



# Minutes

## Planning Decisions Committee

6.30pm, Tuesday 26 July 2022

Richmond Town Hall

## 1. Appointment of Chair

Cr Landes nominated Cr Jolly as chair.

There being no other nominations, Cr Jolly was elected chair.

Cr Jolly assumed the chair.

## 2. Statement of recognition of Wurundjeri Woi-wurrung Land

*“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.”*

## 3. Attendance and apologies

Attendance

Councillors

Cr Stephen Jolly

Cr Herschel Landes

Cr Amanda Stone

Council officers

Sarah Griffiths (Senior Co-ordinator Continuous Improvement)

Chris Stathis (Acting Principal Planner)

Cindi Johnston (Governance Officer)

## 4. Declarations of conflict of interest

No declarations were made.

## 5. Confirmation of Minutes

### RESOLUTION

**Moved:** Cr Stone **Seconded:** Cr Landes

1. That the minutes of the meeting of the Planning Decisions Committee held on Wednesday 5 July 2022 be confirmed.

**CARRIED**

## 6 PLANNING DECISIONS COMMITTEE

<b>Item</b>		<b>Page</b>	<b>Res. Page</b>
6.1	PLN21/0882 - 525 Church Street & 1 - 7 Kingston Street Richmond - The construction of a twelve storey (plus roof level plant room and two basement levels) for office and restricted retail premises (no permit required for proposed uses) and a reduction in the car parking requirements.	4	13
6.2	PLN21/0987 - 393 Bridge Road Richmond - Construction of an eight storey office building (no permit required for office use) and an associated reduction to the car parking and bicycle facility requirements.	22	32
6.3	PLN22/0069 - 276 Lennox Street, Richmond - Use of the land for a medical centre (chiropractor), construction and display of one (1) business identification sign and a reduction in car parking.	44	46

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**6.1**      **PLN21/0882 - 525 Church Street & 1 - 7 Kingston Street Richmond - The construction of a twelve storey (plus roof level plant room and two basement levels) for office and restricted retail premises (no permit required for proposed uses) and a reduction in the car parking requirements.**

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**Reference**      D22/154497  
**Author**          Chris Stathis - Senior Statutory Planner  
**Authoriser**     Senior Coordinator Statutory Planning

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## **RECOMMENDATION**

That having considered all objections and relevant planning policies, the Committee resolves to advise the Victorian Civil and administrative Tribunal that if it was in a position to decide on the application, Council would issue a Notice of Decision to Grant Planning Permit PLN21/0882 for the construction of a multi-storey building (plus roof level plant room and two basement levels) for office and restricted retail premises (no permit required for uses) and a reduction in the car parking requirements at 525 Church Street & 1 – 7 Kingston Street Richmond, subject to the following conditions:

1. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the architectural plans prepared by Gray Puksand and dated 28 February 2022 but modified to show:
  - (a) Deletion of levels 8 and 9;
  - (b) Demonstrate the café use is limited to the kiosk area only shown on the sketch plans received by Council 13 July 2022;
  - (c) Deletion of the four visitor bicycle spaces from the Church Street ground floor setback area and extend the width of the pedestrian entrance doors to a minimum width of 3.5m;
  - (d) Reduction in the extent of the landscaped seating along the Kingston Street ground floor setback area to allow for:
    - (i) The provision of a pedestrian entry from Kingston Street to be used by cyclists with a minimum entry width of 2m and a minimum corridor width of 2m, with this corridor providing access to the employee bicycle parking compound (with any floor plan reconfigurations required to achieve this);
    - (ii) A minimum of 12 visitor bicycle spaces within the Kingston Street ground floor setback area;
    - (iii) The restricted retail entry provided with a minimum setback of 0.5m from the nearest visitor bicycle space;
  - (e) Landscaped seating along Kingston Street to have a minimum setback of 0.5m from the southern title boundary;
  - (f) Landscaping planter boxes along the Kingston Street ground floor setback area to have a minimum depth of 0.7m;
  - (g) Increase the depth of the horizontal fins provided to the upper levels;
  - (h) Bicycle signage at the Church Street entrance to advise cyclists that visitor bicycle spaces are available on Kingston Street;
  - (i) Bicycle signage at the Kingston Street entrance to show that access internal to the building is provided for employee cyclists;
  - (j) Notation to confirm that the security gate at the Selby ROW entrance will be kept open during office hours;

- (k) Employee bicycle spaces updated to provide a minimum of six spaces as horizontal rack spaces with these spaces designated for e-bikes, cargo bikes and recumbent bikes;
  - (l) Details of the types of lockers to be provided, with at least 50% of lockers providing hanging storage space;
  - (m) Provision of electric bicycle charging points within the employee bicycle compound;
  - (n) Update elevations to clarify the proposed material for the eastern boundary wall, and clarify use of (CN-01) on the elevations;
  - (o) Show details of street art proposed for the eastern boundary wall;
  - (p) Amend rooftop plan to show solar PV system sizes;
  - (q) Amend basement plans to clearly identify locations for fuel-efficient vehicles, motorcycle parking and electric vehicle charging;
  - (r) cross section drawing (ground clearance check) of the basement car parking vehicle entrance (and associated crossover) using the B99 design vehicle. The ground clearance check must provide (or show) the following:
    - (i) spot levels of the reduced level 1m inside the property, the property boundary level, the bottom of the kerb (invert level), the edge of the channel level and at least three levels of the road pavement of Kingston Street;
    - (ii) no vehicle scraping or 'bottoming out' of a B99 vehicle as it accesses the subject site via Kingston Street;
  - (s) cross section drawing (ground clearance check) of the loading dock (and associated crossover) using the B99 design vehicle. The ground clearance check must provide (or show) the following:
    - (i) spot levels of the reduced level 1m inside the property, the property boundary level, the bottom of the kerb (invert level), the edge of the channel level and at least three levels of the road pavement of Kingston Street
    - (ii) no vehicle scraping or 'bottoming out' of a B99 vehicle as it accesses the subject site via Kingston Street;
  - (t) any requirement of the endorsed Façade Strategy (condition 3) (where relevant to show on plans);
  - (u) any requirement of the endorsed Sustainable Management Plan (condition 5) (where relevant to show on plans);
  - (v) any requirement of the endorsed Landscape Plan (condition 9) (where relevant to show on plans).
  - (w) any requirement of the endorsed Wind Tunnel Modelling Report (condition 14) (where relevant to show on plans);
  - (x) any requirement of the endorsed Acoustic Report (condition 16) (where relevant to show on plans);
2. The use and development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
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; and
  - (d) a detailed materials schedule and coloured drawings outlining colours, materials and finishes.

4. As part of the ongoing consultant team, Gray Puksand or an architectural firm to the satisfaction of the Responsible Authority must be engaged to:
  - (a) oversee the 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 Meinhardt, dated 26 November 2021, but modified to include or show:
  - (a) Confirm formal certification through the Green Building Council of Australia or alternatively update the Sustainable Management Plan to use an acceptable framework such as BESS;
  - (b) Amend innovations claims to ensure all innovations are valid in accordance with either a Green Star Rating formally certified through the Green Building Council of Australia or an acceptable framework such as BESS;
  - (c) Clarify % improvement over National Construction Code requirements and provide a JV3 report that compares the proposal (fabric, services etc) against a reference building to support claims;
  - (d) Clarify the Hot Water System proposed for the building (consider all-electric / gas-free) and include within the JV;
  - (e) Clarify Heating Ventilation and Air Conditioning system proposed for the building and include within the JV3;
  - (f) Clarify how the basement car parks are to be ventilated;
  - (g) Confirm utility metering will be provided for each individual tenancy;
  - (h) Confirm that that post-development stormwater flows will not exceed pre-development levels.
  - (i) Confirm details of any additional stormwater treatment strategies required to exceed *Best Practice Environmental Management Guidelines* stormwater targets;
  - (j) Confirm inclusion of recycled materials (e.g. bricks) or products with post-consumer content (e.g. Glass wool/polyester insulation);
  - (k) Clarify how the building and landscape design has responded to and mitigated urban heat impacts;
  - (l) Confirm High-SRI roofing is proposed to assist with urban cooling;
  - (m) Confirm engagement of a head contractor with a valid ISO 14001 accreditation.
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.

