less than every five years.
19. The provisions, recommendations and requirements of the endorsed Green Travel Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

#### Waste Management Plan

20. Concurrent with the plans requested at Condition 1, an amended Waste Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Waste Management Plan will be endorsed and will form part of this permit. The Waste Management Plan must be amended to include any changes to the building as required at Condition 1 of this permit.
21. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
22. The collection of waste from the site must be by private collection, unless with the prior written consent of the Responsible Authority.

#### Acoustic Report

23. Concurrent with plans requested at Condition 1, 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 AECOM and dated 23 October 2019, but modified to include / make reference to:
- (a) Sleep disturbance targets for the car park door, providing an acoustic specification for achieving the targets such that sleep disturbance levels will be met at the closest dwelling.
  - (b) Make reference to the hours of operation of each use as permitted under this planning permit.
24. The provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.
25. Following completion of the development, and prior to its occupation, an updated 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 and car park entrance door with both State Environment Protection Policy (Noise from Commerce, Industry and Trade) No. N-1 and sleep disturbance targets at existing dwellings and any further revisions submitted to the responsible authority. When approved, the Acoustic Report will be endorsed and will then form part of this permit.

#### Wind Report

26. Concurrent with the plans requested at Condition 1, an amended Wind Assessment Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Wind Assessment Report will be endorsed and will form part of this permit. The amended Wind Assessment Report must be generally in accordance with the findings of the Wind Impact Statement prepared by Vipac Engineers and Scientists, dated 01 November 2019, but modified to include (or show):
- (a) A wind tunnel study of the development as amended pursuant to Condition 1.
27. The provisions, recommendations and requirements of the endorsed Wind Assessment Report must be implemented and complied with to the satisfaction of the Responsible Authority.

#### Road Infrastructure

28. 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) Demonstrating satisfactory access into and out of the site with a vehicle ground clearance check using the B99 design vehicle, and be fully dimensioned with actual reduced levels (to three decimal places) as per Council's Vehicle Crossing Information Sheet;
  - (c) at the permit holder's cost; and
  - (d) to the satisfaction of the Responsible Authority.
29. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, all building works and connections for underground utility services outside the building's frontage must be reconstructed:
- (a) at the permit holder's cost; and
  - (b) to the satisfaction of the Responsible Authority.
30. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated, including re-sheeting of the footpaths for the entire width of the property (i.e. to Wangaratta, Tanner and Botherambo Streets):
- (a) in accordance with Council's Road Materials Policy - Heritage Overlay Areas
  - (b) at the permit holder's cost; and
  - (c) to the satisfaction of the Responsible Authority.
31. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority the relocation of any service poles, structures or pits necessary to facilitate the development must be undertaken:
- (a) at the permit holder's cost; and
  - (b) to the satisfaction of the Responsible Authority.

#### Car parking

32. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the area set aside on the endorsed plans for the car parking spaces, access lanes, driveways and associated works must be:
- (a) constructed and available for use in accordance with the endorsed plans;

- (b) formed to such levels and drained so that they can be used in accordance with the endorsed plans;
- (c) treated with an all-weather seal or some other durable surface; and
- (d) line-marked or provided with some adequate means of showing the car parking spaces;

to the satisfaction of the Responsible Authority.

#### Lighting

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

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

to the satisfaction of the Responsible Authority.

#### General

34. Finished floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.
35. 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.
36. The development must comply at all times with the State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N-1).
37. The uses must comply at all times with the State Environment Protection Policy – Control of Music Noise from Public Premises (SEPP N-2).
38. 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.
39. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
40. All pipes, fixtures, fittings and vents servicing any building on the land must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.
41. 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 Plan

42. Before the development commences, a Construction Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority.

When approved, the plan will be endorsed and will form part of this permit. The plan must provide for:

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

- (ii) 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;
- (iii) vehicle borne material must not accumulate on the roads abutting the land;
- (iv) 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

43. 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;
- (c) the office and shop uses are not commenced within five years of the date of this permit.

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

#### Notes:

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

A building permit may be required before development is commenced. Please contact Council's Building Services on 9205 5555 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 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 employees within the development approved under this permit will not be permitted to obtain employee or visitor parking permits.

