

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

**held on Wednesday 22 May 2019 at 6.30pm**  
**in Meeting Rooms 1 & 2 at the Richmond Town Hall**

**I. ATTENDANCE**

Councillor Danae Bosler  
Councillor Misha Coleman  
Councillor Daniel Nguyen

Gary O'Reilly (Senior Statutory Planner)  
Danielle Connell (Senior Co-ordinator Statutory Planning)  
Cindi Johnston (Governance Officer)

**II. APOLOGIES AND LEAVE OF ABSENCE**

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

**IV. CONFIRMATION OF MINUTES**

**Internal Development Approvals Committee Resolution:**

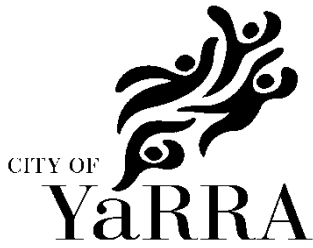
**Moved:** Councillor Bosler **Seconded:** Councillor Coleman

That the minutes of the meeting of the Internal Development Approvals Committee held on Wednesday 8 May 2019 be confirmed.

**CARRIED**

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



## **Guidelines for public participation at Internal Development Approval Committee meetings**

### **POLiCY**

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Council provides the opportunity for members of the public to address the Internal Development Approvals Committee.

The following guidelines have been prepared to assist members of the public in presenting submissions at these meetings:

- public submissions are limited to a maximum of five (5) minutes
- where there is a common group of people wishing to make a submission on the same matter, it is recommended that a representative speaker be nominated to present the views of the group
- all public comment must be made prior to commencement of any discussion by the committee
- any person accepting the chairperson's invitation to address the meeting shall confine himself or herself to the subject under consideration
- people making submissions shall address the meeting as a whole and the meeting debate shall be conducted at the conclusion of submissions
- the provisions of these guidelines shall be made known to all intending speakers and members of the public generally prior to the commencement of each committee meeting.

For further information regarding these guidelines or presenting submissions at Committee meetings generally, please contact the Governance Branch on (03) 9205 5110.

**Governance Branch  
2008**

Councillor Coleman nominated Councillor Bosler as Chair.

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

Councillor Bosler assumed the Chair.

## 1. INTERNAL DEVELOPMENT APPROVALS COMMITTEE

Item		Page	Res. Page
1.1	50 Gough Street, Cremorne - PLN15/0355.02 - Amendment to permit and endorsed plans including deletion of 'Soho' apartments and increase in office floor area and rationalisation of car parking.	6	18
1.2	271 Bridge Road, 208, 224, 228, 230 and 238 Church Street, 42 and 46 Cameron Street and 25 and 37 - 39 Bank Street, Richmond - PLN11/0834.02 - Consent Order to amendments to conditions of Planning Permit PLN11/0834	19	38
1.3	St. Ignatius Church Complex, Church Street, Richmond - Heritage Victoria Referral Comments	57	57

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**1.1 50 Gough Street, Cremorne - PLN15/0355.02 - Amendment to permit and endorsed plans including deletion of 'Soho' apartments and increase in office floor area and rationalisation of car parking.**

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Trim Record Number: D19/74608

Responsible Officer: Senior Coordinator Statutory Planning

**RECOMMENDATION**

That having considered all relevant matters, the Committee resolves to issue a Notice of Decision to Amend Planning Permit PLN15/0355 for land at 50 Gough Street, Cremorne and subject to the following conditions:

- 1 Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions, and three copies must be provided. The plans must be generally in accordance with the further amended plans TP001, TP002, TP097, TP098, TP099, TP100 – TP114 inclusive, TP200-TP205 inclusive, TP300-TP302 inclusive, TP500-TP503 inclusive, revision 6, all dated 22/04/16 prepared by Fender Katsalidis Architects and LP01 Ground Floor Plan dated 21/4/16 prepared by Oculus **and the decision plans prepared by Caydon Property Group received by Council on 18 December 2018** but modified to show:
  - (a) the height of the elliptical tower reduced to a maximum 50.60AHD and the height of the northern tower reduced to a maximum 41.65AHD excluding any balustrading, unroofed service installations and any lift enclosures located on the roof;
  - (b) the southern east-west link having a minimum width of 9m that may be provided either wholly on the subject land or partly within the subject land and partly on the adjoining land at 17-21 Harcourt Parade, Cremorne. The link must be predominantly clear to the sky and treated with signage, materials to delineate this space as a shared zone;
  - (c) the access and movement plan, landscape master plan and residential rooftop amenities plan (as per the original VCAT substituted plans) modified to reflect the further amended plans;
  - (d) at least 25% of the smaller units offered should be capable of amalgamation into larger 2 or 3 bedroom apartments;
  - (e) reconfiguration of the type 2E apartments on the west bank of the northern tower from levels 3 to 11 to provide an increase in size of living rooms;
  - (f) deletion of proposed works outside the site (excluding the new crossovers to Cremorne Street);
  - (g) floor, section and elevation plans to correlate;
  - (h) deletion of the pedestrian visibility zones at the northern end of the north-south link;
  - (i) floor to ceiling heights to be no less than 2.65m except where there is a bulkhead where this may be reduced to 2.4m;
  - (j) minimum 2.1m wide lift lobby areas, minimum 1.6m wide corridors and a minimum 200mm inset for dwelling entries;
  - (k) all balconies must be a minimum of 8m<sup>2</sup>;
  - (l) access from all living rooms to balconies (some are only provided with access via bedrooms);
  - (m) screening to habitable room windows, balcony or terrace to address internal overlooking, where necessary, to the satisfaction of the Responsible Authority;
  - (n) the location of external plant and equipment;
  - (o) a general signage plan, directing pedestrians to each residential entry (including the SOHO apartments);
  - (p) ramp grades and lengths dimensioned;
  - (q) swept path diagrams using a B99 design car and ramp grade details demonstrating that the ramps will be functional in terms of grades and enable cars to pass each other;
  - (r) pedestrian sight triangles;

- (s) the provision of convex mirrors where sight distance is limited throughout the car park;
  - (t) kerbs, barriers, wheel stops and structural elements shown in the car parking areas;
  - (u) the northern staircase within the basement levels not opening to the aisle;
  - (v) location and width of the new crossover to Cremorne Street (southern end);
  - (w) the location and dimensions of supporting columns within all carpark areas. The car parking spaces must then be demonstrated to comply with Australian Standard AS/NZS 2890.1:2004;
  - (x) sectional drawings of the ramps and accessways, demonstrating a minimum headroom clearance of 2.2m, with the exception being a minimum 2.5m height clearance above disable car parking spaces;
  - (y) details of car park security (e.g. roller doors, intercoms, swipe card readers, etc.);
  - (z) 1 in 20 scale cross sectional drawings of the developments vehicular entrances, showing the actual reduced levels (not interpolated levels from the application drawings) of the road profile, the lip of the channel, the invert of the channel, the top of kerb and the existing building line. The existing road profiles of Gough Street and Cremorne Street (from the kerb line to the centre line of the road) and the accessways inside the property must be accurately drawn. The cross section must demonstrate that vehicles can traverse the new vehicle crossing and ramp without scraping or bottoming out, using a B99 design vehicle;
  - (aa) swept path diagrams for the 4 westernmost car parking spaces within the basement levels. This may indicate that these spaces need to be designated as small car spaces;
  - (bb) swept path diagrams for the southernmost angled parking spaces in the basement levels;
  - (cc) all bicycle parking spaces within 30m of the lift;
  - (dd) bicycle signage as per clause 52.34-5 of the Yarra Planning Scheme;
  - (ee) details of bicycle storage/parking systems, demonstrating they comply with Australian Standard AS2890.3 (2015);
  - (ff) at least 20% of the provided bicycle parking must be accessible at ground level (i.e. not hanging systems);
  - (gg) at least 1 bicycle parking space per dwelling;
  - (hh) all resident and staff bicycle parking spaces secured behind lockable gates;
  - (ii) a lighting plan addressing entries and public spaces within the development;
  - (jj) a schedule of external colours and materials, including samples. The façade of the elliptical tower must be confirmed as meeting the relevant EPA standards for glare;
  - (kk) a landscape plan which shows the:
    - (i) type, location, quantity, pot size, height at maturity and botanical names of all proposed plants;
    - (ii) location of all areas to be covered by lawn, paving or other surface materials;
    - (iii) specification of works to be undertaken prior to planting;
    - (iv) watering and maintenance; and
    - (v) WSUD initiatives.
  - (ll) clear glazing to all habitable room windows; and
  - (mm) changes (as necessary) as per the endorsed Acoustic Report, Wind Report, SMP, Shared zone management plan and Waste management plan.
- 2 The development and uses as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.
- 3 The southern east west link must be provided to the satisfaction of the Responsible Authority prior to the commencement of the use or at some other time as agreed in writing by the Responsible Authority.