#### **Waste Management Plan**

7. The provisions, recommendations and requirements of the endorsed Waste Management Plan generally in accordance with the Waste Management Plan prepared by Traffix Group and dated 24 November 2021, must be implemented and complied with to the satisfaction of the Responsible Authority.
8. The collection of waste from the site must be by private collection, unless with the prior written consent of the Responsible Authority.

### **Landscape Plan**

9. Before the development commences, an amended Landscape Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Landscape Plan will be endorsed and will form part of this permit. The amended Landscape Plan must be generally in accordance with the Landscape Plan prepared by Site Image Landscape Architects and dated 01 February 2022, but modified to include (or show):
- (a) a planting plan and plant schedule for all landscape areas, showing proposed species, number of plants, height and width at maturity and installation size.
  - (b) Detailed drawings for elements such planter boxes – showing dimensions, drainage, irrigation, lining, materials and growing media, with volumes of growing media to be appropriate for the plant species proposed.
  - (c) information on proposed irrigation system.
  - (d) a maintenance schedule, including task details and frequency.
  - (e) Demonstrate how maintenance contractors can safely access green wall planting above ground level, the rain garden on Level 01, and planters on the outside of balustrades, such as on Level 05.
  - (f) Provide a non-trafficable roof garden to the east-facing terrace at level 10 (i.e. level 8 accounting for condition 1(a));
  - (g) Increase the size and soil depth of the level 11 (i.e. level 9 accounting for condition 1(a)) terrace plantings;
  - (h) Paving within the Kingston Street and Church Street ground floor setbacks to be visually-delineated from any surface treatments on public land;

to the satisfaction of the Responsible Authority.

10. 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,
- all to the satisfaction of the Responsible Authority.

### **Street Tree Protection Bond**

11. Before the development commences, the permit holder must provide an Asset Protection Bond of \$4,480 (ex GST), for the two street trees along the Church Street footpath unless otherwise advised by the Responsible Authority. The security bond:
- (a) must be provided to the Responsible Authority in the form of a bank cheque or guarantee;
  - (b) may be held by the Responsible Authority until the works are completed to the satisfaction of the Responsible Authority; and
  - (c) must be in accordance with the requirements of this permit.

### **Tree Management Plan**

12. Before the development commences, a Tree Management Plan 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 detail management and protection measures for the two street trees along the site's Church Street frontage to the satisfaction of the Responsible Authority.

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

#### **Wind Tunnel Modelling Report**

14. Before the development commences, a Wind Tunnel Modelling Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Wind Tunnel Report will be endorsed and will form part of this permit. The Wind Tunnel Modelling Report must be generally in accordance with the Wind Impact Statement prepared by MEL Consultants and dated 26 November 2021, but modified to include (or show):
  - (a) At least part of the level 11 (i.e. level 9 accounting for condition 1(a)) terrace to achieve the standing comfort criterion;
  - (b) the level 4 and 5 terraces will achieve the walking comfort criterion;
  - (c) assess wind conditions for the level 10 (i.e. level 8 accounting for condition 1(a)) terrace, with this terrace achieving the walking comfort criterion;
  - (d) assess the north-eastern ground floor courtyard, achieving a minimum of the standing comfort criterion;

to the satisfaction of the Responsible Authority.

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

#### **Acoustic Report**

16. 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 SLR and dated 26 November 2021, but modified to include (or show):
  - (a) Background noise levels taken at the site during the evening and night time to ascertain the resultant Noise Protocol limits for the site;
  - (b) Commitment that need a detailed acoustic review be conducted once the specifications of the mechanical plant is available;
  - (c) Commitment that the lowest-noise mechanical plant equipment available (as appropriate for the development) be utilised;

to the satisfaction of the Responsible Authority.

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

#### **Road Infrastructure**

18. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the kerb and channel along the property's Kingston Street road frontage must be reconstructed to Council's satisfaction and at the permit holders cost.
19. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the footpath immediately outside the property's Kingston Street road frontage must be stripped and re-sheeted:
  - (a) at no cost to the Responsible Authority;
  - (b) with a cross-fall of 1 in 33 (for asphalt) or unless otherwise approved in writing by the Responsible Authority;

- (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 roads, footpaths and other road related infrastructure adjacent to the development site damaged as a result of the construction works (including trenching and excavation for utility service connections) must be reinstated:
- (a) at no cost to the Responsible Authority;
  - (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 new vehicle crossing(s) must be constructed:
- (a) In accordance with any requirements of conditions imposed by Council;
  - (b) At the permit holder's cost,
- all to the satisfaction of the Responsible Authority.

### **Car Parking**

22. 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,
- all 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, a notice showing the location of car parking must be placed in a clearly visible position near the entry to the land. The notice must be maintained thereafter to the satisfaction of the Responsible Authority.

### **Green Travel Plan**

24. 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 Traffix Group and dated 26 November 2021, but modified to include (or show):
- (a) access arrangements for all employee bicycle parking spaces from Church Street;
  - (b) establishing an employee bicycle users group (or similar) to encourage mode shift;
  - (c) promotion of walking for both transport and recreation;
  - (d) reference to a minimum 40A single phase electrical sub circuit to be installed in car park areas for all car parking spaces to be 'EV ready'.
25. The provisions, recommendations and requirements of the endorsed Green Travel Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

### **Lighting**

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

## **General**

27. Finished floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.
28. The amenity of the area must not be detrimentally affected by the construction, 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.
29. 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.
30. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
31. 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.

## **Development Contributions**

32. Prior to the issue of a building permit, commencement of the development, or issue of a Statement of Compliance (whichever occurs first) the Development Infrastructure Levy must be paid to Yarra City Council in accordance with the approved Development Contributions Plan, or the Owner must enter into an agreement with Yarra City Council to pay the amount of the levy within a time specified in the agreement.

## **Construction Management**

33. 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
  - (vi) any site-specific requirements.

During the construction:

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

34. 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 9am or after 3pm; or
- (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.

#### **Time expiry**

35. 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; or
- 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.

The permit holder must obtain approval from the relevant authorities to remove and/or build over the easement(s).

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

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.

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

Contaminated ground water seepage into basements from above the water table must be discharged to the sewer system through a trade waste agreement with the relevant authority or in accordance with EPA guidelines.

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.

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

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

The Permit Holder/developer is responsible for the management and protection of their building from groundwater.

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.  
1.