A local law permit (e.g. Asset Protection Permit, Road Occupation Permit) may be required before development is commenced. Please contact Council's Construction Management Branch on Ph. 9205 5555 to confirm.

The applicant must apply for a Legal Point of Discharge under Regulation 133 – Stormwater Drainage of the Building Regulations 2018 from Yarra Building Services unit. 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), or to Council's satisfaction under Section 200 of the Local Government Act 1989 and Regulation 133.

Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.

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 (signs and line markings) as a result of development works must be approved by Council's Parking Management unit.

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

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

### Submissions

The following people addressed the Committee during the meeting:

Tim McBride-Burgess (on behalf of the Applicant).  
Mitchell Shaw (Objector).  
Stephen McCulloch (Objector).

The following people's submissions were received prior to the meeting and read during the meeting:

Penny Shore  
Colette Mann  
Michael Phillipson  
Scott Stacey  
Brett Coulson  
Peter Swiatkiwsky  
Stephen McCulloch  
Peter Stahle  
Charlie Hall  
Jenny Cassidy  
Christopher Hope  
Valerie Hope-Barlow  
Mitchell Shaw  
John Crawford  
Carol Pelham-Thorman

Cr Jolly left the meeting at 6.58pm and returned at 7.06pm.

## **PROPOSED INTERNAL DEVELOPMENT APPROVALS COMMITTEE RECOMMENDATION**

**Moved:** Councillor Fristacky

That having considered all objections and relevant planning policies, the Committee resolves to advise VCAT, the permit applicant and parties to the proceedings, that if it were in a position to, it would have issued a Notice of Decision to Grant a Planning Permit for the demolition of the existing buildings and development of the land to construct a multi-level building for use as office(s) and shop(s) and a reduction in the car parking requirement at 17 – 19, 21 and 23 Wangaratta Street and 68 Tanner Street, Richmond generally in accordance with the plans noted previously as the "decision plans" and subject to the following conditions:

1. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions, and three copies must be provided. The plans must be generally in accordance with the plans being Drawings TP050, TP051, TP000, TP100, TP100, TP101, TP102, TP103, TP104, TP105, TP106, TP107, TP108, TP109, TP110, TP200, TP201, TP202, TP203, TP300, TP301 and TP090 – all Revision B prepared by MA Architects Pty Ltd, and issued 12/12/2019 but modified to show:
  - (a) All notations referring to 'commercial premises' deleted and replaced with 'office'.
  - (b) Reduction of the overall building to a maximum of five storeys by deleting Level 06 and the following setbacks incorporated:
    - (i) Level 06 setback 7m from Wangaratta Street with a portion at Levels 03 and 04 returning to Tanner Street for a maximum length of 10m and setback 3.5m;
    - (ii) Levels 03, 04 and 05 (with the exception of the return at Levels 03 and 04) setback 9m and Level 06 setback 12m from Tanner Street;
    - (iii) Levels 03, 04 and 05 setback 9m and Level 06 setback 12m from Botherambo Street;
  - (c) The lobby at the north-west corner deleted and the entrance to Shop 01 made more prominent.
  - (d) The main building entrance revised to ensure that this cannot become a litter trap.
  - (e) The deletion of the sliding door at the north-east corner of the ground floor plan and this replaced with shop-front glazing.
  - (f) The height of the concrete plinths at the base of the building along Wangaratta and Tanner Streets reduced to approximately 400mm – 450mm above the footpath level.
  - (g) The segmented section of street wall at Ground level replaced with glazing and the substation rotated 90 degrees (if possible) to allow for the further street activation of Botherambo Street.
  - (h) The seat within the front setback of shop tenancy 02 redesigned and integrated into the façade (i.e. not stand-alone).
  - (i) The footpath visitor bicycle parking spaces on the ground floor plan relocated to be shown within the title boundaries, accessible to visitors and when combined with those currently provided, equate to a total of 10 visitor bicycle space on the ground floor.
  - (j) Details (with cross-sections provided) of the vehicle crossing to Botherambo Street confirming that the finished level at the building line and the entrance ramp will not result in B99 design vehicles bottoming or scraping out.
  - (k) A plan notation confirming that the service cabinet and substation doors will swing 180 degrees and latched to the wall when opened.
  - (l) The sight triangle on the north side of the vehicle entrance shown.
  - (m) The headroom clearance shown perpendicular to the vehicle ramp and be no less than 2.1m.
  - (n) A schedule of all materials and finishes including colours that includes graffiti proofing of walls and a patterned colour finish across the on-boundary upper levels walls exposed to the south.
  - (o) The ramp and transition grades of the vehicle access ramp dimensioned on the drawings.
  - (p) Any requirement of the endorsed Detailed Design Plan (condition 2) (where relevant to show on plans).
  - (q) Any requirement of the endorsed Landscape Plan (condition 5) (where relevant to show on plans).
  - (r) Any requirement of the endorsed Sustainable Management Plan (condition 9) (where relevant to show on plans).
  - (s) Any requirement of the endorsed Green Travel Plan (condition 12) (where relevant to show on plans).