If any part of the southern east west link is provided on the adjoining land at 17-21 Harcourt Parade, Cremorne, prior to the commencement of the use or at some other time as agreed in writing by the Responsible Authority, the owner shall provide evidence to the satisfaction of the Responsible Authority that it has secured an easement of carriageway over that part of the southern east west link that is provided on the adjoining property at 17-21 Harcourt Parade in favour of the land at 2 Gough Street, Cremorne.

- 4 As part of the ongoing consultant team, Fender Katsalidis Architects or an architectural firm to the satisfaction of the Responsible Authority must be engaged to:
  - (a) oversee design and construction of the development; and
  - (b) ensure the design quality and appearance of the development is realised as shown in the endorsed plans or otherwise to the satisfaction of the Responsible Authority.

#### Structural report requirement

- 5 Before the demolition commences, a structural report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the structural report will be endorsed and will form part of this permit. The structural report must be prepared by a suitably qualified structural engineer and demonstrate the means by which the retained portions of the buildings on-site will be supported during demolition and construction works to ensure their retention.
- 6 The provisions, recommendations and requirements of the endorsed structural report must be implemented and complied with to the satisfaction of the Responsible Authority.

#### Public Art Management Plan

- 7 Before the buildings are occupied, a Public Art Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Public Art Management Plan will be endorsed and will then form part of this permit. The Public Art Management Plan must include, but not be limited to:
  - (a) details of the commissioned artist(s);
  - (b) description of art work, including:
    - (i) materials;
    - (ii) colours;
    - (iii) dimensions;
    - (iv) content;
    - (v) special features (e.g. lighting);
  - (c) details of the installation process; and
  - (d) details of art work maintenance schedule.
- 8 Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, the approved public art must be completed. Once completed, the public art must be maintained in accordance with the endorsed Public Art Management Plan to the satisfaction of the Responsible Authority.

#### General

- 9 Finished floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.
- 10 Before the development is occupied, or by such later date as approved in writing by the Responsible Authority, all screening and other measures to prevent overlooking as shown on the endorsed plans must be installed to the satisfaction of the Responsible Authority.
- 11 All screening and other measures to prevent overlooking as shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority.



- 12 Before the buildings are 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.
- 13 All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
- 14 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.
- 15 Before the buildings are 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.
- 16 Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating access to the basement car park, pedestrian walkway, laneway and dwelling entrances must be provided. Lighting must be:
  - (a) located;
  - (b) directed;
  - (c) shielded; and
  - (d) of limited intensity,all to the satisfaction of the Responsible Authority.
- 17 The use and development must comply at all times with the State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N-1).
- 18 The use and development must comply at all times with the State Environment Protection Policy – Control of Music Noise from Public Premises (SEPP N-2).

#### Shop use

- 19 Except with the prior written consent of the Responsible Authority, the shop use must only offer baskets and must not provide trolleys.

#### Supermarket use

- 20 Deliveries may only occur on site and during the hours of 7.00 am to 6.00 pm.
- 21 Except with the prior written consent of the Responsible Authority, no more than 3 loading vehicle events may occur per day.
- 22 The loading bay may only be used by maximum 6.4m long trucks.

#### General use conditions

- 23 The amenity of the area must not be detrimentally affected by the uses, including through:
  - (a) the transport of materials, goods or commodities to or from land;
  - (b) the appearance of any buildings, works or materials;
  - (c) the emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil; or
  - (d) the presence of vermin;to the satisfaction of the Responsible Authority.

#### Public realm

- 24 Prior to the commencement of the development the owner of the site must submit detailed engineering documentation to the satisfaction of the Responsible Authority and approved by the Responsible Authority and at full cost of the owner showing:
  - (a) provision of 1.2 metre-wide footpath along the northern boundary of the site (within title boundaries adjacent to the proposed built form) and a minimum 1.8 metre wide footpath along the eastern boundary of the site (within title boundaries).
- 25 Before the building is occupied all works required by condition 25 must be fully constructed and completed to the satisfaction of the Responsible Authority.

#### Section 173 Agreement

- 26 Before the development starts, the owner (or another person in anticipation of becoming the owner) must enter into an agreement with the Responsible Authority under section 173 of the *Planning and Environment Act 1987*, providing for the following:
  - ~~(a) that the 40 spaces 'quarantined' for stage 2 will be allocated to this future development on the balance of the site at 2 Gough Street Cremorne;~~
  - ~~(b) a legally effective and enforceable mechanism to the satisfaction of the Responsible Authority to ensure that:~~
    - ~~(i) the owners of lots within stage 2 are able to freely access the 40 car spaces for their own private use without restriction;~~
  - (a) the owner must provide unfettered public access over that part of the land to be used for the widened Gough Street and Cremorne Street footpath;
  - (b) until such time as the land is vested in Yarra City Council the owner is responsible for maintaining at all times the areas that are private land open to the public described in condition 25 at the cost of the owners of the land to the satisfaction of the Responsible Authority;
  - (c) the owner(s) must obtain and maintain insurance approved by the Yarra City Council, for the public liability and indemnify Yarra city Council against all claims resulting from any damage, loss, death or injury in connection with the public accessing the land described in condition 25.

The owner, or other person in anticipation of becoming the owner, must meet all of the expenses of the preparation and registration of the agreement, including the Responsible Authority's costs and expenses (including legal expenses) incidental to the preparation, registration and enforcement of the agreement.