### Submissions

Vicky Grillakis, Urbis (for the applicant)  
Luke Mills  
Felicity Smith  
Nick Burton

## PLANNING DECISIONS COMMITTEE RESOLUTION

**Moved:** Councillor Landes

**Seconded:** Councillor Stone

That having considered all objections and relevant planning policies, the Committee resolves to advise the Victorian Civil and administrative Tribunal that if it was in a position to decide on the application, Council would issue a Notice of Decision to Grant Planning Permit PLN21/0882 for the construction of a multi-storey building (plus roof level plant room and two basement levels) for office and restricted retail premises (no permit required for uses) and a reduction in the car parking requirements at 525 Church Street & 1 – 7 Kingston Street Richmond, subject to the following conditions:

1. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the architectural plans prepared by Gray Puksand and dated 28 February 2022 but modified to show:
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  - (b) Demonstrate the café use is limited to the kiosk area only shown on the sketch plans received by Council 13 July 2022;
  - (c) Deletion of the four visitor bicycle spaces from the Church Street ground floor setback area and extend the width of the pedestrian entrance doors to a minimum width of 3.5m;
  - (d) Reduction in the extent of the landscaped seating along the Kingston Street ground floor setback area to allow for:
    - (i) The provision of a pedestrian entry from Kingston Street to be used by cyclists with a minimum entry width of 2m and a minimum corridor width of 2m, with this corridor providing access to the employee bicycle parking compound (with any floor plan reconfigurations required to achieve this);
    - (ii) A minimum of 12 visitor bicycle spaces within the Kingston Street ground floor setback area;
    - (iii) The restricted retail entry provided with a minimum setback of 0.5m from the nearest visitor bicycle space;
  - (e) Landscaped seating along Kingston Street to have a minimum setback of 0.5m from the southern title boundary;
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  - (k) Employee bicycle spaces updated to provide a minimum of six spaces as horizontal rack spaces with these spaces designated for e-bikes, cargo bikes and recumbent bikes;
  - (l) Details of the types of lockers to be provided, with at least 50% of lockers providing hanging storage space;
  - (m) Provision of electric bicycle charging points within the employee bicycle compound;
  - (n) Update elevations to clarify the proposed material for the eastern boundary wall, and clarify use of (CN-01) on the elevations;
  - (o) Show details of street art proposed for the eastern boundary wall;
  - (p) Amend rooftop plan to show solar PV system sizes;
  - (q) Amend basement plans to clearly identify locations for fuel-efficient vehicles, motorcycle parking and electric vehicle charging;

- (r) cross section drawing (ground clearance check) of the basement car parking vehicle entrance (and associated crossover) using the B99 design vehicle. The ground clearance check must provide (or show) the following:
  - (i) spot levels of the reduced level 1m inside the property, the property boundary level, the bottom of the kerb (invert level), the edge of the channel level and at least three levels of the road pavement of Kingston Street;
  - (ii) no vehicle scraping or 'bottoming out' of a B99 vehicle as it accesses the subject site via Kingston Street;
- (s) cross section drawing (ground clearance check) of the loading dock (and associated crossover) using the B99 design vehicle. The ground clearance check must provide (or show) the following:
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- (t) any requirement of the endorsed Façade Strategy (condition 3) (where relevant to show on plans);
- (u) any requirement of the endorsed Sustainable Management Plan (condition 5) (where relevant to show on plans);
- (v) any requirement of the endorsed Landscape Plan (condition 9) (where relevant to show on plans).
- (w) any requirement of the endorsed Wind Tunnel Modelling Report (condition 14) (where relevant to show on plans);
- (x) any requirement of the endorsed Acoustic Report (condition 16) (where relevant to show on plans); and
- (y) screening to limit overlooking to the eastern, residentially zoned dwellings at 82 – 86 Brighton Street, applied to the eastern facades of the upper levels.

2. The use and development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
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; and
  - (d) a detailed materials schedule and coloured drawings outlining colours, materials and finishes.
4. As part of the ongoing consultant team, Gray Puksand or an architectural firm to the satisfaction of the Responsible Authority must be engaged to:
  - (a) oversee the 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 Meinhardt, dated 26 November 2021, but modified to include or show:
  - (a) Confirm formal certification through the Green Building Council of Australia or alternatively update the Sustainable Management Plan to use an acceptable framework such as BESS;
  - (b) Amend innovations claims to ensure all innovations are valid in accordance with either a Green Star Rating formally certified through the Green Building Council of Australia or an acceptable framework such as BESS;
  - (c) Clarify % improvement over National Construction Code requirements and provide a JV3 report that compares the proposal (fabric, services etc) against a reference building to support claims;
  - (d) Clarify the Hot Water System proposed for the building (consider all-electric / gas-free) and include within the JV;
  - (e) Clarify Heating Ventilation and Air Conditioning system proposed for the building and include within the JV3;
  - (f) Clarify how the basement car parks are to be ventilated;
  - (g) Confirm utility metering will be provided for each individual tenancy;
  - (h) Confirm that that post-development stormwater flows will not exceed pre-development levels.
  - (i) Confirm details of any additional stormwater treatment strategies required to exceed *Best Practice Environmental Management Guidelines* stormwater targets;
  - (j) Confirm inclusion of recycled materials (e.g. bricks) or products with post-consumer content (e.g. Glass wool/polyester insulation);
  - (k) Clarify how the building and landscape design has responded to and mitigated urban heat impacts;
  - (l) Confirm High-SRI roofing is proposed to assist with urban cooling;
  - (m) Confirm engagement of a head contractor with a valid ISO 14001 accreditation.
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.

### **Waste Management Plan**

7. The provisions, recommendations and requirements of the endorsed Waste Management Plan generally in accordance with the Waste Management Plan prepared by Traffix Group and dated 24 November 2021, must be implemented and complied with to the satisfaction of the Responsible Authority.
8. The collection of waste from the site must be by private collection, unless with the prior written consent of the Responsible Authority.

### **Landscape Plan**

9. Before the development commences, an amended Landscape Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Landscape Plan will be endorsed and will form part of this permit. The amended Landscape Plan must be generally in accordance with the Landscape Plan prepared by Site Image Landscape Architects and dated 01 February 2022, but modified to include (or show):
  - (a) a planting plan and plant schedule for all landscape areas, showing proposed species, number of plants, height and width at maturity and installation size.

- (b) Detailed drawings for elements such planter boxes – showing dimensions, drainage, irrigation, lining, materials and growing media, with volumes of growing media to be appropriate for the plant species proposed.
- (c) information on proposed irrigation system.
- (d) a maintenance schedule, including task details and frequency.
- (e) Demonstrate how maintenance contractors can safely access green wall planting above ground level, the rain garden on Level 01, and planters on the outside of balustrades, such as on Level 05.
- (f) Provide a non-trafficable roof garden to the east-facing terrace at level 10 (i.e. level 8 accounting for condition 1(a));
- (g) Increase the size and soil depth of the level 11 (i.e. level 9 accounting for condition 1(a)) terrace plantings;
- (h) Paving within the Kingston Street and Church Street ground floor setbacks to be visually-delineated from any surface treatments on public land;

to the satisfaction of the Responsible Authority.

10. 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, all to the satisfaction of the Responsible Authority.

#### **Street Tree Protection Bond**

11. Before the development commences, the permit holder must provide an Asset Protection Bond of \$4,480 (ex GST), for the two street trees along the Church Street footpath unless otherwise advised by the Responsible Authority. The security bond:
  - (a) must be provided to the Responsible Authority in the form of a bank cheque or guarantee;
  - (b) may be held by the Responsible Authority until the works are completed to the satisfaction of the Responsible Authority; and
  - (c) must be in accordance with the requirements of this permit.

#### **Tree Management Plan**

12. Before the development commences, a Tree Management Plan 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 detail management and protection measures for the two street trees along the site's Church Street frontage to the satisfaction of the Responsible Authority.
13. The provisions, recommendations and requirements of the endorsed Tree Management Plan must be complied with and implemented thereafter to the satisfaction of the Responsible Authority.

#### **Wind Tunnel Modelling Report**

14. Before the development commences, a Wind Tunnel Modelling Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Wind Tunnel Report will be endorsed and will form part of this permit. The Wind Tunnel Modelling Report must be generally in accordance with the Wind Impact Statement prepared by MEL Consultants and dated 26 November 2021, but modified to include (or show):

- (a) At least part of the level 11 (i.e. level 8 accounting for condition 1(a)) terrace to achieve the standing comfort criterion;
- (b) the level 4 and 5 terraces will achieve the walking comfort criterion;
- (c) assess wind conditions for the level 10 (i.e. level 7 accounting for condition 1(a)) terrace, with this terrace achieving the walking comfort criterion;
- (d) assess the north-eastern ground floor courtyard, achieving a minimum of the standing comfort criterion;

to the satisfaction of the Responsible Authority.