- (t) Any requirement of the endorsed Waste Management Plan (condition 14) (where relevant to show on plans).
  - (u) Any requirement of the endorsed Acoustic Report (condition 17) (where relevant to show on plans including notations of key commitments).
  - (v) Any requirement of the endorsed Wind Assessment Report (condition 20) (where relevant to show on plans).
2. In conjunction with the submission of development plans under Condition 1, a Façade Strategy and Materials and Finishes Plan to the satisfaction of the Responsible Authority must be submitted to and be approved by the Responsible Authority. When approved, the Façade Strategy and Materials and Finishes Plan will be endorsed and will then form part of this permit. This must detail:
    - (a) elevations at a scale of 1:20 illustrating typical podium details, entries and doors;
    - (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 informal seating; and
    - (d) a sample board and coloured drawings outlining colours, materials and finishes.
  3. 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.
  4. As part of the ongoing progress and development of the site, MA Architects Pty. Ltd. or an architectural firm to the satisfaction of the Responsible Authority must be engaged to:
    - (a) oversee design and construction of the development; and
    - (b) ensure the design quality and appearance of the development is realised as shown in the endorsed plans or otherwise to the satisfaction of the Responsible Authority.

#### Use

5. Except with the prior written consent of the Responsible Authority, the office use authorised by this permit may only operate between the following hours:
  - (a) Monday to Friday 7.00am – 10.00pm.
  - (b) Saturday and Sunday 8.00am – 8.00pm.
6. Except with the prior written consent of the Responsible Authority, the use of the office terraces are restricted to the hours referenced within Condition 5 with no more than one (1) evening per month by gatherings of more than 25 people.
7. No speakers external to the building within the terraces are to be erected or used.
8. Except with the prior written consent of the Responsible Authority, the shop use authorised by this permit may only operate between the following hours:
  - (a) Monday to Sunday 7.00am – 7.00pm.
9. The amenity of the area must not be detrimentally affected by the use or development, 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.

10. Except with the prior written consent of the Responsible Authority, delivery and collection of goods to and from the land may only occur between 7am and 10pm on any day.

#### Landscape Plan

11. Concurrent with the plans requested at Condition 1, a Landscape Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Landscape Plan will be endorsed and will form part of this permit. The Landscape Plan must show:

- (a) make reference to design changes as required by Condition 1 and include additional landscaping at the entrances to the building and at Level 04, along the northern interface.
- (b) The landscaping on any of the upper levels and how this is going to be maintained, including information on waterproofing, growing media, irrigation and mulch. Details of how any mulch specified on the higher levels will not be at risk of blowing away during high wind events must be provided.
- (c) Indicate depths of the masonry planters where they have not been specified on the current plans.
- (d) Details of custom furniture proposed, ensuring safety and compliance standards are met.

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

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

to the satisfaction of the Responsible Authority.

13. Before the development commences, the permit holder must make a one off contribution of \$2,820.15 to the Responsible Authority to be used for new street tree plantings that are required as a result of the development.

14. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, three street trees must be installed within Botherambo Street:

- (a) at the permit holder's cost; and
- (b) in a location and manner,

to the satisfaction of the Responsible Authority.