#### Wind Assessment report

- 27 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 Vipac and dated 15 May 2015, but modified to include (or show):
  - (a) reflect the further amended plans; and
  - (b) include wind tunnel modelling to verify the results of the preliminary assessment.
- 28 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

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

The amended Acoustic Report must be generally in accordance with the Acoustic Report prepared by Renzo Tonin and Associates, dated 29 May 2015 and include an assessment of how the requirements of the State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade, No. N-1), the State Environment Protection Policy (Control of Music Noise from Public Premises No. N-2) and relevant Australian Standards will be met and must prescribe the form of acoustic treatment to:

- (a) protect all dwelling occupants and nearby occupants from noise generated from the mechanical plant equipment and ventilation mechanisms installed or constructed as part of the development (including the lift, residential air conditioner units and commercial plant and equipment);
- (b) protect all dwelling occupants from noise associated with the operation of the supermarket;
- (c) protect all dwelling occupants within the development from noise associated with City Link;
- (d) an assessment of the remaining land uses on the balance of the site and the impact on the proposed dwellings (unless the land uses on the balance of the site have ceased). The acoustic report must make recommendations to limit the noise impacts in accordance with the State Environment Protection Policy (Control of noise from industry, commerce and trade) No. N-1 (SEPP N-1), State Environment Protection Policy (Control of music noise from public premises) No. N-2 (SEPP N-2) or any other requirement to the satisfaction of the Responsible Authority; and
- (e) an assessment of the impact on the following on the proposed dwellings; car park entrance door, the car park itself, the level 13 and 18 communal areas (including the dropping of weights, footfall, pool equipment, music and furniture movement), structure borne noise through the pool and supermarket and shop services. Treatments must be provided to achieve a reasonable level of amenity for residents and must make recommendations to limit the noise impacts in accordance with the State Environment Protection Policy (Control of noise from industry, commerce and trade) No. N-1 (SEPP N-1), State Environment Protection Policy (Control of music noise from public premises) No. N-2 (SEPP N-2) or any other requirement to the satisfaction of the Responsible Authority.

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

31 Occupation of the development approved by this permit must not occur prior to the completion of the development at 17-21 Harcourt Parade, Cremorne approved under PL08/0921.

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

- (a) confirm compliance with relevant conditions of the permit; and
- (b) provide measurement data taken from inside the dwellings of the development demonstrating compliance with State Environment Protection Policy (Control of noise from industry, commerce and trade) No. N-1 (SEPP N-1), State Environment Protection Policy (Control of music noise from public premises) No. N-2 (SEPP N-2) or any other relevant requirement.

33 The recommendations and any works contained in the approved acoustic report must be implemented and completed and where there are recommendations of an ongoing nature must be maintained all to the satisfaction of the Responsible Authority.

### Sustainable Management Plan

- 34 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 Simpson Kotzman dated 10 April 2015, but modified to:
- (a) reflect the decision plans;
  - (b) include definite, clear commitments, e.g. not 'a vast majority';
  - (c) reflect the changes required as per condition 1 (where relevant);
  - (d) confirm a minimum 6.5 star energy rating;
  - (e) include sample NatHERS reports/ratings to demonstrate how a minimum 6.5 star energy rating will be achieved;
  - (f) achieve a minimum 20% improvement on the lighting power densities required by the NCC Section J 6.2;
  - (g) include a commitment to energy and water efficient initiatives to optimise the swimming pool. Consider the use of a pool blanked, a high efficiency filter/pump set and UV treatment of rainwater to top up the pool;
  - (h) include detail on waste and recycling; and
  - (i) confirm windows are operatable to all habitable rooms.
- 35 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

- 36 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 RB Waste Consulting Service and dated 24 June 2015, but modified to:
- (a) be written as a standalone document;
  - (b) be written regardless if a private or Council collection;
  - (c) address both rubbish and recycling for all uses;
  - (d) include bin room details (for all tenants, residential, commercial, retail, supermarket, etc). The bin room(s) must be of an appropriate size for their intended use;
  - (e) confirm weekly collection for the residential component. However, more weekly collection may be considered with appropriate justification;
  - (f) confirm a minimum number of collections for all users, however, more than weekly collection may be considered with appropriate justification;
  - (g) details of the waste sorting system for the bin chute. Alternatively, a double chute must be provided;
  - (h) confirm the path of access for residents, property manager and collection vehicle (including turning templates or swept path diagrams);
  - (i) include information to tenants, owners corporation, property manager (information pack details); and
  - (j) include a commitment that the Building Manager/Owners Corporation will organise a preoccupation site meeting with Council's Waste Management Coordinator at least 30 days prior to occupation and demonstrate implementation of the WMP.
- 37 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

- 38 Before the building is occupied, or such later date as is approved by the Responsible Authority, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.
- 39 The landscaping shown on the endorsed plans 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.

### Car parking

- 40 **Within 6 months of the amendment permit, an amended** Car Park Management Plan prepared to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Car Park Management Plan will be endorsed and will then form part of this permit. The Car Park Management Plan must address, but not be limited to, the following:
- (a) the number and location of car parking spaces allocated to each tenancy (**including the additional 40 car parking spaces previously quarantined for Stage 2,**
  - (b) the number and location of any car spaces for shared use, including time of shared use and how this will be managed;
  - (c) management details for residential loading/unloading when moving;
  - (d) the management of visitor car parking spaces and security arrangements for occupants of the development, including details on how residential visitors are to access car parking;
  - (e) details of way-finding, cleaning and security of end of trip bicycle facilities;
  - (f) any policing arrangements and formal agreements;
  - (g) a schedule of all proposed signage including directional arrows and signage, informative signs indicating location of disabled bays and bicycle parking, exits, restrictions, pay parking system etc;
  - (h) the collection of waste and garbage including the separate collection of organic waste and recyclables, which must be in accordance with the Waste Management Plan required by Condition 36; and
  - (i) details regarding the management of loading and unloading of goods and materials.
- 41 The provisions, recommendations and requirements of the endorsed Car Park Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
- 42 Before the building is occupied, the area set aside on the endorsed plans for the car parking spaces, access lanes, driveways and associated works must be:
- (a) constructed and available for use in accordance with the endorsed plans;
  - (b) formed to such levels and drained so that they can be used in accordance with the endorsed plans;
  - (c) treated with an all-weather seal or some other durable surface; and
  - (d) line-marked or provided with some adequate means of showing the car parking spaces.
- to the satisfaction of the Responsible Authority.

### Traffic, roads and footpaths

- 43 Before the development commences, a Shared Zone Management Plan prepared to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Shared Zone Management Plan will be endorsed and will then form part of this permit. The Shared Zone Management Plan must address, but not be limited to, the following:
  - (a) the east-west shared zones in the central and southern ends of the site;
  - (b) how supermarket loading and deliveries will be safely managed with regard to conflicts with pedestrians and cyclists;
  - (c) how the vehicular, pedestrian and cyclist movements in the central east-west link will be managed; and
  - (d) details as to how these areas will be designed to clearly delineate their shared zone status (e.g. pavement treatments, signage, line marking).
- 44 The provisions, recommendations and requirements of the endorsed Shared Zone Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
- 45 All redundant vehicle crossings along the property's road frontages must be demolished and reinstated with paving, kerb and channel to Council's satisfaction and the developer's cost.
- 46 Upon the completion of all building works and connections for underground utility services, the footpaths and kerb and channel immediately outside the property's Gough Street and Cremorne Street road frontages must be reconstructed to Council's satisfaction and at the developer's expense.
- 47 The cross-fall of the reconstructed footpath must be no steeper than 1 in 40 as per DDA requirements.
- 48 All redundant vehicle crossings area to be demolished and reinstated with paving, kerb and channel to the satisfaction of Council and at the developer's cost.
- 49 The road pavements immediately outside the development's Gough Street and Cremorne Street road frontages must be profiled and re-sheeted to Council standard and at the developer's cost.
- 50 All vehicle crossings must be constructed in accordance with Council's Standard Drawings and engineering requirements.
- 51 Any damaged roads, footpaths and other road related infrastructure adjacent to the development site as a result of the construction works, including trenching and excavation for utility service connections, must be reconstructed to Council's satisfaction and at the developer's expense.
- 52 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.