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

### **Acoustic Report**

16. 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 SLR and dated 26 November 2021, but modified to include (or show):

- (a) Background noise levels taken at the site during the evening and night time to ascertain the resultant Noise Protocol limits for the site;
- (b) Commitment that need a detailed acoustic review be conducted once the specifications of the mechanical plant is available;
- (c) Commitment that the lowest-noise mechanical plan equipment available (as appropriate for the development) be utilised;

to the satisfaction of the Responsible Authority.

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

### **Road Infrastructure**

18. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the kerb and channel along the property's Kingston Street road frontage must be reconstructed to Council's satisfaction and at the permit holders cost.

19. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the footpath immediately outside the property's Kingston Street road frontage must be stripped and re-sheeted:

- (a) at no cost to the Responsible Authority;
- (b) with a cross-fall of 1 in 33 (for asphalt) or unless otherwise approved in writing by the Responsible Authority;
- (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 roads, footpaths and other road related infrastructure adjacent to the development site damaged as a result of the construction works (including trenching and excavation for utility service connections) must be reinstated:

- (a) at no cost to the Responsible Authority;
- (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 new vehicle crossing(s) must be constructed:
- (a) In accordance with any requirements of conditions imposed by Council;
  - (b) At the permit holder's cost,
- all to the satisfaction of the Responsible Authority.

### **Car Parking**

22. 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,
- all 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, a notice showing the location of car parking must be placed in a clearly visible position near the entry to the land. The notice must be maintained thereafter to the satisfaction of the Responsible Authority.

### **Green Travel Plan**

24. 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 Traffix Group and dated 26 November 2021, but modified to include (or show):
- (a) access arrangements for all employee bicycle parking spaces from Church Street;
  - (b) establishing an employee bicycle users group (or similar) to encourage mode shift;
  - (c) promotion of walking for both transport and recreation;
  - (d) reference to a minimum 40A single phase electrical sub circuit to be installed in car park areas for all car parking spaces to be 'EV ready'.
25. The provisions, recommendations and requirements of the endorsed Green Travel Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

### **Lighting**

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

### **General**

27. Finished floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.
28. The amenity of the area must not be detrimentally affected by the construction, 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.

- 29. 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.
- 30. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
- 31. 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.

### **Development Contributions**

- 32. Prior to the issue of a building permit, commencement of the development, or issue of a Statement of Compliance (whichever occurs first) the Development Infrastructure Levy must be paid to Yarra City Council in accordance with the approved Development Contributions Plan, or the Owner must enter into an agreement with Yarra City Council to pay the amount of the levy within a time specified in the agreement.

### **Construction Management**

- 33. 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
  - (vi) any site-specific requirements.

During the construction:

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

34. 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 9am or after 3pm; or
  - (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.

#### **Time expiry**

35. 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; or
- 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.

The permit holder must obtain approval from the relevant authorities to remove and/or build over the easement(s).

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

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.

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

Contaminated ground water seepage into basements from above the water table must be discharged to the sewer system through a trade waste agreement with the relevant authority or in accordance with EPA guidelines.

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.

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

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

The Permit Holder/developer is responsible for the management and protection of their building from groundwater.

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.

1.

**CARRIED UNANIMOUSLY**

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**6.2**      **PLN21/0987 - 393 Bridge Road Richmond - Construction of an eight storey office building (no permit required for office use) and an associated reduction to the car parking and bicycle facility requirements.**

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**Reference**      D22/154548  
**Author**          Jessica Sutherland - Statutory Planner  
**Authoriser**     Senior Coordinator Statutory Planning

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**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 for the construction of a multi-storey office building (no permit required for office use) and an associated reduction in the car parking and visitor bicycle facility requirements at No. 393 Bridge Road Richmond subject to the following conditions:

1. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions, and must be generally in accordance with the decision plans prepared by Davey Architecture Studio, dated December 2021 and March 2022, Plans TP-SC01, TP-SC02 A, TP-SC03 A, TP-SC04, TP-SC05, TP-SC06, TP-SC07 A, TP-SC08 A, TP01 A, TP02 A, TP03 A, TP04 A, TP05 A, TP06 A, TP07 A, TP08 A, TP09 A, TP10 A, TP11 A, TP12 A, TP13 A, TP13.1, TP14 A, TP14.1, TP15 A, TP16 A, TP17 A, TP18 A, TP101, TP102, TP103, TP104, TP105, TP106, TP107, TP19 A, TP20, TP21 but modified to show:
  - (a) Deletion of Level 4 and Level 7.
  - (b) The core be reduced to provide for one stairwell and one lift between the new Levels 4 and 5.
  - (c) The new Level 5 be set off the western boundary by 1 metre, excluding the building core.
  - (d) The articulation of the western boundary wall generally as shown in the sketch plans submitted on 20 June 2022, with indented depth of a minimum 200mm.
  - (e) The building to demonstrate compliance with the building separation requirements of DDO21, through the reduction in the maximum height to 21 metres or through a setback of built form above the height of 21 metres by a minimum 4.3 metre from the western boundary.
  - (f) The symbol of access for the accessible parking spaces and the diagonal striped line markings for the shared areas provided in accordance with AS/NZS 2890.6:2009.
  - (g) Within the car parking areas, the column depths and setbacks from the aisle dimensioned and designed in accordance with the provisions of Clause 52.06-9.
  - (h) The finished floor levels along the front edge of the development vehicle entrance 40mm higher than the edge of the laneway.
  - (i) The easternmost visitor bicycle hoop along Bridge Road relocated.
  - (j) a minimum of 37 employee bicycle spaces to be provided on-site within a lockable secure area/s.

- (k) All bicycle parking spaces and accessways dimensioned to demonstrate compliance with Australian Standard AS2890.3.
  - (l) A minimum of 20% of employee bicycle parking provided as horizontal parking spaces in accordance AS 2890.3.
  - (m) Details of types of lockers within the end of trip facilities, with at least 50% of lockers providing hanging storage space.
  - (n) All car parking areas electrically wired to be 'EV ready', with a minimum 40A single phase electrical sub circuit installed for this purpose.
  - (o) At least two charging points provided in the employee bicycle parking area for the charging of electric bicycles.
  - (p) The materiality of the plant screen.
  - (q) The awnings on Bridge Road and Coppin Street set back a minimum of 750mm from the corresponding street kerbs.
  - (r) Sensor lighting provided in the undercroft to the rear laneway, baffled to prevent light spill, and proximate to the pedestrian door.
  - (s) The following to be designed to limit views (i.e. maximum 25% openings) to a height of 1.7m within 9m of the secluded private open space of No. 50 Coppin Street:
    - (i) The Level 1 and Level 2 northern windows
    - (ii) The Level 3 terrace
    - (iii) The new Level 4 terrace
  - (t) The awning with a minimum setback of 3 metres from the street tree's trunk.
  - (u) Any changes required by the endorsed Acoustic Report pursuant to Condition 9.
  - (v) Any changes required by the endorsed Sustainability Management Plan pursuant to Condition 12.
  - (w) Any changes required by the endorsed Landscape Plan pursuant to Condition 16.
  - (x) Any changes required by the endorsed Tree Management Plan pursuant to Condition 18.
  - (y) Any changes required by the endorsed Wind assessment pursuant to Condition 21.
  - (z) Any changes required to comply with Department of Transport Condition 24.
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. Finished floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.
  4. As part of the ongoing progress and development of the site, Davey Architecture Studio 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.

## **Façade Strategy**

5. 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;
  - (d) a sample board and coloured drawings outlining colours, materials and finishes, including the following:
    - (i) Glazing materials used on all external walls must be of a type that does not reflect more than 20% of visible light, when measured at an angle of 90 degrees to the glass surface.
    - (ii) The tinted mirror finish to the booster cupboards as non-reflective.
  - (e) The strategy must illustrate the legibility of the proposal from short and distant views, including the extent of podium treatment, façade pattern, colours and ability to provide richness, saturation and depth. This can be provided through montages from various vantage points and/or built model.

