



YARRA CITY COUNCIL PLANNING DECISIONS COMMITTEE MINUTES

**held on Wednesday 9 September 2020 at 6.30pm
in MS Teams**

I. ATTENDANCE

Councillor Misha Coleman
Councillor Danae Bosler
Councillor Mi-Lin Chen Yi Mei (substitute for Cr Nguyen)

Julian Larkins (Co-ordinator Statutory Planning)
Nish Goonetilleke (Senior Planner)
Rhys Thomas (Senior Governance Advisor)
Cindi Johnston (Governance Officer)

II. APOLOGIES AND LEAVE OF ABSENCE

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

Rhys Thomas declared that his wife is a Director of Urbis Pty Ltd, who are acting for the applicant for PLN12/1110.01 at 326 - 348 Church Street Richmond and stated that his role in the meeting is purely administrative and that he has played no role in preparing the reports or officer advice.

IV. CONFIRMATION OF MINUTES

The Minutes of 26 August 2020 were confirmed at Council Meeting of 1 September 2020 as IDAC was dissolved.

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Acknowledgement of Country

"Yarra City Council acknowledges the Wurundjeri Woi Wurrung people as the Traditional Owners and true sovereigns of the land now known as Yarra.

We acknowledge their creator spirit Bunjil, their ancestors and their Elders.

We acknowledge the strength and resilience of the Wurundjeri Woi Wurrung, who have never ceded sovereignty and retain their strong connections to family, clan and country despite the impacts of European invasion.

We also acknowledge the significant contributions made by other Aboriginal and Torres Strait Islander people to life in Yarra.

We pay our respects to Elders from all nations here today—and to their Elders past, present and future."

Planning Decisions Committee Submissions

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

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

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

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

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

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

Extract from the Council Meeting Operations Policy, September 2019

Councillor Chen Yi Mei nominated Councillor Coleman as Chair.

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

Councillor Coleman assumed the Chair.

1 PLANNING DECISIONS COMMITTEE

Item		Page	Res. Page
1.1	PLN19/0827 - 4-6 Adolph Street & 3-5 Pearson Street, Cremorne - Development of the land for the construction of a seven storey building (plus basement and rooftop plant), a reduction in the car parking requirements associated with office and a food and drinks premises (no permit required for uses) and display of internally illuminated signage	6	15
1.2	PLN12/1110.01 - 326 - 348 Church Street Richmond - Section 72 Amendment to allow for part of the ground floor to be used as a secondary school.	25	27
1.3	PLN20/0077 - 378-380 Smith Street, Collingwood - Partial demolition, construction of a multi-level, mixed-use building and a reduction in the statutory car parking requirement.	28	36
1.4	PLN19/0924 - 88 Neptune Street Richmond - Construction of a new dwelling	45	46
1.5	PLN19/0918 - 121 Burnley Street, Richmond - Partial demolition and construction of an addition to the rear of the existing building for the use as an office and warehouse, display of business identification signage and a reduction in car parking associate with the office use	47	52

1.1 PLN19/0827 - 4-6 Adolph Street & 3-5 Pearson Street, Cremorne - Development of the land for the construction of a seven storey building (plus basement and rooftop plant), a reduction in the car parking requirements associated with office and a food and drinks premises (no permit required for uses) and display of internally illuminated signage

Reference: D20/123971

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 a Planning Permit be issued for the construction of a multi-storey building (plus basement and rooftop plant), a reduction in the car parking requirements and display of internally illuminated signage at 4 – 6 Adolph Street and 3 – 5 Pearson Street, Cremorne 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 SD02_99 (Rev 8), SD02_01 (Rev 14), SD02_02 (Rev 10), SD02_03 (Rev 11), SD02_04 (Rev 10), SD02_05 (Rev 11), SD02_06 - SD02_07 (Rev 10), SD02_08 (Rev 8), SD05_01 - SD05_04 (Rev 5), SD06_01 - SD06_02 (Rev 5), SD28_01 (Rev 3) and SD28_02 (Rev 2) prepared by SJB, but modified to show:

Signage

- (a) The deletion of Sign 03, and an updated signage plan showing proposed colours.

Built Form

- (b) Architectural features from the site must not protrude more than 240 mm beyond the property boundary.
- (c) The materiality of the stairwell and lift core indicated.
- (d) The southern internal boundary wall to incorporate patterning and variation in materials as proposed on the eastern and western boundary walls.
- (e) Direct access provided between Adolph Street and the building lobby, with no change to the structural columns. Any material changes are to integrate with the overall building design.
- (f) Provision of operable windows to facilitate natural cross-ventilation.

Car Parking and Services

- (g) The vehicle exit onto Adolph Street is to be dimensioned on the drawings and must not be less than 3metres as per Design Standard 1 of Clause 52.06-9.
- (h) A vehicle crossing ground clearance check is required to be submitted.
- (i) The floor-to-ceiling height clearance within the basement car park levels is to be dimensioned on the plans and must be no less than 2.1 metres in height as per Design Standard 1 of Clause 52.06-9.
- (j) The car parking area to be electrically wired to be ‘EV ready,’ with a notation included on the plans identifying this.

- (k) A minimum of 29 employee bicycle spaces within a secure and conveniently located compound and in accordance with the requirements of AS23890.3 with at least 20% of the employee spaces horizontal/at-grade. The existing 22 employee spaces are to remain within the end of trip area with no more than two secure compounds provided throughout the development.
- (l) The southern elevation updated to show the visitor bicycle hoop.
- (m) Two additional visitor bicycle spaces provided on-site, horizontal and at-grade.
- (n) Notations indicating the dimensions of bicycle storage spaces and relevant access ways to demonstrate compliance with Australian Standard AS2890.3.
- (o) Footpaths shown to be asphalt with no bluestone incorporated.

Reports and Plans

- (p) Any requirement of the endorsed Landscape Plan (condition 5) (where relevant to show on plans).
 - (q) Any requirement of the endorsed Sustainable Management Plan (condition 7) (where relevant to show on plans).
 - (r) Any requirement of the endorsed Green Travel Plan (condition 9) (where relevant to show on plans).
 - (s) Any requirement of the endorsed Waste Management Plan (condition 11) (where relevant to show on plans).
 - (t) Any requirement of the endorsed Acoustic Report (condition 14) (where relevant to show on plans).
 - (u) Any requirement of the endorsed Wind Assessment Report (condition 18) (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, and utilities and typical mid-level and tower facade 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 specifying the following:
 - (i) The architectural projections of the podiums to protrude no more than 0.24 metres into Adolph and Pearson Streets, maintaining depth and articulation;
 - (ii) The southern internal boundary wall to incorporate patterning and variation in materials such as proposed on the eastern and western boundary walls;
 - (iii) Further details on the ground floor Pearson Street façade providing articulation, definition and interest as indicated on the southern elevation.
 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.
 4. As part of the ongoing progress and development of the site, SJB Architects 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.

Landscape Plan

5. 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) Information on all planter beds, provide information on the depths and widths that will be provided, as well as information on soil media, drainage and irrigation.
- (c) provide a specification of works to be undertaken prior to planting.
- (d) Confirmation the mulch used on higher levels is a wind tolerant material.
- (e) The proposed maintenance schedules and requirements.

to the satisfaction of the Responsible Authority.

6. Before the buildings 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.

Sustainable Management Plan

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

- (a) Assess the proposal as amended pursuant to Condition 1.
- (b) Provision of operable windows to facilitate natural cross-ventilation to further reduce reliance on mechanical HVAC system.
- (c) A commitment to electric vehicle charging infrastructure, wiring the car parking area to be 'EV ready.'
- (d) Include organic waste collection.
- (e) Identify improvement in peak energy demand in full copy of BESS report.
- (f) Confirm stormwater treatment system to be used in development rather than provision of examples.
- (g) Provide more information on building commissioning.