### Green Travel Plan

- 53 Before the occupation of the development, a Green Travel Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Green Travel plan will be endorsed and will form part of this permit. The Green Travel Plan must include, but not be limited to, the following:
  - (a) describe the location in the context of alternative modes of transport;
  - (b) the provision of real time passenger information displays for nearby stops within each residential lobby;
  - (c) employee / resident welcome packs (e.g. provision of Met Cards/Myki);

- (d) a designated 'manager' or 'champion' responsible for co-ordination and implementation;
- (e) details of bicycle parking and bicycle routes;
- (f) details of GTP funding and management responsibilities; and
- (g) include provisions to be updated not less than every 5 years.

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

### Construction Management

- 55 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) a lighting plan;
  - (i) 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;
  - (j) the construction program;
  - (k) preferred arrangements for trucks delivering to the land, including delivery and unloading points and expected duration and frequency;
  - (l) parking facilities for construction workers;
  - (m) measures to ensure that all work on the land will be carried out in accordance with the Construction Management Plan;
  - (n) an outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services;
  - (o) 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;
  - (p) 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;
  - (q) 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; and
- (v) other relevant considerations.

56 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.

57 Prior to the commencement of the development, a public lighting plan must be submitted to and approved by the Responsible Authority. When approved, the public lighting plan will be endorsed and will form part of this permit. The public lighting plan must:

- (a) confirm that all primary pedestrian access to a residential/multipurpose development will be lit by public lighting installations at least to lighting level P4 as specified in the Australian Standard AS 1125.3.1:2005 Lighting for roads and public spaces - Pedestrian area (Category P) lighting - Performance and design requirements;
- (b) confirm that any new poles and luminaires required for the development will be sourced from CitiPower/Jemena standard energy efficient luminaires list and comply with relevant CitiPower/Jemena technical requirements;
- (c) confirm that light spillage into the windows of any existing and proposed residences will be avoided or minimised and must comply with the requirements of Australian Standard AS 4282 – 1997 Control of the obtrusive effects of outdoor lighting;
- (d) confirm that the locations of any new light poles will not obstruct vehicular access into private property;
- (e) include a commitment that the Permit Holder will ensure (by contacting relevant power authority) that the existing or proposed power supply conforms to “No Go Zone” requirements from the relevant power authority;
- (f) confirm that the supply and installation of any additional or upgraded lighting, electrical hardware and poles will be funded by the Permit Holder.

58 The provisions, recommendations and requirements of the endorsed public lighting plan must be implemented and complied with to the satisfaction of the Responsible Authority.

59 Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated:

- (a) at the permit holder's cost; and
- (b) to the satisfaction of the Responsible Authority.

60 Any damaged roads, footpaths and other road related infrastructure adjacent to the development site as a result of the construction works, including trenching and excavation for utility service connections, must be reconstructed to Council's satisfaction and at the Permit holder's expense.

61 Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, the footpaths along the Gough and Cremorne Street frontages of the site must be reconstructed:

- (a) at the permit holder's cost; and
- (b) to the satisfaction of the Responsible Authority.



The cross-fall of the reconstructed footpaths must be no steeper than 1 in 40.

- 62 Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, the road pavements outside the Gough and Cremorne Street frontages of the site must be profiled and re-sheeted:
- (a) at the permit holder's cost; and
  - (b) to the satisfaction of the Responsible Authority.
- The cross-fall of the reconstructed footpaths must be no steeper than 1 in 40. Any isolated areas of pavement failure will require full depth road pavement reconstruction.
- 63 Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any redundant vehicular crossing must be demolished and re-instated as standard footpath and kerb and channel:
- (a) at the permit holder's cost; and
  - (b) to the satisfaction of the Responsible Authority.
- 64 Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, any new vehicle crossings must be constructed:
- (a) in accordance with any requirements or conditions imposed by Council;
  - (b) at the permit holder's cost; and
  - (c) to the satisfaction of the Responsible Authority.
- 65 Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.
- 66 Pit lids and levels are to be readjusted to match the surface of the footpath, to the satisfaction of the Responsible Authority.
- 67 No parking restriction signs are to be removed, adjusted, changed or relocated without approval or authorisation from the Responsible Authority.
- 68 Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
- (a) before 7 am or after 6 pm, Monday-Friday (excluding public holidays);
  - (b) before 9 am or after 3 pm, Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday); or
  - (c) at any time on Sundays, ANZAC Day, Christmas Day and Good Friday.
- 69 This permit will expire if one of the following circumstances applies:
- (a) The development is not started within three years of the date of the issue date of this Permit;
  - (b) The development is not completed within six years from the date of the issue of the permit;
  - (c) The uses are not commenced within six years from the date of this permit.
- In accordance with Section 69 of the Planning and Environment Act 1987 (Vic), an application may be submitted to the Responsible Authority for an extension of the periods referred to in this Condition.

#### **NOTES:**

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

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

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

The site is located within an Environmental Audit Overlay. Pursuant to Clause 45.03 of the Yarra Planning Scheme, the requirements of the Environmental Audit Overlay must be met prior to the commencement of development permitted under the permit.

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

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

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

This application was not assessed against Clause 43.01 of the Yarra Planning Scheme (Heritage Overlay) as heritage matters are considered by Heritage Victoria.

There were no submissions for this matter.

#### **INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION**

**Moved:** Councillor Coleman

**Seconded:** Councillor Bosler

That the Recommendation be adopted.

**CARRIED UNANIMOUSLY**

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**1.2      271 Bridge Road, 208, 224, 228, 230 and 238 Church Street, 42 and 46 Cameron Street and 25 and 37 - 39 Bank Street, Richmond - PLN11/0834.02 - Consent Order to amendments to conditions of Planning Permit PLN11/0834**

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Trim Record Number: D19/76309

Responsible Officer: Manager Statutory Planning

## **RECOMMENDATION**

That having considered all relevant planning policies, the Committee resolves to advise VCAT and the parties to VCAT proceeding P207/2019 that it consents to the grant of an amendment to Planning Permit PLN11/0834 for the demolition, buildings and works, use of the land for dwellings, shop, restructured recreation facility, food and drinks premises, office, childcare centre, use of part of the land for the sale and consumption of liquor, reduction in car parking requirements, and use northern part of land for loading/unloading bay and waste collection at 271 Bridge Road, 208, 224, 228, 230 and 238 Church Street, 42 and 26 Cameron Street and 25 and 37 – 39 Bank Street, Richmond subject to the following conditions:

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the decision plans prepared by SJB Architects, received by Council on 11 and 19 July 2018 but modified to show:

### Building Design

#### *Podium*

- (a) details of the material along the west title boundary (adjacent to Ark) at ground and first floor level;
- (b) all canopies and architectural projections along Church Street and Bridge Road to be setback a minimum 750mm from the back of the kerb;
- (c) details of all lobby entrances including lighting and glazing to ensure good visibility in to the residential lobbies;
- (d) setback of the western car park edge at levels 1 & 2 to be increased to align with those currently endorsed being ranging between 3.98 – 4.5m

#### *Bridge Road Tower [Building A]*

- (e) details of the operable screens proposed for the upper levels
- (f) basement car park to be contained within the subject sites title boundaries