## **Streetscape Plan**

6. Before the development commences, a Streetscape Plan providing for the extension of the Coppin Street kerb and detailing the interface between the Coppin Street kerb and eastern boundary of the subject site to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Streetscape Plan will be endorsed and will form part of this permit. The Streetscape Plan to include the following:
  - (a) Extension of the kerb outstand along the Coppin Street site frontage, whilst maintaining vehicle turning movements into the road medium car parking spaces and access to the northern laneway;
  - (b) Proposed landscaping and any street infrastructure within the extended kerb;
  - (c) reconstructed footpath adjacent to the building line (including surface material to match with the existing footpath or otherwise agreed by the Responsible Authority);
  - (d) Details on how drainage will be managed, and any proposed drainage infrastructure;
7. The provisions, recommendations and requirements of the endorsed Streetscape Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
8. Prior to occupation of the development, or at a later date agreed in writing by the Responsible Authority, the works (including any maintenance requirements) shown on the endorsed Streetscape Plan pursuant to Condition 6 must be completed to the satisfaction of the Responsible Authority and at the cost of the permit holder.

## **Acoustic Report Required**

9. Before the development commences, an Acoustic Report to the satisfaction of the Responsible Authority must be prepared by a suitably qualified acoustic engineer and must be submitted to and approved by the Responsible Authority. When approved, the Acoustic Report will be endorsed and will form part of this permit. The Acoustic Report must assess the following:
  - (a) The mechanical plant and proposed car lift and make recommendations to limit the noise impacts in accordance with the Environment Protection Regulations under the Environment Protection Act 2017 and the incorporated Noise Protocol (Publication 1826.4, Environment Protection Authority, May 2021) or any other requirement to the satisfaction of the Responsible Authority, as may be amended from time to time.

### **Green Travel Plan**

10. Before the development commences, an amended Green Travel Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Green Travel Plan will be endorsed and will form part of this permit. The amended Green Travel Plan must be generally in accordance with the Green Travel Plan prepared by One Mile Grid and dated 8 March 2022, but modified to include or show:
  - (a) A minimum of 37 bicycle spaces for employees.
  - (b) Details of how the bicycle parking will be accessed, including security arrangements for employee spaces
  - (c) The types of bicycle storage devices proposed to be used for employee and visitor spaces (ie hanging or floor mounted spaces)
  - (d) Signage and wayfinding information for bicycle facilities and pedestrians pursuant to Australian Standard AS2890.3.
  - (e) Details of types of lockers, with at least 50% of lockers providing hanging storage space.
  - (f) Provide one (1) uni-sex shower / changeroom in addition to the proposed EOT facilities.
  - (g) All car parking areas electrically wired to be 'EV ready', with a minimum 40A single phase electrical sub circuit installed for this purpose.
  - (h) At least two charging points provided in the employee bicycle parking area for the charging of electric bicycles.
11. The provisions, recommendations and requirements of the endorsed Green Travel Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

### **Sustainable Management Plan**

12. 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 Ark resources and dated 18 March 2022, but modified to include or show:
  - (a) Clarify misalignment of operable windows and consider extending strategy to lower levels also.
  - (b) Clarify provision of high-quality external views.
  - (c) Confirm the NABERS target rating with the associated documentation provided as an appendix.
  - (d) Provide full energy modelling (JV3 or similar).
  - (e) Clarify hot water system (electric heat pump or similar).
  - (f) Confirm percentage peak demand reduction in heating and cooling demand associated with building design.
  - (g) Clarify heating and cooling system proposed for the building.
  - (h) Confirm CO monitoring / ventilation approach for the basement car park.
  - (i) Clearly outline strategies to reduce energy demand from lighting.
  - (j) Provide more details regarding the fire testing and potable water reduction response.

- (k) Confirm whether recycled materials (i.e. bricks) or products with post-consumer content (i.e. insulation) will be incorporated to reduce environmental impacts.
  - (l) Clarify best practice specifications for PVC
  - (m) Provide a statement as to how the building and landscape design has responded to and mitigates the urban heat island effect, including high-SRI roofing and external finishes.
  - (n) Revise the 90% landfill diversion target to provide a more innovative response.
  - (o) Confirm building tuning and commissioning strategy.
  - (p) Clarify commitment to appoint an ISO 14001 accredited head contractor.
  - (q) Confirm provision of a project-specific Environmental Management Plan to guide the construction phase.
  - (r) Provide one (1) uni-sex shower / changeroom in addition to the proposed EOT facilities.
13. Prior to the occupation of the development approved under this permit, a report from the author of the sustainable management plan, approved pursuant to this permit, or similarly qualified person or company, must be submitted to the Responsible Authority. The report must be to the satisfaction of the Responsible Authority and must confirm that all measures specified in the sustainable management plan have been implemented in accordance with the approved plan.
14. The provisions, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

#### **Waste Management Plan**

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

#### **Landscaping Plan**

16. Before the development commences, an amended Landscape Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Landscape Plan will be endorsed and will form part of this permit. The amended Landscape Plan must be generally in accordance with the Landscape Plan prepared by memLa and dated 16 March 2022, but modified to include (or show):
- (a) Confirmation that volumes of growing media will be adequate for species nominated for each of the planters.
  - (b) Dimensions for the green wall detail.
  - (c) Confirmation of the soil volume for each creeper associated with the green wall.
  - (d) Confirmation, from a suitably qualified structural engineer, that the load bearing weights of the building structure can allow for the required saturated bulk density of soil media, planter box and plant mass being proposed.
  - (e) Confirmation of how deck areas are accessed for maintenance purposes, including entry and exit points.
  - (f) Details of proposed irrigation including sources of water and location of irrigation control units.
  - (g) Provide a maintenance schedule, including tasks and frequency.
  - (h) Compliance with the landscape specifications in accordance with the endorsed wind report pursuant to Condition 21

17. 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**

18. 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 the street tree on Bridge Road:
  - (b) pre-construction;
  - (c) during construction; and
  - (d) post construction
  - (e) the provision of any barriers;
  - (f) any pruning necessary; and
  - (g) watering and maintenance regimes,
- to the satisfaction of the Responsible Authority.
19. The provisions, recommendations and requirements of the endorsed Tree Management Plan must be complied with and implemented to the satisfaction of the Responsible Authority.

### **Street Trees Bond**

20. Before the development commences, the permit holder must provide an Asset Protection Bond of \$5,000 (ex GST) for the tree to the west of the Bridge Road, 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
  - (d) otherwise to the satisfaction of the Responsible Authority.

### **Wind Assessment**

21. Before the development commences, an amended Wind Assessment Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Wind Assessment Report will be endorsed and will form part of this permit. The amended Wind Assessment Report must be generally in accordance with the Wind Assessment Report prepared by Windtech and dated 3 March 2022, but modified to include (or show):
- (a) assessment of the standing comfort expected outside the main entrance and the walking comfort expected on the terraces in accordance with the report prepared by Windtech and dated 11 June 2022;
  - (b) but further modified to achieve the safety criteria with built form (i.e. balustrades), in lieu of foliage.

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

#### **Department of Transport Conditions (23 – 26)**

23. Prior to commencement of use all disused or redundant vehicle crossings must be removed, and the area reinstated to the satisfaction of the Responsible Authority and at no cost to the Head, Transport for Victoria.
24. The canopy/awning located along the Bridge Road façade at the corner of Coppin Street must provide a minimum setback of 0.5 metres from any part of the traffic signal at this location.
25. The permit holder must avoid disruption to tram operation along Bridge Road during the construction of the development. Any planned disruptions to tram operation during construction and mitigation measures must be communicated to and approved by the Head, Transport for Victoria and Yarra Trams a minimum of thirty-five days (35) prior.
26. The permit holder must ensure that all track, tram and overhead infrastructure is not damaged. Any damage to public transport infrastructure must be rectified to the satisfaction of the Head, Transport for Victoria at the full cost of the permit holder.