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

Green Travel Plan

9. Before the development is occupied, an amended Green Travel Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the 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 dated December 2019, but modified to include or show:
 - (a) The floor plans (in accordance with the plans required by Condition 1) showing details of the bicycle parking and end of trip facilities.
 - (b) Signage and wayfinding information for bicycle facilities and pedestrians pursuant to Australian Standard AS2890.3.
 - (c) Measurable targets and performance indicators; and
 - (d) Provisions for the GTP to be updated not less than every five years.
10. 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

11. Before the development commences, an amended Waste Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Waste Management Plan will be endorsed and will form part of this permit. The amended Waste Management Plan must be generally in accordance with the Waste Management Plan prepared by Leigh Design and dated 13 December 2019, but modified to include:
 - (a) Assess the proposal as amended pursuant to Condition 1.
 - (b) Organic waste collection and provision of organic waste bins within the bin store.
 - (c) The swept path diagram of the waste collection vehicle.
12. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
13. The collection of waste from the site must be by private collection, unless with the prior written consent of the Responsible Authority.

Acoustic Report

14. 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 Renzo Tonin & Associates and dated 14 November 2019, but modified to include:
 - (a) Sleep disturbance targets for the car park door and car stackers, providing an acoustic specification for achieving the targets such that sleep disturbance levels and SEPP N-1 will be met at the closest dwelling.
 - (b) The SEPP N-2 night period assessed (with maximum allowable internal music levels provided) in respect of the café (if operating within the night period).
 - (c) A patron noise assessment provided in respect of the office terraces (if operating within the evening/night period).
15. The provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.

16. 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:
 - (a) Compliance of the mechanical plant, car park entrance door and car stackers with both State Environment Protection Policy (Noise from Commerce, Industry and Trade) No. N-1 and sleep disturbance targets at existing dwellings.
 - (b) Compliance with any recommendations or requirements of the report referenced within Condition 14.
17. The provisions, recommendations and requirements of the endorsed post-construction Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.

Wind Report

18. 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.
19. 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

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) 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.
21. 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.
22. 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 reinstatement of the kerb and channel and re-sheeting of the footpaths for the entire width of the property (both Adolph Street and Pearson Street) :
 - (a) in accordance with Council's *Road Materials Policy*;
 - (b) at the permit holder's cost; and
 - (c) 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, 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.
24. 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.
25. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the removal of any kerbside parking sensors and any reinstatement of parking sensors will require the Permit Holder to pay Council the cost of each parking sensor taken out from the kerb/footpath/roadway. Any costs associated with the reinstatement of road infrastructure due to the removal of the parking sensors must also be borne by the Permit Holder.

Car parking

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 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.
27. Ducting, pipes and other obtrusions must not encroach into the space design envelope of the car stacker spaces.
28. 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.

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 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

30. 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.
31. 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.
32. Finished floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.
33. 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.
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 uses must comply at all times with the State Environment Protection Policy – Control of Music Noise from Public Premises (SEPP N-2).
36. 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.
37. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
38. 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.
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.

Signage

40. The location and details of the signage 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.
41. The signs must be constructed, displayed and maintained to the satisfaction of the Responsible Authority.
42. The signs must not include any flashing or intermittent light.

43. The signs must not be illuminated by external light.

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.
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

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 signage is not erected 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.

46. This permit (as it relates to signage) expires 15 years from the date of the permit.

Notes:

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

All future businesses (whether as owners, lessees/tenants, 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.

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.

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.

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.

Overhead power lines run along the west side of south side of Adolph Street, close to the property boundary. The developer needs to ensure that the building has adequate clearances from overhead power cables, transformers, substations or any other electrical assets where applicable.

Energy Safe Victoria has published an information brochure, Building design near powerlines, which can be obtained from their website: <http://www.esv.vic.gov.au/About-ESV/Reports-and-publications/Brochures-stickers-and-DVDs>.

Submissions made online during the meeting

Tim Ryder, proUrban (for the applicant).

Adam Dobie.

PLANNING DECISIONS COMMITTEE RESOLUTION

Moved: Councillor Chen Yi Mei

Seconded: Councillor Bosler

That having considered all objections and relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant a Planning Permit be issued for the construction of a multi-storey building (plus basement and rooftop plant), a reduction in the car parking requirements and display of internally illuminated signage at 4 – 6 Adolph Street and 3 – 5 Pearson Street, Cremorne 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 SD02_99 (Rev 8), SD02_01 (Rev 14), SD02_02 (Rev 10), SD02_03 (Rev 11), SD02_04 (Rev 10), SD02_05 (Rev 11), SD02_06 - SD02_07 (Rev 10), SD02_08 (Rev 8), SD05_01 - SD05_04 (Rev 5), SD06_01 - SD06_02 (Rev 5), SD28_01 (Rev 3) and SD28_02 (Rev 2) prepared by SJB, but modified to show:

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- (a) The deletion of Sign 03, and an updated signage plan showing proposed colours.

Built Form

- (b) Architectural features from the site must not protrude more than 240 mm beyond the property boundary.
- (c) The materiality of the stairwell and lift core indicated.
- (d) The southern internal boundary wall to incorporate patterning and variation in materials as proposed on the eastern and western boundary walls.
- (e) Direct access provided between Adolph Street and the building lobby, with no change to the structural columns. Any material changes are to integrate with the overall building design.
- (f) Provision of operable windows to facilitate natural cross-ventilation.
- (g) Deletion of one level (level 6).

Car Parking and Services

- (h) The vehicle exit onto Adolph Street is to be dimensioned on the drawings and must not be less than 3metres as per Design Standard 1 of Clause 52.06-9.
- (i) A vehicle crossing ground clearance check is required to be submitted.
- (j) The floor-to-ceiling height clearance within the basement car park levels is to be dimensioned on the plans and must be no less than 2.1 metres in height as per Design Standard 1 of Clause 52.06-9.
- (k) The car parking area to be electrically wired to be 'EV ready,' with a notation included on the plans identifying this.
- (l) A minimum of 29 employee bicycle spaces within a secure and conveniently located compound and in accordance with the requirements of AS23890.3 with at least 20% of the employee spaces horizontal/at-grade. The existing 22 employee spaces are to remain within the end of trip area with no more than two secure compounds provided throughout the development.
- (m) The southern elevation updated to show the visitor bicycle hoop.
- (n) Two additional visitor bicycle spaces provided on-site, horizontal and at-grade.
- (o) Notations indicating the dimensions of bicycle storage spaces and relevant access ways to demonstrate compliance with Australian Standard AS2890.3.
- (p) Footpaths shown to be asphalt with no bluestone incorporated.

Reports and 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 7) (where relevant to show on plans).
 - (s) Any requirement of the endorsed Green Travel Plan (condition 9) (where relevant to show on plans).
 - (t) Any requirement of the endorsed Waste Management Plan (condition 11) (where relevant to show on plans).
 - (u) Any requirement of the endorsed Acoustic Report (condition 14) (where relevant to show on plans).
 - (v) Any requirement of the endorsed Wind Assessment Report (condition 18) (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, and utilities and typical mid-level and tower facade 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 specifying the following:
 - (i) The architectural projections of the podiums to protrude no more than 0.24 metres into Adolph and Pearson Streets, maintaining depth and articulation;
 - (ii) The southern internal boundary wall to incorporate patterning and variation in materials such as proposed on the eastern and western boundary walls;
 - (iii) Further details on the ground floor Pearson Street façade providing articulation, definition and interest as indicated on the southern elevation.
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.
4. As part of the ongoing progress and development of the site, SJB Architects 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.