#### *Building C*

- (g) a reduction in the parapet height (to apartment C6.01) as it presents to Church Street and for the first section of the return from 1.6m to approximately 300mm as depicted in the schematic plans prepared by SJB Architects dated 26 October 2018.
- (h) At level 3 details of location of porous screen of 2m high tree as required by the wind assessment;
- (i) Details of doors to loading and parking area (Cameron Street)

#### *Building D*

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

#### *Building E*

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

### *Building Materials*

- (l) an updated schedule of all materials and finishes (including materials samples, colours coloured elevations and perspectives). The schedule must show the materials, colour, finish and application methods (where relevant) of all external walls, roof, fascias, window frames, glazing types, cladding, doors and fences and must include:
  - (i) thumb nail sketches of key elements of the façade of each building
  - (ii) material treatment of Building A lift core to be patterned concrete to both the south and west elevations.
  - (iii) Building A upper levels to be treated with a patterned mesh in a light colour as depicted in the schematic plans prepared by SJB Architects dated 26 October 2018.
  - (iv) Building B design resolution to be as depicted in the schematic plans prepared by SJB Architects dated 26 October 2018.
  - (v) Building C Church Street podium façade levels 1 & 2 to replicate façade detailing (brick) of the remainder of the façade in a white or light grey colour
  - (vi) Ground floor building C wall adjacent to lobby and substation to be a patterned brick wall in a black or dark colour.
  - (vii) Details of the grey mesh proposed on the Church Street podium
  - (viii) Details of materials proposed for the ground floor of building D;
  - (ix) Details of car park / loading bay doors
  - (x) include details of graffiti proof coating to be applied to the ground floor interfaces of the buildings;

### *Landscape*

- (m) updated landscape plans generally in accordance with the Landscape Concepts February 2018) prepared by MemLa to the satisfaction of the Responsible Authority must be prepared by a suitably qualified permit. When approved, the landscape plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and three copies must be provided. The plan must show:
  - (i) the location of all areas to be covered by lawn or other surface materials;
  - (ii) the location of any permanent structures, furniture, public seating or other facilities;
  - (iii) all public area footpaths, steps, ramps and crossings to comply with DDA – Tactile indicators, nosing's and handrails where necessary;
  - (iv) grades of all ramps shown on plan;
  - (v) grades of all footpaths shown on plan;
  - (vi) details of raised planters to courtyards to be confirmed (height, construction and tree planting details);
  - (vii) location and type of water tank for irrigation;
  - (viii) detailed planting plan with plant schedule (common and botanical plant names, density, quantities, size at planting and maturity height;
  - (ix) details of street furniture, including bench seats and street tree planters;
  - (x) existing and proposed levels including top wall and fence heights (where relevant);
  - (xi) details of the installation methodology for the green wall to the car parking area, including planting and initial establishment requirements and details of the proposed maintenance regime to ensure the integrity of the green wall over its operation life, including plant replacement, irrigation and fertilisation and guidelines for monitoring;
  - (xii) ongoing maintenance and management details of all publically accessible spaces;

- (xiii) a detailed lighting plan for all publically accessible areas including private, communal and the public laneways ensuring lighting is baffled to minimise light spill;
- (xiv) a schedule of 'way finding' signage;
- (xv) additional soft landscaping including planting details to assist in the delineation between the pedestrian and loading/waste management sections of the Bank Street square;
- (xvi) dimensioned cross sections and internal elevations detailing the interior of the laneways, access ways and Bank Street square;
- (xvii) deletion of *Quercus Rubra Red Oak* from Podium Level 3 plan and replace with a smaller tree
- (xviii) fencing details for Podium Level 3
- (xix) use of stormwater or grey water for irrigation of planters
- (xx) the ground floor plan to show locations of all existing street trees to be removed and retained and any protection works required
- (xxi) show a physical separation between moving traffic and the food and drinks premises seating in the form of temporary barriers such as (but not limited to) planter boxes on wheels in the western most laneway between the laneway and the 'trade out area';
- (xxii) the relaying or new blue stone within Council's land with need to meet Council' design standards.
- (xxiii) The provision of 2 Street tree plantings along, Cameron Street and Bank Street in consultation with Council.
- (xxiv) Landscape images and plans to match the schematic plans prepared by SJB Architecture dated 26 October.
- (xxv) Additional landscape facilities including toilets, sinks, BBQ to be added to the communal terrace at level 3.

#### Acoustic

- (n) all works recommended in the report of the professional acoustic engineer referred to in condition **15**;

#### Environmentally Sustainable Design Principles

- (o) all works recommended in the ESD report referred to in condition **18**;

#### Wind Assessment

- (p) all works recommended in the wind assessment report referred to in condition **21**;

#### Bicycle Parking

- (q) a minimum 7 public bicycle share spaces;
- (r) width of the bike ramps increased to 1.5m with ramp grades to be as close to 1:12 as possible in general compliance with AS2890.3
- (s) increased bike provision to 410 spaces with 103 spaces allocated for visitor parking to be located with the basement and in the laneway access spaces (Bridge Road) without hindering vehicular access.
- (t) 20% of residential /staff spaces to be provided as horizontal at ground level spaces.

#### Car Parking

- (u) Dimensions shown for parallel parking spaces at the south west corner of the Basement car spaces (9, 10 and 11) and the parallel parking spaces in Podium level 01 car spaces (5, 120 and 133);
- (v) Column locations to be in accordance with AS2890.1:2004;

- (w) Installation of appropriate signage and / or line marking /ground stencilling be installed at the location where one way aisles meet two way aisles.
- (x) Wayfinding signage for both drivers and cyclist to and from parking areas and entry/exit points;
- (y) Priority line marking within the basement and podium car parking levels at all conflict points
- (z) Appropriate pedestrian crossing signage be provided at each formal pedestrian crossing;
- (aa) Location of speed humps at the approaches to pedestrian crossings if required;

#### Loading and Waste

- (bb) all works recommended in the waste management plan referred to in condition 75;

#### General

- (cc) internal layout of apartments to comply with the apartment layout schematic plans prepared by SJB Architects dated 26 October 2018.
- (dd) location of the proposed water tank with a minimum capacity of 100,000 litres;
- (ee) all plans to be drawn within title boundaries (excluding architectural features, canopies and awnings) and to be fully dimensioned;
- (ff) a full set of all elevations and cross-sections including full internal elevations of all buildings and public spaces (including laneways) fully dimensioned with setbacks and heights of all buildings;
- (gg) Plans and elevations to clearly show location of doors and windows for both commercial and residential uses and all habitable rooms having openable windows;  
**(with the exception of dwellings within Building E which must continue to have access to natural light by way of an openable window, sliding door or similar);**
- (hh) Where overlooking opportunities can be provided within a 9m radius and 45 degree arc from a habitable room window or private open spacea into another habitable room or private open space on or off site, the following must be applied:
  - (i) Minimum 1.7m fixed obscure glazing;
  - (ii) Minimum 1.7 high, maximum 25% transparent screens; or
  - (iii) Other method(s) to the satisfaction of the Responsible Authority.
- (ii) all publically accessible areas to be shown as referred to in condition 22;
- (jj) deletion of all reference to business identification signage;
- (kk) location of all mailboxes;
- (ll) a demolition plan clearly detailing all structures and surfaces to be demolished within the portion of the site affected by the Heritage Overlay;
- (mm) all internal corridors in the apartment buildings to have a minimum width of 1.5m with an indentation at each entrance of up to 100mm to articulate dwelling entries;
- (nn) details and provision of an average of 4 cubic metres of storage for each dwelling;
- (oo) provision of an internal signage plan detailing indicative signage to guide residents, employees, visitors and the public to communal open spaces, commercial facilities, car parking areas, bicycle parking areas with priority given to pedestrian and cyclist wayfinding;
- (pp) all feature paving and in ground lighting proposed is to be contained within the site title boundaries;
- (qq) a minimum of 33% of the dwellings to be shown as including internal layout supporting adaptation for persons with limited mobility based on the schematic apartment layout plans prepared by SJB Architects dated 26 October 2018.