#### **Development Infrastructure Levy**

27. Prior to the commencement of the development the Development Infrastructure Levy must be paid to Yarra City Council in accordance with the approved Development Contributions Plan; or the Owner must enter into an agreement with Yarra City Council to pay the Development Infrastructure Levy within a time specified in the agreement.

#### **Construction Management Plan**

28. 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

If required, the Construction Management Plan may be approved in stages. Construction of each stage must not commence until a Construction Management Plan has been endorsed for that stage, to the satisfaction of the Responsible Authority.

29. 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.

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

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

- (a) Monday to Friday (excluding public holidays) before 7 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.

32. 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 vehicle entry, laneway and bicycle entrance must be provided within the property boundary. Lighting must be:

- (a) located;
- (b) directed;

- (c) shielded; and
- (d) of limited intensity,

to the satisfaction of the Responsible Authority.

33. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, all new on-boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.
34. 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.
35. The amenity of the area must not be detrimentally affected by the 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.
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. Prior to the completion of the development, subject to the relevant authority's consent, the relocation of any Council assets necessary to facilitate the development must be undertaken:
  - (a) in accordance with any requirements or conditions imposed by the relevant authority;
  - (b) at the permit holder's cost; and
  - (c) to the satisfaction of the Responsible Authority.
38. Within 2 months of the completion of the development, 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.
39. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.
40. Within 2 months of the completion of the development, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated:
  - (a) At the permit holder's cost; and
  - (b) To the satisfaction of the Responsible Authority.
41. All pipes, fixtures and fittings servicing any building on the land must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.
42. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the areas 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) and
- (d) line-marked or provided with some adequate means of showing the car parking spaces.

to the satisfaction of the Responsible Authority.

- 43. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the car lift must be installed in accordance with the manufacturer's specifications by a suitably qualified person. The car lift must be maintained thereafter to the satisfaction of the Responsible Authority.
- 44. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, three (3) bike hoops must be installed within the pavement along the site frontage:
  - (a) at the permit holder's cost; and
  - (b) in a location and manner,

to the satisfaction of the Responsible Authority.

### **Expiry conditions**

- 45. 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**

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 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.

All future business (whether as owners, lessees/tenants, occupiers) within the development approved under this permit, will not be permitted to obtain business parking permits.

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

Areas must be provided inside the property line and adjacent to the footpath to accommodate pits and meters. No private pits, boundary traps, 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.

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.

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.

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.

### Submissions

Robbie McKenzie, Ratio Consultants (for the applicant)  
Lynda U'Ren  
Lucy Eastoe  
Victoria Chipperfield  
Megan Arnott  
Kate Jones  
Ivy Pham

## **PLANNING DECISIONS COMMITTEE RESOLUTION**

**Moved:** Councillor Landes

**Seconded:** Councillor Stone

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 for the construction of a multi-storey office building (no permit required for office use) and an associated reduction in the car parking and visitor bicycle facility requirements at No. 393 Bridge Road Richmond subject to the following conditions:

1. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions, and must be generally in accordance with the decision plans prepared by Davey Architecture Studio, dated December 2021 and March 2022, Plans TP-SC01, TP-SC02 A, TP-SC03 A, TP-SC04, TP-SC05, TP-SC06, TP-SC07 A, TP-SC08 A, TP01 A, TP02 A, TP03 A, TP04 A, TP05 A, TP06 A, TP07 A, TP08 A, TP09 A, TP10 A, TP11 A, TP12 A, TP13 A, TP13.1, TP14 A, TP14.1, TP15 A, TP16 A, TP17 A, TP18 A, TP101, TP102, TP103, TP104, TP105, TP106, TP107, TP19 A, TP20, TP21 but modified to show:
  - (a) Deletion of Level 4 and Level 7.
  - (b) The core be reduced to provide for one stairwell and one lift between the new Levels 4 and 5.

- (c) The new Level 5 be set off the western boundary by 1 metre, excluding the building core.
- (d) The articulation of the western boundary wall generally as shown in the sketch plans submitted on 20 June 2022, with indented depth of a minimum 200mm.
- (e) The building to demonstrate compliance with the building separation requirements of DDO21, through the reduction in the maximum height to 21 metres or through a setback of built form above the height of 21 metres by a minimum 4.3 metre from the western boundary.
- (f) The symbol of access for the accessible parking spaces and the diagonal striped line markings for the shared areas provided in accordance with AS/NZS 2890.6:2009.
- (g) Within the car parking areas, the column depths and setbacks from the aisle dimensioned and designed in accordance with the provisions of Clause 52.06-9.
- (h) The finished floor levels along the front edge of the development vehicle entrance 40mm higher than the edge of the laneway.
- (i) The easternmost visitor bicycle hoop along Bridge Road relocated.
- (j) a minimum of 37 employee bicycle spaces to be provided on-site within a lockable secure area/s.
- (k) All bicycle parking spaces and accessways dimensioned to demonstrate compliance with Australian Standard AS2890.3.
- (l) A minimum of 20% of employee bicycle parking provided as horizontal parking spaces in accordance AS 2890.3.
- (m) Details of types of lockers within the end of trip facilities, with at least 50% of lockers providing hanging storage space.
- (n) All car parking areas electrically wired to be 'EV ready', with a minimum 40A single phase electrical sub circuit installed for this purpose.
- (o) At least two charging points provided in the employee bicycle parking area for the charging of electric bicycles.
- (p) The materiality of the plant screen.
- (q) The awnings on Bridge Road and Coppin Street set back a minimum of 750mm from the corresponding street kerbs.
- (r) Sensor lighting provided in the undercroft to the rear laneway, baffled to prevent light spill, and proximate to the pedestrian door.
- (s) The following to be designed to limit views (i.e. maximum 25% openings) to a height of 1.7m within 9m of the secluded private open space of No. 50 Coppin Street:
  - (i) The Level 1 and Level 2 northern windows
  - (ii) The Level 3 terrace
  - (iii) The new Level 4 terrace
- (t) The awning with a minimum setback of 3 metres from the street tree's trunk.
- (u) Any changes required by the endorsed Acoustic Report pursuant to Condition 9.
- (v) Any changes required by the endorsed Sustainability Management Plan pursuant to Condition 12.
- (w) Any changes required by the endorsed Landscape Plan pursuant to Condition 16.
- (x) Any changes required by the endorsed Tree Management Plan pursuant to Condition 18.
- (y) Any changes required by the endorsed Wind assessment pursuant to Condition 21.

- (z) Any changes required to comply with Department of Transport Condition 24.
- (aa) The northern elevation set back in accordance with Figure 1 within Schedule 2 to the Design and Development Overlay (Clause 43.02) of the Yarra Planning Scheme.
- (bb) The entire ground floor (excluding east and west boundary walls), to be set back a minimum 3m from the northern title boundary, providing a clearance height of 3.2m
- (cc) The external door to the car lift clearly shown on the ground floor plan.
- (dd) Reconfiguration of the gas cupboard and ground floor toilets to allow for the northern laneway bicycle entry to have a minimum width of 2 metres with the entry doors provided as sliding doors.
- (ee) Internal door adjacent to the wheelchair-accessible toilet provided as a sliding door.
- (ff) Internal door to the lift lobby and bicycle room at Basement 1 provided as a sliding door.
- (gg) Provision of bicycle signage at the northern laneway entry (to assist with legibility for cyclist arriving to the building).

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. Finished floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.
4. As part of the ongoing progress and development of the site, Davey Architecture Studio 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.

### **Façade Strategy**

5. 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;
  - (d) a sample board and coloured drawings outlining colours, materials and finishes, including the following:
    - (i) Glazing materials used on all external walls must be of a type that does not reflect more than 20% of visible light, when measured at an angle of 90 degrees to the glass surface.
    - (ii) The tinted mirror finish to the booster cupboards as non-reflective.
  - (e) The strategy must illustrate the legibility of the proposal from short and distant views, including the extent of podium treatment, façade pattern, colours and ability to provide richness, saturation and depth. This can be provided through montages from various vantage points and/or built model.