Landscape Plan

5. 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) Information on all planter beds, provide information on the depths and widths that will be provided, as well as information on soil media, drainage and irrigation.
 - (c) provide a specification of works to be undertaken prior to planting.
 - (d) Confirmation the mulch used on higher levels is a wind tolerant material.
 - (e) The proposed maintenance schedules and requirements.
- to the satisfaction of the Responsible Authority.
6. Before the buildings 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.

Sustainable Management Plan

7. Before the development commences, an amended Sustainable Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Sustainable Management Plan will be endorsed and will form part of this permit. The amended Sustainable Management Plan must be generally in accordance with the Sustainable Management Plan prepared by Sustainable Development Consultants dated November 2019, but modified to include or show:
 - (a) Assess the proposal as amended pursuant to Condition 1.
 - (b) Provision of operable windows to facilitate natural cross-ventilation to further reduce reliance on mechanical HVAC system.
 - (c) A commitment to electric vehicle charging infrastructure, wiring the car parking area to be 'EV ready.'
 - (d) Include organic waste collection.
 - (e) Identify improvement in peak energy demand in full copy of BESS report.
 - (f) Confirm stormwater treatment system to be used in development rather than provision of examples.
 - (g) Provide more information on building commissioning.
8. The provisions, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Green Travel Plan

9. Before the development is occupied, an amended Green Travel Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the 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 dated December 2019, but modified to include or show:
 - (a) The floor plans (in accordance with the plans required by Condition 1) showing details of the bicycle parking and end of trip facilities.
 - (b) Signage and wayfinding information for bicycle facilities and pedestrians pursuant to Australian Standard AS2890.3.
 - (c) Measurable targets and performance indicators; and
 - (d) Provisions for the GTP to be updated not less than every five years.
10. 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

11. Before the development commences, an amended Waste Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Waste Management Plan will be endorsed and will form part of this permit. The amended Waste Management Plan must be generally in accordance with the Waste Management Plan prepared by Leigh Design and dated 13 December 2019, but modified to include:
 - (a) Assess the proposal as amended pursuant to Condition 1.
 - (b) Organic waste collection and provision of organic waste bins within the bin store.
 - (c) The swept path diagram of the waste collection vehicle.
 - (d) Consideration of how the 4 waste streams will be separated and ensure adequate space for extra bins that will be required (Glass separation and food waste).

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

Acoustic Report

14. 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 Renzo Tonin & Associates and dated 14 November 2019, but modified to include:
 - (a) Sleep disturbance targets for the car park door and car stackers, providing an acoustic specification for achieving the targets such that sleep disturbance levels and SEPP N-1 will be met at the closest dwelling.
 - (b) The SEPP N-2 night period assessed (with maximum allowable internal music levels provided) in respect of the café (if operating within the night period).
 - (c) A patron noise assessment provided in respect of the office terraces (if operating within the evening/night period).
15. The provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.
16. 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:
 - (a) Compliance of the mechanical plant, car park entrance door and car stackers with both State Environment Protection Policy (Noise from Commerce, Industry and Trade) No. N-1 and sleep disturbance targets at existing dwellings.
 - (b) Compliance with any recommendations or requirements of the report referenced within Condition 14.
17. The provisions, recommendations and requirements of the endorsed post-construction Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.

Wind Report

18. 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.
19. 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

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) 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.
21. 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.
22. 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 reinstatement of the kerb and channel and re-sheeting of the footpaths for the entire width of the property (both Adolph Street and Pearson Street) :
- (a) in accordance with Council's *Road Materials Policy*;
 - (b) at the permit holder's cost; and
 - (c) 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, 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.
24. 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.
25. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the removal of any kerbside parking sensors and any reinstatement of parking sensors will require the Permit Holder to pay Council the cost of each parking sensor taken out from the kerb/footpath/roadway. Any costs associated with the reinstatement of road infrastructure due to the removal of the parking sensors must also be borne by the Permit Holder.

Car parking

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 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.

- 27. Ducting, pipes and other obtrusions must not encroach into the space design envelope of the car stacker spaces.
- 28. 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.

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 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

- 30. 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.

- 31. 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.
- 32. Finished floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.
- 33. 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.
- 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 uses must comply at all times with the State Environment Protection Policy – Control of Music Noise from Public Premises (SEPP N-2).
- 36. 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.

37. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
38. 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.
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.

Signage

40. The location and details of the signage 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.
41. The signs must be constructed, displayed and maintained to the satisfaction of the Responsible Authority.
42. The signs must not include any flashing or intermittent light.
43. The signs must not be illuminated by external light.

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.
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

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 signage is not erected 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.

46. This permit (as it relates to signage) expires 15 years from the date of the permit.

Notes:

A building permit may be required before development is commenced. Please contact Council's

Building Services on 9205 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.

All future businesses (whether as owners, lessees/tenants, 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.

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.

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.

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.

Overhead power lines run along the west side of south side of Adolph Street, close to the property boundary. The developer needs to ensure that the building has adequate clearances from overhead power cables, transformers, substations or any other electrical assets where applicable.

Energy Safe Victoria has published an information brochure, Building design near powerlines, which can be obtained from their website: <http://www.esv.vic.gov.au/About-ESV/Reports-and-publications/Brochures-stickers-and-DVDs>

CARRIED UNANIMOUSLY

1.2 PLN12/1110.01 - 326 - 348 Church Street Richmond - Section 72 Amendment to allow for part of the ground floor to be used as a secondary school.

Reference: D20/135711

Authoriser: Senior Coordinator Statutory Planning

RECOMMENDATION

That a Notice of Decision (NOD) to Grant an Amended Planning Permit PLN12/1110 be issued to use the ground and first floors of the existing school building within the Catholic Parish Complex for offices, use of part of the ground floor for a Secondary School and buildings and works for the construction of a canopy, new entry door and installation of obscured glazing at No. 326 – 348 Church Street, Richmond, generally in accordance with the decision plans and subject to the following amendments:

AMENDED PERMIT PREAMBLE

*Use the ground and first floors of the existing school building within the Catholic Parish Complex for offices, **use of part of the ground floor for a Secondary School** and buildings and works for the construction of a canopy, new entry door and installation of obscured glazing.*

AMENDED CONDITIONS

1. **Before the Secondary School use 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, but modified to show:**
 - (a) **Incorporation of the full set of the currently endorsed plans (endorsed on 26 July 2013).**
2. The use and development must accord with the endorsed plans. Any alterations must be approved by the Responsible Authority.
3. The **office** use hereby permitted must only operate between 8:00am to 6:00pm, Monday to Friday, unless further written consent is granted by the Responsible Authority.
4. **The secondary school use must only operate between 8:30am to 4:30pm, Monday to Friday (students) and 8:00am to 6:00pm, Monday to Friday (staff) unless further written consent is granted by the Responsible Authority.**
5. **No more than 20 students and 7 staff (in association with the Secondary School use) are permitted on the land at any one time.**
6. **Before the Secondary School use commences, an amended Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Management Plan will be endorsed and will form part of this permit. The amended Management Plan must be generally in accordance with the management Plan prepared by Jesuit Social Services and dated 26 May 2020 but modified to include:**
 - (a) **Confirmation that there will be no amplified musical instruments or amplified music;**
 - (b) **Commitment that whenever music classes are held, all windows are to be closed;**
 - (c) **Details on any outdoor recreational activities to take place on the subject site, with a list of management commitments to minimise noise impacts;**
 - (d) **Clarification if students will use the pocket park at the eastern end of Richmond Terrace, with a description of how this will be managed;**