#### **Endorsed Plans**

2. All development and use must accord with the endorsed plans. Any alterations must be approved in writing by the Responsible Authority.

3. Floor levels shown on the endorsed plans must not be altered or modified. Any alterations must be approved in writing by the Responsible Authority.

#### Ongoing Involvement of the Architect

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

#### **Cameron/Church Street Intersection**

5. Within six months of the development commencing, the design of the proposed works to the Cameron Street road reserve at the intersection with Church Street must be prepared by an independent and suitably qualified professional to the satisfaction of the Responsible Authority and in consultation with the Responsible Authority. The design must be submitted to and approved by the Responsible Authority. The design of the works must provide details of how the road reserve will be treated to enable:
  - (a) the creation of separate right turn and left turn exit lanes, while retaining a single entry lane;
  - (b) the removal of the two kerb extensions;
  - (c) reinstatement of road pavement;
  - (d) the re-setting of stones within the existing bluestone threshold treatment, demonstrating the threshold treatment is robust to accommodate vehicle loadings and repetitive movements, ensuring that stones are not dislodged;
  - (e) removal of street trees (as necessary);
  - (f) installation of no stopping (all times) restrictions on the south side of Cameron Street (including the loss of three on street car parking spaces) all between the subject sites access points and Church Street;
  - (g) removal of parking restrictions (as necessary); and
  - (h) any other works required.

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

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

#### **Environmental Audit**

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

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

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

9. **The permit holder must:**

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

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

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

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

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

12. Any ongoing groundwater management and abatement of groundwater contamination must be in accordance with all requirements of any Clean Up Notice issued by the Environment Protection Authority (EPA) under section 62A of the *Environment Protection Act 1970*, or any other relevant written notice or direction issued by the Environment Protection Authority, to the satisfaction of the Environment Protection Authority.



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

### Acoustic Treatments

15. Before the development commences (excluding demolition and excavation), an updated acoustic report generally in accordance with the Watson Moss Growcott report dated December 2017 and the Acoustic Logic report dated 9 July 2018 must be submitted to and approved by the Responsible Authority. Once approved, the acoustic report will be endorsed and will then form part of the permit. The report must be prepared by a suitably qualified acoustic engineer and include:
  - (a) an assessment of how the requirements of State Environment Protection Policy N-1 and relevant Australian Standards will be met and must prescribe the form of acoustic treatment to:
    - (i) protect all dwelling occupants from external noise sources from Bridge Road and Church Street including details of glazing types;
    - (ii) protect dwelling occupants with a specific interface to commercial tenancies above, next to or below from associated commercial noise sources including but not limited to loading (including reversing beepers), waste collection, plant and equipment and gym;
    - (iii) protect all dwelling occupants and nearby occupants from noise generated from the mechanical plant equipment and ventilation mechanisms installed or constructed as part of the development;
    - (iv) protect all dwelling occupants and nearby occupants with a direct interface with the loading areas and car park; and
    - (v) protect all dwellings within Building A from noise generated from use of the bin chutes.
  - (b) details of acoustic treatment of the rooftop terrace fronting Bridge Road (westernmost above the second floor café) to limit noise emanating from the site to not exceed 48dB(A) when measure at the nearest residential dwelling at night time under the SEPP- N1 methodology;
  - (c) an assessment of how the requirements of State Environment Protection Policy N-2 and relevant Australian Standards will be met including music noise from gym, cafes/restaurant etc.;
  - (d) specific details of acoustic attenuation (not just preliminary recommendations), including but not limited to mechanical services equipment, the gym/yoga centre and the child care centre; and
  - (e) the façade of the Gym and yoga studio designed such that noise breakout from the facility will comply with the relevant noise limits at the nearest noise sensitive receivers (existing and future). (Noting that the Revision 10 design features the Gym and Yoga Studio entrance across the hall from the entry doors of apartments B-0-14 and B-0-13, therefore this may require an airlock to the Gym and Yoga Studio entry door.)
  - (f) Include 42 Cameron Street into the assessment and review any interface issues between the fresh food truck store and dwellings DG.02, D.104 and D.203;
  - (g) Address the modified loading area.

16. On the completion of any works required by the endorsed Acoustic report (condition 15) above and before the residential use commences, an updated acoustic report prepared by a suitably qualified acoustic consultant to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority demonstrating that the required level of noise attenuation has been achieved. The report must:
  - (a) confirm compliance with condition 14 of the permit; and
  - (b) provide measurement data taken from inside the dwellings of the development, demonstrating compliance with State Environment Protection Policy N-1 (indoor noise limits), however allowing internal noise measurements to be taken with openable external façade sections close.
17. The recommendations and any works contained in the approved acoustic reports pursuant to conditions 14 and 15 must be implemented and completed and where they are recommendations of an ongoing nature must be maintained all to the satisfaction of the Responsible Authority.

### **Environmentally Sustainable Design Principles**

18. Before the plans are endorsed, an amended Environmentally Sustainable Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the report will then form part of this permit. The Report must be generally in accordance with the report Sustainability Management Plan for Coles Richmond Plaza (April 2018) prepared by Cundall but modified to address the following:
  - (a) the apartment layout schematic plans prepared by SJB Architects dated 26 October 2018.
  - (b) An updated daylight modelling report reflective of the layout changes;
  - (c) confirmation that door / window locks are to be provided to all balcony doors and windows so that they can be fixed/locked into position such that they can provide a secure opening for night purging;
  - (d) inclusion of a daylight modelling report that confirms that albeit the use of tinted glazing a daylight factor of at least 1.5 per cent is met for 75% of the living areas across at least 80 per cent of dwellings;
  - (e) confirmation that the development will achieve at least 10 per cent or half a star (whichever is greater) above BCA minimum standards;
  - (f) details of insulation and sealing of penetrations between air-conditioned and unair-conditioned areas through the provision of seals to the loading dock area;
  - (g) incorporation where viable, solar boosted gas hot-water; and confirm the use of dimmable lighting systems;
  - (h) confirmation that a 100,000 litre water tank is sufficient to service watering of landscaping and flushing of retail tenancy toilets;
  - (i) confirmation the number and location of toilets that will be serviced by rainwater rather than mains water;
  - (j) natural ventilation to residential corridors, in consultation with the wind assessment required by condition 20;
  - (k) provision for future electric vehicle and bicycle charging points; and
  - (l) provision for all electric vehicle charging stations to be powered by Green power.
19. The dwellings must achieve a minimum average of 6.5 star rating under first rate (BCA standards).
20. The provisions, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

## Wind Assessment

21. The provisions, recommendations and requirements of the endorsed Wind Impact Assessment prepared by Vipac dated 10 April 2018 must be complied with and implemented to the satisfaction of the Responsible Authority.