### **Streetscape Plan**

6. Before the development commences, a Streetscape Plan providing for the extension of the Coppin Street kerb and detailing the interface between the Coppin Street kerb and eastern boundary of the subject site to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Streetscape Plan will be endorsed and will form part of this permit. The Streetscape Plan to include the following:
  - (a) Extension of the kerb outstand along the Coppin Street site frontage, whilst maintaining vehicle turning movements into the road medium car parking spaces and access to the northern laneway;
  - (b) Proposed landscaping and any street infrastructure within the extended kerb;
  - (c) reconstructed footpath adjacent to the building line (including surface material to match with the existing footpath or otherwise agreed by the Responsible Authority);
  - (d) Details on how drainage will be managed, and any proposed drainage infrastructure;
7. The provisions, recommendations and requirements of the endorsed Streetscape Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
8. Prior to occupation of the development, or at a later date agreed in writing by the Responsible Authority, the works (including any maintenance requirements) shown on the endorsed Streetscape Plan pursuant to Condition 6 must be completed to the satisfaction of the Responsible Authority and at the cost of the permit holder.

### **Acoustic Report Required**

9. Before the development commences, an Acoustic Report to the satisfaction of the Responsible Authority must be prepared by a suitably qualified acoustic engineer and must be submitted to and approved by the Responsible Authority. When approved, the Acoustic Report will be endorsed and will form part of this permit. The Acoustic Report must assess the following:
  - (a) The mechanical plant and proposed car lift and make recommendations to limit the noise impacts in accordance with the Environment Protection Regulations under the Environment Protection Act 2017 and the incorporated Noise Protocol (Publication 1826.4, Environment Protection Authority, May 2021) or any other requirement to the satisfaction of the Responsible Authority, as may be amended from time to time.

### **Green Travel Plan**

10. Before the development commences, an amended Green Travel Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Green Travel Plan will be endorsed and will form part of this permit. The amended Green Travel Plan must be generally in accordance with the Green Travel Plan prepared by One Mile Grid and dated 8 March 2022, but modified to include or show:
  - (a) A minimum of 37 bicycle spaces for employees.
  - (b) Details of how the bicycle parking will be accessed, including security arrangements for employee spaces
  - (c) The types of bicycle storage devices proposed to be used for employee and visitor spaces (ie hanging or floor mounted spaces)
  - (d) Signage and wayfinding information for bicycle facilities and pedestrians pursuant to Australian Standard AS2890.3.
  - (e) Details of types of lockers, with at least 50% of lockers providing hanging storage space.
  - (f) Provide one (1) uni-sex shower / changeroom in addition to the proposed EOT facilities.

- (g) All car parking areas electrically wired to be 'EV ready', with a minimum 40A single phase electrical sub circuit installed for this purpose.
  - (h) At least two charging points provided in the employee bicycle parking area for the charging of electric bicycles.
  - (i) The bicycle access and signage in accordance with the requirements of Condition 1.
11. The provisions, recommendations and requirements of the endorsed Green Travel Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

### **Sustainable Management Plan**

12. 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 Ark resources and dated 18 March 2022, but modified to include or show:
- (a) Clarify misalignment of operable windows and consider extending strategy to lower levels also.
  - (b) Clarify provision of high-quality external views.
  - (c) Confirm the NABERS target rating with the associated documentation provided as an appendix.
  - (d) Provide full energy modelling (JV3 or similar).
  - (e) Clarify hot water system (electric heat pump or similar).
  - (f) Confirm percentage peak demand reduction in heating and cooling demand associated with building design.
  - (g) Clarify heating and cooling system proposed for the building.
  - (h) Confirm CO monitoring / ventilation approach for the basement car park.
  - (i) Clearly outline strategies to reduce energy demand from lighting.
  - (j) Provide more details regarding the fire testing and potable water reduction response.
  - (k) Confirm whether recycled materials (i.e. bricks) or products with post-consumer content (i.e. insulation) will be incorporated to reduce environmental impacts.
  - (l) Clarify best practice specifications for PVC
  - (m) Provide a statement as to how the building and landscape design has responded to and mitigates the urban heat island effect, including high-SRI roofing and external finishes.
  - (n) Revise the 90% landfill diversion target to provide a more innovative response.
  - (o) Confirm building tuning and commissioning strategy.
  - (p) Clarify commitment to appoint an ISO 14001 accredited head contractor.
  - (q) Confirm provision of a project-specific Environmental Management Plan to guide the construction phase.
  - (r) Provide one (1) uni-sex shower / changeroom in addition to the proposed EOT facilities.

13. Prior to the occupation of the development approved under this permit, a report from the author of the sustainable management plan, approved pursuant to this permit, or similarly qualified person or company, must be submitted to the Responsible Authority. The report must be to the satisfaction of the Responsible Authority and must confirm that all measures specified in the sustainable management plan have been implemented in accordance with the approved plan.
14. The provisions, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

### **Waste Management Plan**

15. 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 One Mile Grid and dated 22 December 2021, but modified to include (or show):

- (a) The waiting bay and associated swept path diagrams of the waste collection truck in accordance with the requirements to redesign the undercroft as outlined at Condition 1.

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

### **Landscaping Plan**

16. Before the development commences, an amended Landscape Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Landscape Plan will be endorsed and will form part of this permit. The amended Landscape Plan must be generally in accordance with the Landscape Plan prepared by memLa and dated 16 March 2022, but modified to include (or show):

- (a) Confirmation that volumes of growing media will be adequate for species nominated for each of the planters.
- (b) Dimensions for the green wall detail.
- (c) Confirmation of the soil volume for each creeper associated with the green wall.
- (d) Confirmation, from a suitably qualified structural engineer, that the load bearing weights of the building structure can allow for the required saturated bulk density of soil media, planter box and plant mass being proposed.
- (e) Confirmation of how deck areas are accessed for maintenance purposes, including entry and exit points.
- (f) Details of proposed irrigation including sources of water and location of irrigation control units.
- (g) Provide a maintenance schedule, including tasks and frequency.
- (h) Compliance with the landscape specifications in accordance with the endorsed wind report pursuant to Condition 21

17. 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**

18. 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 the street tree on Bridge Road:
- (b) pre-construction;
- (c) during construction; and
- (d) post construction
- (e) the provision of any barriers;
- (f) any pruning necessary; and
- (g) watering and maintenance regimes,

to the satisfaction of the Responsible Authority.

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

### **Street Trees Bond**

20. Before the development commences, the permit holder must provide an Asset Protection Bond of \$5,000 (ex GST) for the tree to the west of the Bridge Road, 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
- (d) otherwise to the satisfaction of the Responsible Authority.

### **Wind Assessment**

21. Before the development commences, an amended Wind Assessment Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Wind Assessment Report will be endorsed and will form part of this permit. The amended Wind Assessment Report must be generally in accordance with the Wind Assessment Report prepared by Windtech and dated 3 March 2022, but modified to include (or show):

- (a) assessment of the standing comfort expected outside the main entrance and the walking comfort expected on the terraces in accordance with the report prepared by Windtech and dated 11 June 2022;
- (b) but further modified to achieve the safety criteria with built form (i.e. balustrades), in lieu of foliage.

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

### **Department of Transport Conditions (23 – 26)**

23. Prior to commencement of use all disused or redundant vehicle crossings must be removed, and the area reinstated to the satisfaction of the Responsible Authority and at no cost to the Head, Transport for Victoria.
24. The canopy/awning located along the Bridge Road façade at the corner of Coppin Street must provide a minimum setback of 0.5 metres from any part of the traffic signal at this location.
25. The permit holder must avoid disruption to tram operation along Bridge Road during the construction of the development. Any planned disruptions to tram operation during construction and mitigation measures must be communicated to and approved by the Head, Transport for Victoria and Yarra Trams a minimum of thirty-five days (35) prior.
26. The permit holder must ensure that all track, tram and overhead infrastructure is not damaged. Any damage to public transport infrastructure must be rectified to the satisfaction of the Head, Transport for Victoria at the full cost of the permit holder.