- (e) **Clarification of the maximum frequency of deliveries per week;**
 - (f) **Provision of a set of rules for students when arriving to and departing from the subject site;**
 - (g) **Provision of a publically-accessible phone number and / or e-mail contact for any noise complaints;**
 - (h) **Details of a response plan for when a noise complaint is received;**
 - (i) **Details of waste management practices with strategies to minimise noise and odour impacts associated with waste;**
 - (j) **Details of how potential noise impacts associated with alarm systems will be managed;**
 - (k) **Clarification that students will only be permitted on the land from 8:30am to 4:30pm, Monday – Friday.**
7. **The provisions recommendation and requirements of the endorsed Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.**
 8. **Collection of waste may only occur between the hours of 7am and 10pm on any day.**
 9. **The Secondary School use must comply at all times with the State Environment Protection Policy – Control of Music Noise from Public Premises (SEPP N-2).**
 10. **Except with the prior written consent of the Responsible Authority, delivery and collection of goods to and from the Secondary School use may only occur between 8am and 6pm on any day.**
 11. A minimum of 27 car spaces must be provided on-site prior to the commencement of the use and to the satisfaction of the Responsible Authority.
 12. **A minimum of 8 bicycle spaces must be provided on site prior to commencement of the Secondary School use and to the satisfaction of the Responsible Authority.**
 13. The car parking areas as shown on the endorsed plans must be line marked and used for no other purpose and be maintained at all times to the satisfaction of the Responsible Authority.
 14. The amenity of the area must not be detrimentally affected by the use, 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.
 15. This permit will expire if:
 - (a) The development and **office** use are not commenced within two (2) years from the date of this permit;
 - (b) The development is not completed within four (4) years from the date of this permit.
 - (c) **The Secondary School Use is not commenced within two (2) years from the date of this amended permit;**

The Responsible Authority may approve extensions to these time limits if requests are made before the permit expires or within **6** months afterwards.

NOTE: This site is subject to a Heritage Overlay pursuant to the Yarra Planning Scheme and is also included in the Victorian Heritage Register. 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: A building permit may be required before development is commenced. Please contact Council's Building Department on Ph. 9205 5351 to confirm.

Submissions made online during the meeting

Lauren Grusauskas, Urbis Pty Ltd (for the applicant); and
Julie Edwards, Jesuit Social Services (applicant).

Jill Birrell.

PLANNING DECISIONS COMMITTEE RESOLUTION

Moved: Councillor Chen Yi Mei

Seconded: Councillor Bosler

That the Recommendation be adopted.

CARRIED UNANIMOUSLY

1.3 PLN20/0077 - 378-380 Smith Street, Collingwood - Partial demolition, construction of a multi-level, mixed-use building and a reduction in the statutory car parking requirement.

Reference: D20/130219

Authoriser: Coordinator Statutory Planning

RECOMMENDATION

That having considered all objections and relevant planning policies, the Planning Decisions Committee resolves to issue a Notice of Decision to Grant a Planning Permit PLN20/0077 for partial demolition, construction of a multi-level, mixed-use building and a reduction in the statutory car parking requirement at 378-380 Smith Street, Collingwood subject to the following conditions:

1. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions, and three copies must be provided. The plans must be generally in accordance with the decision plans, prepared by Jackson Clements Burrows and dated 20 April 2020 (TP0-101 – TP10-101 inclusive) but modified to show;
 - (a) The demolition of the existing awnings on the demolition floor plans (unless retained pursuant to condition 1(m);
 - (b) Existing power pole at the street corner and bicycle hoop on Smith Street depicted on the ground floor plan;
 - (c) The vehicle crossing to span the width of the car park entrance doorway;
 - (d) Details of the proposed awning to Easey Street on the first-floor plan;
 - (e) The deletion of one level from the mid-section of the proposal;
 - (f) The setback of the western façade increased to a minimum of 6.5m from the Smith Street boundary at Level 2 and above;
 - (g) Top-most level from Smith Street or Easey Street obscured, excluding balconies (based on the provision of a sightline diagram from the western side of Smith Street and the southern side of Easey Street measured from 1.6m above the footpath);
 - (h) No subsequent reductions in setbacks from the northern and eastern boundaries in responding to Condition 1(f);
 - (i) All relevant Clause 58 Standards (Standard D24, Standard 25) to be maintained via the alterations to the building height and setbacks as required by Condition 1(e) and (f);
 - (j) The introduction of 'blind' windows composed of spandrel glass or textured/coloured panels within the eastern boundary wall, matching the proportions of the proposed windows on the southern elevation;
 - (k) Updated renders to demonstrate the correct colours and materials proposed;
 - (l) The addition of dark, visible framing elements surrounding the windows/balconies;
 - (m) Either the existing awning be retained, or a historically accurate awning to the satisfaction of the Responsible Authority be constructed to;
 - (i) extend the full width of the footpath (up to 750mm from the back of the kerb),
 - (ii) have minimum clearance height of 2.7m; and
 - (iii) any supporting posts to not obstruct the footpath or existing bicycle hoop.
 - (n) Internal views to lower level balconies from Units 2.01, 2.02 & 2.03 restricted to meet the requirements of Standard D15 of Clause 58 of the Yarra Planning Scheme;
 - (o) Accessible bathrooms to meet all of the requirements of either Design A or Design B in Table 4 of Standard D17 of the Yarra Planning Scheme;
 - (p) The location of air-conditioning condensers for Units 2.02 & 2.03, with the condensers not to be located within the individual balconies of these units;
 - (q) The addition of louvered shading for windows at Levels 2 & 3 of the western façade and east-facing windows to Levels 2 and above;
 - (r) The doors of the booster cabinet on Easey Street designed to swing 180-degrees and be latched to the wall when opened and serviced;
 - (s) The following dimensions and details to be shown on the plans;

- (i) The floor to ceiling height inside the car park;
 - (ii) The car pit depth;
 - (iii) The length of the ramped section inside the property.
 - (t) The addition of a convex mirror at the car park entrance;
 - (u) A notation confirming that all car parking areas will be electrically wired to be 'EV ready';
 - (v) Any changes required by the amended Sustainable Management Plan at Condition 5;
 - (w) Any changes required by the amended Acoustic Report at Condition 7;
 - (x) Any changes required by the Conservation Management Plan at Condition 9;
 - (y) Any changes required by the amended Wind Assessment at Condition 11;
 - (z) Any changes required by the amended Waste Management Plan at Condition 13; and
 - (aa) Any changes required by the Landscape Plan at Condition 15.
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 and Materials and Finishes Plan to the satisfaction of the Responsible Authority must be submitted to and be approved by the Responsible Authority. When approved, the Façade Strategy and Materials and Finishes Plan will be endorsed and will then form part of this permit. This must detail:
 - (a) elevation drawings at a scale of 1:20 illustrating typical podium details, entries and doors, and utilities and typical tower facade details;
 - (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;
 - (d) The introduction of 'blind' windows composed of spandrel glass or textured/coloured panels within the eastern boundary wall, matching the proportions of the proposed windows on the southern elevation;
 - (e) Updated renders to demonstrate the correct colours and materials proposed;
 - (f) The addition of dark, visible framing elements surrounding the windows/balconies;
 - (g) a sample board and coloured drawings outlining colours, materials and finishes.
 4. As part of the ongoing consultant team, Jackson Clements Burrows Architects 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.