#### Sustainable Management Plan

15. Concurrent with the plans requested at Condition 1, 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 ADP Consulting dated 01 November 2019 but modified to make reference to design changes as required by Condition 1 and include the following details

- (a) Additional shading treatments to the north and west façade of the building.
  - (b) At least 5% of car parks to be EV ready or wired.
  - (c) The BESS report to remove any reference to TVOC as an innovation point.
  - (d) Reference to the reuse and recycling of materials in the scheme.
  - (e) An evaluation how the design choices have reduced embodied energy (particularly of steel and concrete).
  - (f) Demonstration of how material and landscape choices reduce the urban heat island effect.
  - (g) Information on how the DHW systems manage the risk of microbial contamination.
  - (h) A target through the CWMP of at least 80%.
16. The provisions, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
17. 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.

#### Green Travel Plan

18. Concurrent with the plans requested at Condition 1, 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 Ratio Consultants Pty. Ltd. dated October 2019, but modified to make reference to:
- (a) Description of the location in the context of alternative modes of transport;
  - (b) Employee welcome packs (e.g. provision of Myki/transport ticketing);
  - (c) Sustainable transport goals linked to measurable targets, performance indicators and monitoring timeframes;
  - (d) A designated 'manager' or 'champion' responsible for co-ordination and implementation;
  - (e) Details of bicycle parking with at least 50% of bike racks at grade, including space for cargo bikes, charging points for E-bikes and information to refer to proximate car share spaces and bicycle routes;
  - (f) Details of GTP funding and management responsibilities;
  - (g) The types of bicycle storage devices proposed to be used for employee and visitor spaces (i.e. hanging or floor mounted spaces);
  - (h) Security arrangements to access the employee bicycle storage spaces;
  - (i) Signage and wayfinding information for bicycle facilities and pedestrians pursuant to Australian Standard AS2890.3; and
  - (j) Provisions for the GTP to be updated not less than every five years.
19. The provisions, recommendations and requirements of the endorsed Green Travel Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

#### Waste Management Plan

20. Concurrent with the plans requested at Condition 1, an amended Waste Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Waste Management Plan will be endorsed and will form part of this permit. The Waste Management Plan must be amended to include any changes to the building as required at Condition 1 of this permit and further amended to include:
  - (a) A separate bin for glass and a separate bin for organics.
21. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
22. The collection of waste from the site must be by private collection, unless with the prior written consent of the Responsible Authority.

#### Acoustic Report

23. Concurrent with plans requested at Condition 1, 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 AECOM and dated 23 October 2019, but modified to include / make reference to:
  - (a) Sleep disturbance targets for the car park door, providing an acoustic specification for achieving the targets such that sleep disturbance levels will be met at the closest dwelling.
  - (b) Make reference to the hours of operation of each use as permitted under this planning permit.
24. The provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.
25. Following completion of the development, and prior to its occupation, an updated 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 and car park entrance door with both State Environment Protection Policy (Noise from Commerce, Industry and Trade) No. N-1 and sleep disturbance targets at existing dwellings and any further revisions submitted to the responsible authority. When approved, the Acoustic Report will be endorsed and will then form part of this permit.

#### Wind Report

26. Concurrent with the plans requested at Condition 1, an amended Wind Assessment Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Wind Assessment Report will be endorsed and will form part of this permit. The amended Wind Assessment Report must be generally in accordance with the findings of the Wind Impact Statement prepared by Vipac Engineers and Scientists, dated 01 November 2019, but modified to include (or show):
  - (a) A wind tunnel study of the development as amended pursuant to Condition 1.
27. The provisions, recommendations and requirements of the endorsed Wind Assessment Report must be implemented and complied with to the satisfaction of the Responsible Authority.