#### **Development Infrastructure Levy**

27. Prior to the commencement of the development the Development Infrastructure Levy must be paid to Yarra City Council in accordance with the approved Development Contributions Plan; or the Owner must enter into an agreement with Yarra City Council to pay the Development Infrastructure Levy within a time specified in the agreement.

#### **Construction Management Plan**

28. 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

If required, the Construction Management Plan may be approved in stages. Construction of each stage must not commence until a Construction Management Plan has been endorsed for that stage, to the satisfaction of the Responsible Authority.

29. 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.

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

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

- (a) Monday to Friday (excluding public holidays) before 7 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.

32. 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 vehicle entry, laneway and bicycle entrance must be provided within the property boundary. Lighting must be:

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

to the satisfaction of the Responsible Authority.

33. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, all new on-boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.
34. 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.
35. The amenity of the area must not be detrimentally affected by the 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.
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. Prior to the completion of the development, subject to the relevant authority's consent, the relocation of any Council assets necessary to facilitate the development must be undertaken:
  - (a) in accordance with any requirements or conditions imposed by the relevant authority;
  - (b) at the permit holder's cost; and
  - (c) to the satisfaction of the Responsible Authority.
38. Within 2 months of the completion of the development, 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.
39. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.
40. Within 2 months of the completion of the development, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated:
  - (a) At the permit holder's cost; and
  - (b) To the satisfaction of the Responsible Authority.
41. All pipes, fixtures and fittings servicing any building on the land must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.
42. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the areas 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) and

- (d) line-marked or provided with some adequate means of showing the car parking spaces.

to the satisfaction of the Responsible Authority.

- 43. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the car lift must be installed in accordance with the manufacturer's specifications by a suitably qualified person. The car lift must be maintained thereafter to the satisfaction of the Responsible Authority.
- 44. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, three (3) bike hoops must be installed within the pavement along the site frontage:
  - (a) at the permit holder's cost; and
  - (b) in a location and manner,

to the satisfaction of the Responsible Authority.

### **Expiry conditions**

- 45. 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**

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 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.

All future business (whether as owners, lessees/tenants, occupiers) within the development approved under this permit, will not be permitted to obtain business parking permits.

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

Areas must be provided inside the property line and adjacent to the footpath to accommodate pits and meters. No private pits, boundary traps, 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.

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.

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.

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.

**CARRIED UNANIMOUSLY**

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## 6.3 PLN22/0069 - 276 Lennox Street, Richmond - Use of the land for a medical centre (chiropractor), construction and display of one (1) business identification sign and a reduction in car parking

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### RECOMMENDATION

That a Notice of Decision to Grant a Planning Permit PLN22/0069 be issued for use of the land for a medical centre (chiropractic clinic), construction and display of one (1) business identification sign and a reduction in car parking at 276 Lennox Street, Richmond VIC 3121 generally in accordance with the “decision plans” and subject to the following conditions:

1. Before the 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 must be generally in accordance with the decision plans prepared by Elevation 7 and dated November 2021 but modified to show:
  - (a) The ground floor plan updated to correctly reflect the true location of the crossover, roller door and angled car parking space provided. The dimensions of the car parking space must be in accordance with Design Standard 2 at Clause 52.06 of the Yarra Planning Scheme or otherwise to the satisfaction of the Responsible Authority.
2. The use and location and details of the sign, including the supporting structure, as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
3. No more than two (2) practitioners are permitted to operate from the land at any one time.
4. Except with the prior written consent of the Responsible Authority, no more than 35 appointments can be carried out per day.
5. Except with the prior written consent of the Responsible Authority, the use authorised by this permit may only operate between the following hours:
  - (a) Monday to Friday: 8:00am – 6:30pm; and
  - (b) Saturdays: 8:00am – 12:00pm.
6. Before the use commences, or by such later date as approved in writing by the Responsible Authority, the bike racks must be installed and maintained to the satisfaction of the Responsible Authority.
7. The use must at all times comply with the noise limits specified in the Environment Protection Regulations under the Environment Protection Act 2017 and the incorporated Noise Protocol (Publication 1826.4, Environment Protection Authority, May 2021), as may be amended from time to time.
8. The collection of waste from the site must be by private collection, unless with the prior written consent of the Responsible Authority.
9. 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.

10. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
  - (a) Monday to Friday (excluding public holidays) before 7 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.
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.
13. The signage component of this permit expires 15 years from the date of the permit.
14. On expiry of this permit, the approved signs and structures built specially to support signage must be removed.
15. This permit will expire if:
  - (a) The use is not commenced within two years from the date of this permit; or
  - (b) The use is discontinued for a period of two years; or
  - (c) The sign is not erected within 2 years of the date of this permit.

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

#### NOTES

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

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

A 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.

Use of Security Cameras must comply with Section 8(1) of the Surveillance Devices Act (2007) which outlines a permit holder's responsibility in relation to surveillance devices. Please ensure compliance with the relevant legislation at all times the security cameras are in use.

#### Submissions

Michael Henderson, Contour Consultants (for the applicant)  
Andrew Nicholls

## PLANNING DECISIONS COMMITTEE RESOLUTION

**Moved:** Councillor Landes

**Seconded:** Councillor Stone

That a Notice of Decision to Grant a Planning Permit PLN22/0069 be issued for use of the land for a medical centre (chiropractic clinic), construction and display of one (1) business identification sign and a reduction in car parking at 276 Lennox Street, Richmond VIC 3121 generally in accordance with the “decision plans” and subject to the following conditions:

1. Before the 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 must be generally in accordance with the decision plans prepared by Elevation 7 and dated November 2021 but modified to show:
  - (a) The ground floor plan updated to correctly reflect the true location of the crossover, roller door and angled car parking space provided. The dimensions of the car parking space must be in accordance with Design Standard 2 at Clause 52.06 of the Yarra Planning Scheme or otherwise to the satisfaction of the Responsible Authority.
  - (b) Relocated sign (with design and posts to remain as submitted) to the eastern wall of the property.
2. The use and location and details of the sign, including the supporting structure, as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
3. No more than two (2) practitioners are permitted to operate from the land at any one time.
4. Except with the prior written consent of the Responsible Authority, no more than 35 appointments can be carried out per day.
5. Except with the prior written consent of the Responsible Authority, the use authorised by this permit may only operate between the following hours:
  - (a) Monday to Friday: 8:00am – 6:30pm; and
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7. The use must at all times comply with the noise limits specified in the Environment Protection Regulations under the Environment Protection Act 2017 and the incorporated Noise Protocol (Publication 1826.4, Environment Protection Authority, May 2021), as may be amended from time to time.
8. The collection of waste from the site must be by private collection, unless with the prior written consent of the Responsible Authority.
9. 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.
10. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:

- (a) Monday to Friday (excluding public holidays) before 7 am or after 6 pm;
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  - (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.
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.
13. The signage component of this permit expires 15 years from the date of the permit.
14. On expiry of this permit, the approved signs and structures built specially to support signage must be removed.
15. This permit will expire if:
- (a) The use is not commenced within two years from the date of this permit; or
  - (b) The use is discontinued for a period of two years; or
  - (c) The sign is not erected within 2 years of the date of this permit.

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

#### NOTES

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Use of Security Cameras must comply with Section 8(1) of the Surveillance Devices Act (2007) which outlines a permit holder's responsibility in relation to surveillance devices. Please ensure compliance with the relevant legislation at all times the security cameras are in use.

**CARRIED UNANIMOUSLY**

The meeting closed at 8.40pm.

**Confirmed at the meeting held on Tuesday 16 August 2022**

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**Chair**