## Accessibility Plan

22. Before the plans are endorsed, an accessibility plan must be submitted to and approved by the Responsible Authority and must be generally in accordance with the access plan shown on page 88 of the original urban context report submitted with the application. Once approved, the accessibility plan will be endorsed and will then form part of the permit. The plan must show:
- (a) areas within the development that are proposed to have 24 hour access including but not limited to:
    - (i) western laneway accessed from Bridge Road;
    - (ii) part eastern laneway accessed from Bridge Road;
    - (iii) public square accessed from Bank Street;
    - (iv) existing lane extending south from Cameron Street;
    - (v) civic space adjacent to Church Street;
    - (vi) residential lobby adjacent to Church Street; and
  - (b) areas within the development that are proposed to have access during the centre operating hours.
23. Unfettered public access at all times must be maintained through areas nominated under condition **22(a)**.

## Affordable Housing

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

## Car and Bicycle Share

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

## Green Travel Plan [GTP]

26. Prior to the occupation of the development, a Green Travel Plan prepared by a suitably qualified person to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. Once approved, the Plan will be endorsed and will then form part of the permit. The Plan must encourage the use of non-private vehicle transport modes by the occupiers of the land by addressing at a minimum:

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

### **Developer Contribution**

27. Prior to the commencement of the development, the permit holder must pay a bank guarantee to the value of \$40,000 to the City of Yarra for future public transport improvements to Bridge Road and/or Church Street in the immediate vicinity of the site. The bank guarantee may be drawn down by Council and used for proposed works by either Yarra Trams, Department of Transport or VicRoads to carry out public transport improvements (e.g. increased tram capacity) in the immediate vicinity of the site along Bridge Road and/or Church Street, Richmond, in consultation with the permit holder. The bank guarantee will be returned to the permit holder if the transport improvement works are not commenced by the relevant authorities, prior to the occupation of the final stage of the development.

### **Loading General**

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

### **Loading and Waste Management – Cameron Street Loading Dock**

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

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

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

#### **Loading and Waste Management – Bank Street Loading Dock**

33. Waste collection may only occur between the following times, unless with the prior written consent of the Responsible Authority:
- (a) 7.00 am and 8.00 pm Monday to Saturday;
  - (b) 9.00 am and 8.00 pm Sunday
34. Commercial loading may only occur between 6.00 am and 10.00 pm, seven days, unless with the prior written consent of the Responsible Authority.

#### **Loading and Waste Management – Church Street Loading Dock**

35. Waste collection may only occur between the following times, unless with the prior written consent of the Responsible Authority:
- (a) 7.00 and 8.00 pm Monday to Saturday;
  - (b) 9.00 am and 8.00 pm Sunday.
36. Commercial loading may only occur between 6.00 am and 10.00 pm, seven days, unless with the prior written consent of the Responsible Authority.

#### **Transport Management Plan**

37. Prior to the commencement of the development, a Transport Management Plan prepared by a suitably qualified professional to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Transport Management Plan will be endorsed and will then form part of the permit. The Transport Management Plan must address the following:

##### **General**

- (a) A review of directional line marking and control methods with the car park areas addressing safety for vehicle, bikes and pedestrians.
- (b) an internal signage plan distinguishing permanent parking areas (resident and commercial) from visitor parking areas, and car share programme parking areas, directional arrows and signage, information signs indicating location of disabled bays, small parking bays, bicycle parking, exits, restrictions, pay parking system etc.;
- (c) management system of trolley bay area's to ensure appropriate measures are in place for collection and storage;
- (d) security arrangements;

- (e) location of all real time travel information signs to be installed within the development;
- (f) right turn only between 10.00 pm – 7.00 am into Cameron Street from the site;

#### Car Parking

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

#### Bicycle Spaces

- (n) a minimum of 410 on site bicycle parking spaces:
  - (i) 307 resident spaces;
  - (ii) 103 visitor spaces; and
  - (iii) seven bike share spaces provided along the Church Street frontage;
- (o) a mechanism to review the car parking **(including car share spaces)** and bicycle spaces to either re-allocate the spaces if demand warrants so, or provide more spaces if the opportunity arises. This may include future Owners Corporation review/input;
- (p) management details of the bike share programme provided;

#### Loading and Deliveries and Waste

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

- (v) details regarding the management of loading and unloading of goods and materials for the supermarket including frequency, times, truck sizes all in compliance with any other condition(s) of this permit.

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

### **Car Parking, Crossovers and Footpaths**

39. The area set aside for the parking of vehicles, together with the associated access lanes as delineated on the endorsed plan must:

- (a) be provided and completed to the satisfaction of the Responsible Authority prior to the commencement of the development hereby permitted;
- (b) thereafter be maintained to the satisfaction of the Responsible Authority;
- (c) be made available for such use at all times and not used for any other purpose;
- (d) be properly formed to such levels that it can be used in accordance with the endorsed plan; and
- (e) be drained and sealed with an all weather seal coat

all to the satisfaction on the Responsible Authority.

40. Any redundant vehicle crossings must be broken out and reinstated with paving, kerb and channel of the surrounding area. The cost of these reinstatement works must be borne by the Permit Holder.

41. Any damaged road(s) and footpath(s) adjacent to the development site as a result of the development must be reinstated to the satisfaction of the Responsible Authority and at the expense of the Permit Holder.

42. Footpaths adjacent to the development site (along Bank Street, Cameron Street, Church Street and Bridge Road) must be reconstructed to the satisfaction of the Responsible Authority and at the expense of the Permit Holder.

43. All vehicle crossings must be constructed in accordance with City of Yarra Standard Drawings and Specifications;

44. The development's finished floor levels relative to the existing footpath and road levels must be such that pedestrian and vehicular access accord with the Australian/New Zealand Standard AS/NZS 2890.1:2004;

45. All existing kerb and channel, and road pavement surface levels should not be altered. Council may permit the adjustment of Building Line levels to provide access in accordance with AS/NZS 2890.1:2004;

46. At no cost to Council, any in-ground parking sensors surrounding the subject site that are required to be removed as part of the works approved by this development must be removed and or relocated/reinstated in consultation with and to the satisfaction of the Responsible Authority.

47. Before the development commences (excluding demolition and excavation), detailed design drawings must be prepared by a suitably qualified person and to the satisfaction of the Responsible Authority addressing all civil and road infrastructure works associated with the development. Once approved, the plans will be endorsed and will then form part of the permit. Before the development is completed, all works shown on the endorsed plans must be carried out and completed and at no cost and to the satisfaction of the Responsible Authority

### **Childcare Centre**

48. Unless with the prior written consent of the Responsible Authority, no more than 40 places may be offered in the childcare centre at any time.
49. Unless with the prior written consent of the Responsible Authority, the childcare centre may only operate between 6.00 am to 6.00 pm Monday to Sunday.

### **Restricted Recreation Facility (Gym)**

50. Unless with the prior written consent of the Responsible Authority, no more than 60 patrons and six staff may be present in the gym at any time.
51. Unless with the prior written consent of the Responsible Authority, the gym may only operate between:
  - (a) 6.00 am to 10.00 pm Monday to Friday; and
  - (b) 6.00 am to 10.00 pm Saturday and Sunday.

### **Restricted Recreation Facility (Yoga studio)**

52. Unless with the prior written consent of the Responsible Authority, no more than 25 patrons and five staff may be present in the yoga studio at any time.
53. Unless with the prior written consent of the Responsible Authority, the yoga studio may only operate between:
  - (a) 6.00 am to 10.00 pm Monday to Friday; and
  - (b) 6.00 am to 10.00 pm Saturday and Sunday.