## Road Infrastructure

28. Prior to the commencement of the development, the permit holder must pay the City of Yarra a \$5,000 contribution for the installation of a contra-flow bicycle lane on Bothermabo Street between Swan Street and Tanner Street – or similar bicycle access improvements proximate to the subject site in consultation with the permit holder.
29. The contribution referenced in condition 28 of the permit will be returned to the permit holder if the bicycle improvement works have not commenced within 12 months of the permit expiry.
30. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any new vehicle crossing must be constructed:
- (a) in accordance with any requirements or conditions imposed by Council;
  - (b) Demonstrating satisfactory access into and out of the site with a vehicle ground clearance check using the B99 design vehicle, and be fully dimensioned with actual reduced levels (to three decimal places) as per Council's Vehicle Crossing Information Sheet;
  - (c) at the permit holder's cost; and
  - (d) to the satisfaction of the Responsible Authority.
31. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, all building works and connections for underground utility services outside the building's frontage must be reconstructed:
- (a) at the permit holder's cost; and
  - (b) to the satisfaction of the Responsible Authority.
32. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated, including re-sheeting of the footpaths for the entire width of the property (i.e. to Wangaratta, Tanner and Botherambo Streets):
- (a) in accordance with Council's Road Materials Policy - Heritage Overlay Areas
  - (b) at the permit holder's cost; and
  - (c) to the satisfaction of the Responsible Authority.
33. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority the relocation of any service poles, structures or pits necessary to facilitate the development must be undertaken:
- (a) at the permit holder's cost; and
  - (b) to the satisfaction of the Responsible Authority.

## Car parking

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

to the satisfaction of the Responsible Authority.

#### Lighting

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

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

to the satisfaction of the Responsible Authority.

#### General

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

37. 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.

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

39. The uses must comply at all times with the State Environment Protection Policy – Control of Music Noise from Public Premises (SEPP N-2).

40. 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.

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

42. All pipes, fixtures, fittings and vents servicing any building on the land must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.

43. 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 Plan

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

- (a) a pre-conditions survey (dilapidation report) of the land and all adjacent Council roads frontages and nearby road infrastructure;

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

45. 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;
- (c) the office and shop uses are not commenced within five years of the date of this permit.

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

Notes:

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

A building permit may be required before development is commenced. Please contact Council's Building Services on 9205 5555 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 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 businesses (whether as owners, lessees/tenants or occupiers) within the development approved under this permit, will not be permitted to obtain business parking permits.**

A local law permit (e.g. Asset Protection Permit, Road Occupation Permit) may be required before development is commenced. Please contact Council's Construction Management Branch on Ph. 9205 5555 to confirm.

The applicant must apply for a Legal Point of Discharge under Regulation 133 – Stormwater Drainage of the Building Regulations 2018 from Yarra Building Services unit. 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), or to Council's satisfaction under Section 200 of the Local Government Act 1989 and Regulation 133.

Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.

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 (signs and line markings) as a result of development works must be approved by Council's Parking Management unit.

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



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

*Motion Lapsed for want of a seconder.*

## **INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION**

**Moved:** Councillor Searle

**Moved:** Councillor Jolly

That having considered all objections and relevant planning policies, the Committee resolves to advise VCAT, the permit applicant and parties to the proceedings, that if it were in a position to, it would have issued a Notice of Refusal to Grant a Planning Permit for the demolition of the existing buildings and development of the land to construct a multi-level building for use as office(s) and shop(s) and a reduction in the car parking requirement at 17 – 19, 21 and 23 Wangaratta Street and 68 Tanner Street, Richmond generally in accordance with the plans noted previously as the “decision plans” on the following grounds:

1. The design, size, height and mass of the development will dominate the surrounding streetscapes and will not positively respond to the surrounding context, contrary to policy at clauses 15.01-1S, 15.01-2S, 21.05-1, 21.05-2 and 22.02 of the Yarra Planning Scheme.
2. The development will result in off-site amenity impacts to surrounding properties.

**CARRIED UNANIMOUSLY**

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- 1.2      PLN20/0006 - 462 - 482 Swan Street, Richmond - Construction of a thirteen storey building (including one level of plant, plus two basement levels), reduction in the car parking requirement associated with the retail/food and drinks premises and office uses (no permit required for uses) and alteration of access to a Road Zone, Category 1**
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Reference:    D20/92444

Authoriser:    Manager Statutory Planning

**In respect of the above application, Council was notified on 29 June 2020 that the Minister for Planning has exercised his call in powers pursuant to section 97B(1)(a) of the *Planning and Environment Act 1987*.**

**As a result, Council is no longer the determining authority for this application and the matter was withdrawn from this Agenda prior to the Internal Development Approvals Committee (IDAC) meeting.**

**Council is awaiting further instructions from the Minister for Planning.**

The meeting closed at 7.45pm.

**Confirmed at the meeting held on Wednesday 15 July 2020**

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**Chair**