Sustainable Management Plan

5. 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 Sustainable Design Consultants and dated January 2020, but modified to include or show:
 - (a) An increase from 6.2 star to 6.5 star average NatHERS rating for the apartments;
 - (b) Irrigation details for the ground floor winter garden;
 - (c) The addition of louvered shading for windows at Levels 2 & 3 of the western façade and east-facing windows to Levels 2 and above;
 - (d) The addition of vegetation within balconies;
 - (e) A full copy of the BESS report;
 - (f) Details of the thermal performance of the non-residential component of the development;
 - (g) An assessment of Greenhouse Gas (GHG) emissions (building wide);

- (h) Details of the proposed hot water services (HWS);
 - (i) An assessment of peak energy demand;
 - (j) Confirmation of the quantity of products (by cost or weight) to use recycled content;
 - (k) Details regarding the embodied carbon reduced by opting for a 'Responsible Steel Maker', and confirm quantity by weight or cost;
 - (l) Consistent bicycle numbers (as per the plans);
 - (m) The provision of a statement as to how materials selection reduces urban heat island effect.
6. The provisions, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Acoustic Report

7. 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 and dated 9 March 2020, but modified to include or show;
- (a) Road traffic noise within apartments to be assessed to comply with day and night average levels no greater than:
 - (i) 40 dB LAeq,16h or LAeq,15h in living areas and bedrooms; and,
 - (ii) 35 dB LAeq,8h or LAeq,9h in bedrooms.
 - (b) A review of the patron noise levels at the upper floors of the development (those with reduced shielding), with further upgrades from the single glazing options provided in the report if required to control higher levels of patron noise.
8. The provisions, recommendations and requirements of the endorsed Acoustic Report, must be implemented and complied with to the satisfaction of the Responsible Authority.

Conservation Management Plan

9. Before the demolition 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) The proposed reconstruction, restoration or works to the existing building, with notations clearly outlining any changes from existing conditions or use of new materials;
 - (b) Details of all materials/colours etc to be used;
 - (c) A written description of the demolition and construction methods to be used.
10. The provisions, recommendations and requirements of the endorsed Conservation Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Wind Report

11. Before the development commences, an amended Wind Assessment to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Wind Assessment will be endorsed and will form part of this permit. The amended Wind Assessment must be generally in accordance with the Wind Assessment prepared by Vipac Engineers & Scientists and dated 30 March 2020, but modified to include or show;

- (a) Details of wind flow deflected by the north face around the northwest corner and along Smith Street; and
 - (b) Details of wind flow around the southwest corner and subsequent impacts on the wind conditions along Smith Street.
12. The provisions, recommendations and requirements of the endorsed Wind Assessment must be implemented and complied with to the satisfaction of the Responsible Authority.

Waste Management Plan

13. Before the development commences, an amended Waste Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Waste Management Plan will be endorsed and will form part of this permit. The amended Waste Management Plan must be generally in accordance with the Waste Management Plan prepared by Leigh Design and dated 23 January 2020, but modified to include or show;
- (a) Details on how food waste diversion will be managed;
 - (b) Total size of the bin storage area (sqm) to be shown on the plans, with consistent dimensions of the storage area to be shown on the WMP and on the drawings; and
 - (c) Consideration of how the 4 waste streams will be separated and ensure adequate space for extra bins that will be required (including Glass separation and food waste) especially with regards to the chute system.
14. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Landscape Plan

15. 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) Provide details of vegetation within individual balconies;
 - (b) Include details of irrigation for the ground floor winter garden;
 - (c) show the type, location, quantity, height at maturity and botanical names of all proposed plants; and
 - (d) provide a specification of works to be undertaken prior to planting, 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 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.

Tree Management Plan

17. Before the development commences, a Tree Management Plan to the satisfaction of the Responsible Authority must be prepared by a suitably qualified Arborist and must be submitted to and approved by the Responsible Authority. When approved the Tree Management Plan will be endorsed and will form part of this permit. The Tree Management Plan must make recommendations for:
 - (a) the protection of all street trees on Easey Street directly adjacent to the southern boundary of the site:
 - (i) pre-construction;
 - (ii) during construction; and
 - (iii) post construction
 - (b) the provision of solid hoarding around the trees to a height of 1.8m during construction;
 - (c) any pruning necessary; and
 - (d) watering and maintenance regimes,
 - (e) to the satisfaction of the Responsible Authority.
18. The provisions, recommendations and requirements of the endorsed Tree Management Plan must be complied with and implemented to the satisfaction of the Responsible Authority.
19. Before the development commences, the permit holder must provide an Asset Protection Bond of \$3,000 (ex GST) for the trees in Easey Street adjacent the frontage of the development to the Responsible Authority. The security bond:
 - (a) must be provided in a manner, and on terms, to the satisfaction of the Responsible Authority;
 - (b) may be held by the Responsible Authority until the works are completed to the satisfaction of the Responsible Authority; and
 - (c) in accordance with the requirements of this permit; or otherwise to the satisfaction of the Responsible Authority.

Lighting

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

General

21. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the footpath frontage to Smith Street and Easey Street directly adjacent to the site must be profiled and re-sheeted;
 - (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, any damage to Council infrastructure resulting from the development must be reinstated:
 - (a) at the permit holder's cost,
 - (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, 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.
24. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.
 25. 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.
 26. Prior to the completion of the development, subject to the relevant authority's consent, the relocation of any service poles, street line markings, car parking sensors, service structures or service 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.
 27. 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.
 28. 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.
 29. Finished floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.
 30. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
 31. Before the building is occupied, any new wall/garage doors located on a boundary facing public property must be treated with a graffiti proof finish to the satisfaction of the Responsible Authority.
 32. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the 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.
 33. The development must comply at all times with the State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N-1).
 34. The development must comply at all times with the State Environment Protection Policy – Control of Music Noise from Public Premises (SEPP N-2).
 35. The collection of waste from the site must be by private collection, unless with the prior written consent of the Responsible Authority.
 36. Delivery and collection of goods to and from the land may only occur between 7am and 10pm Monday to Saturday, or after 9am on a Sunday or public holiday except for those allowed under any relevant local law.
 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.

Construction Management Plan

38. Before the development commences, a Construction Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will form part of this permit. The plan must provide for:
- (a) a pre-conditions survey (dilapidation report) of the land and all adjacent Council roads frontages and nearby road infrastructure;
 - (b) works necessary to protect road and other infrastructure;
 - (c) remediation of any damage to road and other infrastructure;
 - (d) containment of dust, dirt and mud within the land and method and frequency of clean up procedures to prevent the accumulation of dust, dirt and mud outside the land;
 - (e) facilities for vehicle washing, which must be located on the land;
 - (f) the location of loading zones, site sheds, materials, cranes and crane/hoisting zones, gantries and any other construction related items or equipment to be located in any street;
 - (g) site security;
 - (h) management of any environmental hazards including, but not limited to,:
 - (i) contaminated soil;
 - (ii) materials and waste;
 - (iii) dust;
 - (iv) stormwater contamination from run-off and wash-waters;
 - (v) sediment from the land on roads;
 - (vi) washing of concrete trucks and other vehicles and machinery; 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.
39. During the construction
- (a) any stormwater discharged into the stormwater drainage system must be in compliance with Environment Protection Authority guidelines;
 - (b) stormwater drainage system protection measures must be installed as required to ensure that no solid waste, sediment, sand, soil, clay or stones from the land enters the stormwater drainage system;
 - (c) vehicle borne material must not accumulate on the roads abutting the land;

- (d) the cleaning of machinery and equipment must take place on the land and not on adjacent footpaths or roads; and
 - (e) all litter (including items such as cement bags, food packaging and plastic strapping) must be disposed of responsibly.
40. The provisions, recommendations and requirements of the endorsed Construction Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
41. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
- (a) Monday-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.
42. This permit will expire if:
- (a) the development is not commenced within two years of the date of this permit;
 - (b) the development is not completed within four years of the date of this permit.

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 5095 to confirm.

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

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

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

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

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

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.

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

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

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

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

Submissions made online during the meeting

John Haysey, Contour Consultants (for the applicant)

Karen Cummings, Collingwood Historical Society; and
Kellie Morton.

PLANNING DECISIONS COMMITTEE RESOLUTION

Moved: Councillor Bosler

Seconded: Councillor Coleman

That having considered all objections and relevant planning policies, the Planning Decisions Committee resolves to issue a Notice of Decision to Grant a Planning Permit PLN20/0077 for partial demolition, construction of a multi-level, mixed-use building and a reduction in the statutory car parking requirement at 378-380 Smith Street, Collingwood subject to the following conditions:

1. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions, and three copies must be provided. The plans must be generally in accordance with the decision plans, prepared by Jackson Clements Burrows and dated 20 April 2020 (TP0-101 – TP10-101 inclusive) but modified to show;
 - (a) The demolition of the existing awnings on the demolition floor plans (unless retained pursuant to condition 1(m);
 - (b) Existing power pole at the street corner and bicycle hoop on Smith Street depicted on the ground floor plan;
 - (c) The vehicle crossing to span the width of the car park entrance doorway;
 - (d) Details of the proposed awning to Easey Street on the first-floor plan;
 - (e) The deletion of two levels from the mid-section of the proposal;
 - (f) The setback of the western façade increased to a minimum of 6.5m from the Smith Street boundary at Level 2 and above;
 - (g) Top-most level from Smith Street or Easey Street obscured, excluding balconies (based on the provision of a sightline diagram from the western side of Smith Street and the southern side of Easey Street measured from 1.6m above the footpath);
 - (h) No subsequent reductions in setbacks from the northern and eastern boundaries in responding to Condition 1(f);
 - (i) All relevant Clause 58 Standards (Standard D24, Standard 25) to be maintained via the alterations to the building height and setbacks as required by Condition 1(e) and (f);

- (j) The introduction of 'blind' windows composed of spandrel glass or textured/coloured panels within the eastern and northern boundary walls, matching the proportions of the proposed windows on the southern elevation;
 - (k) Updated renders to demonstrate the correct colours and materials proposed;
 - (l) The addition of dark, visible framing elements surrounding the windows/balconies;
 - (m) Either the existing awning be retained, or a historically accurate awning to the satisfaction of the Responsible Authority be constructed to;
 - (i) extend the full width of the footpath (up to 750mm from the back of the kerb),
 - (ii) have minimum clearance height of 2.7m; and
 - (iii) any supporting posts to not obstruct the footpath or existing bicycle hoop.
 - (n) Internal views to lower level balconies from Units 2.01, 2.02 & 2.03 restricted to meet the requirements of Standard D15 of Clause 58 of the Yarra Planning Scheme;
 - (o) Accessible bathrooms to meet all of the requirements of either Design A or Design B in Table 4 of Standard D17 of the Yarra Planning Scheme;
 - (p) The location of air-conditioning condensers for Units 2.02 & 2.03, with the condensers not to be located within the individual balconies of these units;
 - (q) The addition of louvered shading for windows at Levels 2 & 3 of the western façade and east-facing windows to Levels 2 and above;
 - (r) The doors of the booster cabinet on Easey Street designed to swing 180-degrees and be latched to the wall when opened and serviced;
 - (s) The following dimensions and details to be shown on the plans;
 - (i) The floor to ceiling height inside the car park;
 - (ii) The car pit depth;
 - (iii) The length of the ramped section inside the property.
 - (t) The addition of a convex mirror at the car park entrance;
 - (u) A notation confirming that all car parking and bicycle parking areas will be electrically wired to be 'EV ready';
 - (v) Any changes required by the amended Sustainable Management Plan at Condition 5;
 - (w) Any changes required by the amended Acoustic Report at Condition 7;
 - (x) Any changes required by the Conservation Management Plan at Condition 9;
 - (y) Any changes required by the amended Wind Assessment at Condition 11;
 - (z) Any changes required by the amended Waste Management Plan at Condition 13; and
 - (aa) Any changes required by the Landscape Plan at Condition 15.
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 and Materials and Finishes Plan to the satisfaction of the Responsible Authority must be submitted to and be approved by the Responsible Authority. When approved, the Façade Strategy and Materials and Finishes Plan will be endorsed and will then form part of this permit. This must detail:
- (a) elevation drawings at a scale of 1:20 illustrating typical podium details, entries and doors, and utilities and typical tower facade details;
 - (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;
 - (d) The introduction of 'blind' windows composed of spandrel glass or textured/coloured panels within the eastern and northern boundary walls, matching the proportions of the proposed windows on the southern elevation;
 - (e) Updated renders to demonstrate the correct colours and materials proposed;
 - (f) The addition of dark, visible framing elements surrounding the windows/balconies;
 - (g) a sample board and coloured drawings outlining colours, materials and finishes.

4. As part of the ongoing consultant team, Jackson Clements Burrows Architects 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.

Sustainable Management Plan

5. 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 Sustainable Design Consultants and dated January 2020, but modified to include or show:
 - (a) An increase from 6.2 star to 6.5 star average NatHERS rating for the apartments;
 - (b) Irrigation details for the ground floor winter garden;
 - (c) The addition of louvered shading for windows at Levels 2 & 3 of the western façade and east-facing windows to Levels 2 and above;
 - (d) The addition of visible vegetation in the form of planter boxes within balconies;
 - (e) A full copy of the BESS report;
 - (f) Details of the thermal performance of the non-residential component of the development;
 - (g) An assessment of Greenhouse Gas (GHG) emissions (building wide);
 - (h) Details of the proposed hot water services (HWS);
 - (i) An assessment of peak energy demand;
 - (j) Confirmation of the quantity of products (by cost or weight) to use recycled content;
 - (k) Details regarding the embodied carbon reduced by opting for a 'Responsible Steel Maker', and confirm quantity by weight or cost;
 - (l) Consistent bicycle numbers (as per the plans);
 - (m) The provision of a statement as to how materials selection reduces urban heat island effect.
6. The provisions, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

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 - (a) Road traffic noise within apartments to be assessed to comply with day and night average levels no greater than:
 - (i) 40 dB LAeq,16h or LAeq,15h in living areas and bedrooms; and,
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 - (b) A review of the patron noise levels at the upper floors of the development (those with reduced shielding), with further upgrades from the single glazing options provided in the report if required to control higher levels of patron noise.
8. The provisions, recommendations and requirements of the endorsed Acoustic Report, must be implemented and complied with to the satisfaction of the Responsible Authority.

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 - (a) The proposed reconstruction, restoration or works to the existing building, with notations clearly outlining any changes from existing conditions or use of new materials;
 - (b) Details of all materials/colours etc to be used;
 - (c) A written description of the demolition and construction methods to be used.
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 - (a) Details of wind flow deflected by the north face around the northwest corner and along Smith Street; and
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 - (b) Total size of the bin storage area (sqm) to be shown on the plans, with consistent dimensions of the storage area to be shown on the WMP and on the drawings; and
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 - (a) Provide details of vegetation within individual balconies;

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- (a) the protection of all street trees on Easey Street directly adjacent to the southern boundary of the site:
 - (i) pre-construction;
 - (ii) during construction; and
 - (iii) post construction
 - (b) the provision of solid hoarding around the trees to a height of 1.8m during construction;
 - (c) any pruning necessary; and
 - (d) watering and maintenance regimes,
 - (e) to the satisfaction of the Responsible Authority.
18. The provisions, recommendations and requirements of the endorsed Tree Management Plan must be complied with and implemented to the satisfaction of the Responsible Authority.
19. Before the development commences, the permit holder must provide an Asset Protection Bond of \$3,000 (ex GST) for the trees in Easey Street adjacent the frontage of the development to the Responsible Authority. The security bond:
- (a) must be provided in a manner, and on terms, to the satisfaction of the Responsible Authority;
 - (b) may be held by the Responsible Authority until the works are completed to the satisfaction of the Responsible Authority; and
 - (c) in accordance with the requirements of this permit; or otherwise to the satisfaction of the Responsible Authority.

Lighting

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

General

21. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the footpath frontage to Smith Street and Easey Street directly adjacent to the site must be profiled and re-sheeted;
 - (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, any damage to Council infrastructure resulting from the development must be reinstated:
 - (a) at the permit holder's cost,
 - (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, 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.
24. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.
25. 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.
26. Prior to the completion of the development, subject to the relevant authority's consent, the relocation of any service poles, street line markings, car parking sensors, service structures or service 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.
27. 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.
28. 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.
29. Finished floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.
30. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
31. Before the building is occupied, any new wall/garage doors located on a boundary facing public property must be treated with a graffiti proof finish to the satisfaction of the Responsible Authority.
32. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the 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.

33. The development must comply at all times with the State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N-1).
34. The development must comply at all times with the State Environment Protection Policy – Control of Music Noise from Public Premises (SEPP N-2).
35. The collection of waste from the site must be by private collection, unless with the prior written consent of the Responsible Authority.
36. Delivery and collection of goods to and from the land may only occur between 7am and 10pm Monday to Saturday, or after 9am on a Sunday or public holiday except for those allowed under any relevant local law.
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.

Construction Management Plan

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

39. During the construction

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

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

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

- (a) Monday-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.

42. This permit will expire if:

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

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 5095 to confirm.

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

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

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

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

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

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.

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

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

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

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

CARRIED UNANIMOUSLY

1.4 PLN19/0924 - 88 Neptune Street Richmond - Construction of a new dwelling

Reference: D20/136634

Authoriser: Coordinator Statutory Planning

RECOMMENDATION

That having considered all objections and relevant policies, that the Planning Decisions Committee resolves to issue a Notice of Decision to Grant a Planning Permit PLN19/0924 for construction of a new dwelling at 88 Neptune 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 decision plans but modified to show:
 - (a) All proposed works (e.g. southern boundary walls) shown clearly located within the title boundaries of the subject site on the ground floor plan.
 - (b) The height of the easternmost section of the southern boundary wall shown consistently on the ground floor plan and the southern elevation (i.e. 2.18m high).
 - (c) The clearance height of the garage entry dimensioned on the eastern elevation.
 - (d) The operation of windows and doors shown on the proposed elevations, with each habitable room shown to have access to an operable window.
 - (e) The rear first floor windows shown as being fixed to a minimum height of 1.7m.
 - (f) The southernmost rear first floor window treated to comply with Standard A15 (Overlooking) of Clause 54.04 of the Yarra Planning Scheme.
 - (g) The eastern and western first floor windows provided with a shading device.
2. The development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
3. Before the development commences, a Landscape Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Landscape Plan will be endorsed and will form part of this permit. The Landscape Plan must:
 - (a) show the type, location, quantity, height at maturity and botanical names of all proposed plants;
 - (b) indicate the location of all areas to be covered by lawn or other surface materials; and
 - (c) provide a specification of works to be undertaken prior to planting,

to the satisfaction of the Responsible Authority.
4. Before the 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.

5. Before the development is occupied, or by such later date as approved in writing by the Responsible Authority, all screening and other measures to prevent overlooking as shown on the endorsed plans must be installed to the satisfaction of the Responsible Authority. Once installed the screening and other measures must be maintained to the satisfaction of the Responsible Authority.
6. Before the development is occupied, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated:
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
7. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
 - (a) Monday-Friday (excluding public holidays) before 7 am or after 6 pm,;
 - (b) Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday) before 9 am or after 3 pm; or
 - (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.
8. This permit will expire if:
 - (a) the development is not commenced within two years of the date of this permit; or
 - (b) the development is not completed within four years of the date of this permit.

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

Notes:

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

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

Submissions were made online during the meeting

Graeme Chipp, Richmond (applicant); and
Richard Woodward, RE2 Architecture International (for the applicant).

PLANNING DECISIONS COMMITTEE RESOLUTION

Moved: Councillor Chen Yi Mei

Seconded: Councillor Bosler

That the Recommendation be adopted.

CARRIED UNANIMOUSLY

1.5 PLN19/0918 - 121 Burnley Street, Richmond - Partial demolition and construction of an addition to the rear of the existing building for the use as an office and warehouse, display of business identification signage and a reduction in car parking associate with the office use

Reference: D20/131429

Authoriser: Coordinator Statutory Planning

RECOMMENDATION

That having considered all objections and relevant planning policies, the Planning Decisions Committee resolves to issue a Notice of Decision to Grant a Planning Permit PLN19/0918 for the partial demolition and construction of an addition to the rear of the existing building for the use as an office and warehouse, display of business identification signage and a reduction in car parking associate with the office use at 121 Burnley St Richmond VIC 3121 generally in accordance with the plans and reports noted previously as the “decision plans” and subject to the following conditions:

Amended plans

1. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions, and three copies must be provided. The plans must be generally in accordance with decision plans prepared by Novatec Plan Nos. DA1 Rev 05, DA2 Rev 04, DA3 Rev 04, DA4 Rev 04, DA5 Rev 05, DA6 Rev 05, DA7 Rev 05, DA8 Rev 03, DA9 Rev 04, DA10 Rev 04, DA11 Rev 04, DA12 Rev 04, DA13 Rev 02, DA14 Rev 02, DA15 Rev 02, DA16 Rev 02, DA17 Rev 01 and dated 17 October 2019 but modified to show:
 - (a) Replacement of the glazed balustrade to the Level 2 deck with a solid material.
 - (b) Annotate the height to the top of the proposed balustrade associated with the Level 2 deck measured from natural ground level;
 - (c) Annotate the height of the proposed food cubes located within the second floor balcony, demonstrating that these will be concealed from Burnley Street by the proposed balustrade;
 - (d) Swept path diagrams for a B85 design vehicle demonstrating adequate turning movements to all car spaces and North Street (and showing existing on-street car spaces, trees and landscaping).
 - (e) Installation of a convex mirror on the east side of the car park entrance to North Street.
 - (f) The existing crossover to North Street narrowed to align with the proposed roller door, with redundant sections of the crossover to be reinstated as footpath.
 - (g) Details of the proposed sign on the north elevation, as per drawing DA9 (Rev 02).
 - (h) Details of the model of bicycle storage facility and dimensions, demonstrating adequate clearance from the loading bay turning circle.
 - (i) The location and dimension of all solar panels to be clearly identified on all plans and elevations.
 - (j) Installation of external shading elements to the exposed western glazing to the proposed additions.
 - (k) A glazed pedestrian door provided to North Street.
 - (l) North Street ground level walls to be treated with a graffiti-proof finish.
 - (m) Installation of a sensor light to the recessed pedestrian entry to North Street.
 - (n) The title boundaries clearly shown, with all works to be contained with the site boundaries.
 - (o) An updated northern elevation showing the full extent of the proposed building (i.e. not obscured by No. 117 Burnley Street).

- (p) Any changes as a result of the endorsed Waste Management Plan pursuant to condition 3
 - (q) Any changes as a result of the endorsed Sustainability Management Plan pursuant to 5.
2. The use, development and the location and details of the sign 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.

Waste Management Plan

3. 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 Novatec and dated 30 March 2020, but modified to include:
- (a) changes generally as shown in the revised Waste Management Plan prepared by Novatec dated 8 July 2020 but subject to:
 - (i) A larger bin storage area for an effective waste system and provide sufficient separation of Council and private services; and
 - (ii) A clause for the potential review into the service if operational requirements change.
4. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Sustainable Management Plan

5. 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 Novatec and dated 24 February 2020, but modified to include or show:
- (a) A target recycling rate of at least 80% of construction and demolition waste.
 - (b) Installation of external shading elements to the exposed western glazing
6. The provisions, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Use

7. Except with the prior written consent of the Responsible Authority, the uses authorised by this permit may only operate between the following hours:
- (a) Monday to Friday – 7.00am to 6.00pm
8. Deliveries and collection of goods to and from the land may only occur between 7am and 10pm Monday to Saturday, or after 9am on a Sunday or public holiday except for those allowed under any relevant local law.

9. 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.

Signs

10. Prior to the erection of signage authorised by this permit, the sign to the Burnley Street elevation must be removed.
11. The sign must not be illuminated by external or internal light.
12. The sign must be constructed, displayed and maintained to the satisfaction of the Responsible Authority.

General

13. 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 verminto the satisfaction of the Responsible Authority.
14. The use and development must comply at all times with the State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N-1).
15. 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.
16. Before the building is occupied, the northern boundary wall facing public property must be treated with a graffiti proof finish 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, external lighting capable of illuminating the recessed pedestrian entrance to North Street must be provided within the property boundary. Lighting must be:
 - (a) located;
 - (b) directed;
 - (c) shielded; and
 - (d) of limited intensity,
 - (e) to the satisfaction of the Responsible Authority
18. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
19. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the altered 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.

20. 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.
21. 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;
22. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated:
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
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; 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.
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) before 7 am or after 6 pm, Monday-Friday (excluding public holidays);
 - (b) before 9 am or after 3 pm, Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday); or
 - (c) At any time on Sundays, ANZAC Day, Christmas Day and Good Friday.
26. This permit will expire if any of the following occur;
- (a) The development is not commenced within two (2) years from the date of this permit.
 - (b) The development is not completed within four (4) years from the date of this permit; or
 - (c) The use is not commenced within five (5) years of the date of this permit.
 - (d) The sign is not erected within five (5) years of the date of this permit

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

NOTES:

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

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

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.

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.

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

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.

Submissions made online during the meeting

Aranka Young, Novatec Design (for the applicant).

David Midgley.

PLANNING DECISIONS COMMITTEE RESOLUTION

Moved: Councillor Chen Yi Mei

Seconded: Councillor Bosler

That having considered all objections and relevant planning policies, the Planning Decisions Committee resolves to issue a Notice of Decision to Grant a Planning Permit PLN19/0918 for the partial demolition and construction of an addition to the rear of the existing building for the use as an office and warehouse, display of business identification signage and a reduction in car parking associate with the office use at 121 Burnley St Richmond VIC 3121 generally in accordance with the plans and reports noted previously as the “decision plans” and subject to the following conditions:

Amended plans

1. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions, and three copies must be provided. The plans must be generally in accordance with decision plans prepared by Novatec Plan Nos. DA1 Rev 05, DA2 Rev 04, DA3 Rev 04, DA4 Rev 04, DA5 Rev 05, DA6 Rev 05, DA7 Rev 05, DA8 Rev 03, DA9 Rev 04, DA10 Rev 04, DA11 Rev 04, DA12 Rev 04, DA13 Rev 02, DA14 Rev 02, DA15 Rev 02, DA16 Rev 02, DA17 Rev 01 and dated 17 October 2019 but modified to show:
 - (a) Replacement of the glazed balustrade to the Level 2 deck with a solid material.
 - (b) Annotate the height to the top of the proposed balustrade associated with the Level 2 deck measured from natural ground level;
 - (c) Annotate the height of the proposed food cubes located within the second floor balcony, demonstrating that these will be concealed from Burnley Street by the proposed balustrade;
 - (d) Swept path diagrams for a B85 design vehicle demonstrating adequate turning movements to all car spaces and North Street (and showing existing on-street car spaces, trees and landscaping).
 - (e) Installation of a convex mirror on the east side of the car park entrance to North Street.
 - (f) The existing crossover to North Street narrowed to align with the proposed roller door, with redundant sections of the crossover to be reinstated as footpath.
 - (g) Details of the proposed sign on the north elevation, as per drawing DA9 (Rev 02).
 - (h) Details of the model of bicycle storage facility and dimensions, demonstrating adequate clearance from the loading bay turning circle.
 - (i) The location and dimension of all solar panels to be clearly identified on all plans and elevations.
 - (j) Installation of external shading elements to the exposed western glazing to the proposed additions.
 - (k) A glazed pedestrian door provided to North Street.
 - (l) North Street ground level walls to be treated with a graffiti-proof finish.
 - (m) Installation of a sensor light to the recessed pedestrian entry to North Street.
 - (n) The title boundaries clearly shown, with all works to be contained within the site boundaries.
 - (o) An updated northern elevation showing the full extent of the proposed building (i.e. not obscured by No. 117 Burnley Street).
 - (p) Any changes as a result of the endorsed Waste Management Plan pursuant to condition 3
 - (q) Any changes as a result of the endorsed Sustainability Management Plan pursuant to 5.
 - (r) The street wall to North Street to have a maximum height of 2.4 metres above the mezzanine level (RL 19.81m) and for the section of built form above 2.4 metres to incorporate a minimum 2.5m setback from North Street.

2. The use, development and the location and details of the sign 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.

Waste Management Plan

3. 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 Novatec and dated 30 March 2020, but modified to include:
 - (a) changes generally as shown in the revised Waste Management Plan prepared by Novatec dated 8 July 2020 but subject to:
 - (i) A larger bin storage area for an effective waste system and provide sufficient separation of Council and private services; and
 - (ii) A clause for the potential review into the service if operational requirements change.
4. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Sustainable Management Plan

5. 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 Novatec and dated 24 February 2020, but modified to include or show:
 - (a) A target recycling rate of at least 80% of construction and demolition waste.
 - (b) Installation of external shading elements to the exposed western glazing
6. The provisions, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Use

7. Except with the prior written consent of the Responsible Authority, the uses authorised by this permit may only operate between the following hours:
 - (a) Monday to Friday – 7.00am to 6.00pm
8. Deliveries and collection of goods to and from the land may only occur between 7am and 9pm Monday to Friday unless with the prior written consent of the responsible authority.
9. 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.

Signs

10. Prior to the erection of signage authorised by this permit, the sign to the Burnley Street elevation must be removed.
11. The sign must not be illuminated by external or internal light.
12. The sign must be constructed, displayed and maintained to the satisfaction of the Responsible Authority.

General

13. 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 verminto the satisfaction of the Responsible Authority.
14. The use and development must comply at all times with the State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N-1).
15. 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.
16. Before the building is occupied, the northern boundary wall facing public property must be treated with a graffiti proof finish 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, external lighting capable of illuminating the recessed pedestrian entrance to North Street must be provided within the property boundary. Lighting must be:
 - (a) located;
 - (b) directed;
 - (c) shielded; and
 - (d) of limited intensity,
 - (e) to the satisfaction of the Responsible Authority
18. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
19. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the altered 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.
20. 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.

21. 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;
22. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated:
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
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; 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.

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) before 7 am or after 6 pm, Monday-Friday (excluding public holidays);
 - (b) before 9 am or after 3 pm, Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday); or
 - (c) At any time on Sundays, ANZAC Day, Christmas Day and Good Friday.
26. This permit will expire if any of the following occur;
 - (a) The development is not commenced within two (2) years from the date of this permit.
 - (b) The development is not completed within four (4) years from the date of this permit; or
 - (c) The use is not commenced within five (5) years of the date of this permit.
 - (d) The sign is not erected within five (5) years of the date of this permit

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

NOTES:

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

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

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.

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.

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

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.

CARRIED UNANIMOUSLY

The meeting closed at 8.55pm.

Confirmed at the meeting held on Wednesday 23 September 2020

Chair