### **Bottle Shop**

54. Unless with the prior written consent of the Responsible Authority, the sale of liquor hereby permitted may only be offered between 9.00 am – 11.00 pm Monday to Sunday.
55. During all hours in which the business is open to the public, entry must be made freely available to any authorised officer(s) of the responsible authority for the carrying out of any investigations associated with the sale of alcohol on the site.
56. During all operating hours of the use hereby authorised, there must be present on the site a person above the age of 18 years, who has been authorised by the occupier of the land and that person will be responsible for the good conduct of patrons arriving, using or leaving the land, (For the purposes of this permit, this person is known as "the Manager").
57. The Manager must be qualified in operating in accordance with the policies and guidelines prescribed by Liquor Licensing Victoria.
58. The Manager must at all times be authorised by the occupier of the premises to make statements and admissions on their behalf to any authorised officer of the Responsible Authority regarding the conduct of the premises for the use hereby authorised.

### **Operations Management Plan**



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

### **Community Services Plan**

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

### **General Amenity**

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

### **Landscaping**

66. Before the occupation of the development, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.

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

### **Lighting**

71. The development must be provided with external lighting capable of illuminating access to each car parking spaces, storage, rubbish bin, recycling bin, pedestrian walkways, stairwells, lift, dwelling entrances and entry foyer. Lighting must be located, directed, shielded and of limited intensity so that no nuisance or loss of amenity is caused to any person within and beyond the site, to the satisfaction of the Responsible Authority.

### **General**

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

### **Waste Management**

75. Before the use and development commences, an amended Waste Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority.  
When approved, the amended Waste Management Plan will be endorsed and will form part of this permit. The amended Waste Management Plan must be generally in accordance with the Waste Management Plan prepared by Leigh Design and dated 3 August 2018, but modified to include the following:
  - (a) An organic waste collection or a composting system **for residents**.
76. The collection of all waste must be in accordance with the approved Waste Management Plan. Rubbish, including bottles and packaging material, must at all times be stored within the building and screened from external view and be managed to the satisfaction of the Responsible Authority in accordance with the approved Waste Management Plan.
77. All commercial waste must be collected via a private collection service to the satisfaction of the Responsible Authority.

## Construction Management Plan

78. Before any development commences, a Construction Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed as evidence of its approval. The plan must provide for or include the following:

- (a) a pre-conditions survey (dilapidation report) of the subject site and all adjacent Council roads frontages and nearby road infrastructure;
- (b) protection works necessary to road and other infrastructure (limited to an area reasonably proximate to the site);
- (c) remediation of any damage to road and other infrastructure (limited to an area reasonably proximate to the site);
- (d) containment of dust, dirt and mud within the site and method and frequency of clean up procedures in the event of build up of matter outside the site;
- (e) on site facilities for vehicle washing;
- (f) the location of loading zones, site sheds, materials, cranes and crane/hoisting zones, gantries and any other construction related items or equipment to be located in any street;
- (g) site security;
- (h) management of any environmental hazards that the activities on-site pose including but not limited to: contaminated soil, materials and waste, dust, stormwater contamination from run-off and wash-waters, sediment from the site on roads, washing of concrete trucks and other vehicles and machinery, spillage from refuelling cranes and other vehicles and machinery;
- (i) construction program;
- (j) preferred arrangements for trucks delivering to the site including delivery and unloading points and expected frequency;
- (k) parking facilities for construction workers;
- (l) measures to ensure that sub-contractors/tradespersons operate in accordance with the Construction Management Plan;
- (m) an outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services;
- (n) an emergency contact that is available for 24 hours per day for residents and the Responsible Authority in the event of relevant queries or problems experienced;
- (o) the provision of a traffic management plan to comply with provisions of AS 1742.3-2002 Manual of uniform traffic control devices - Part 3: Traffic control devices for works on roads;
- (p) a noise and vibration management plan showing methods to minimise noise and vibration impacts on nearby properties and to demonstrate compliance with Noise Control Guideline 12 for Construction (Publication 1254) as issued by the Environment Protection Authority in October 2008, to the satisfaction of the Responsible Authority. In this regard, consideration (amongst other matters) may be given to:
  - (i) using lower noise work practice and equipment;
  - (ii) the suitability of the site for the use of an electric crane;
  - (iii) silencing all mechanical plant by the best practical means using current technology; and
  - (iv) fitting all pneumatic tools operated near a residential area with an effective silencer on their air exhaust port;
- (q) confirm the location of the Council drain within the laneway running adjacent to properties fronting Bank Street and ensure that the drain is protected and be made accessible to Council work works in times of maintenance or emergency; and
- (r) screening measures to prevent overlooking into 267 Bridge Road during construction.

79. During the construction, the following must occur:

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

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

### **Transport for Victoria Condition (81 to 82)**

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

### **VicRoads Conditions (83 – 85)**

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

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

### **Expiry**

86. This permit will expire if one of the following circumstances applies:
- (a) the development is not started within three (3) years of the date of this permit;
  - (b) the development is not completed within seven (7) years of the date of this permit;
  - (c) the uses are not commenced within seven (7) years of the date of this permit.
- The Responsible Authority may approve extensions to these time limits if requests are made before the permit expires or within three (3) months afterwards.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Mr Kel Twite addressed the Committee on behalf of the Applicant.

## INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION

**Moved:** Councillor Coleman

**Seconded:** Councillor Bosler

That having considered all relevant planning policies, the Committee resolves to advise VCAT and the parties to VCAT proceeding P207/2019 that it consents to the grant of an amendment to Planning Permit PLN11/0834 for the demolition, buildings and works, use of the land for dwellings, shop, restructured recreation facility, food and drinks premises, office, childcare centre, use of part of the land for the sale and consumption of liquor, reduction in car parking requirements, and use northern part of land for loading/unloading bay and waste collection at 271 Bridge Road, 208, 224, 228, 230 and 238 Church Street, 42 and 26 Cameron Street and 25 and 37 – 39 Bank Street, Richmond subject to the following conditions:

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the decision plans prepared by SJB Architects, received by Council on 11 and 19 July 2018 but modified to show:

### Building Design

#### *Podium*

- (a) details of the material along the west title boundary (adjacent to Ark) at ground and first floor level;
- (b) all canopies and architectural projections along Church Street and Bridge Road to be setback a minimum 750mm from the back of the kerb;
- (c) details of all lobby entrances including lighting and glazing to ensure good visibility in to the residential lobbies;
- (d) setback of the western car park edge at levels 1 & 2 to be increased to align with those currently endorsed being ranging between 3.98 – 4.5m

#### *Bridge Road Tower [Building A]*

- (e) details of the operable screens proposed for the upper levels
- (f) basement car park to be contained within the subject sites title boundaries

#### *Building C*

- (g) a reduction in the parapet height (to apartment C6.01) as it presents to Church Street and for the first section of the return from 1.6m to approximately 300mm as depicted in the schematic plans prepared by SJB Architects dated 26 October 2018.
- (h) At level 3 details of location of porous screen of 2m high tree as required by the wind assessment;
- (i) Details of doors to loading and parking area (Cameron Street)

#### *Building D*

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

#### *Building E*

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

### *Building Materials*

- (l) an updated schedule of all materials and finishes (including materials samples, colours coloured elevations and perspectives). The schedule must show the materials, colour, finish and application methods (where relevant) of all external walls, roof, fascias, window frames, glazing types, cladding, doors and fences and must include:
- (i) thumb nail sketches of key elements of the façade of each building
  - (ii) material treatment of Building A lift core to be patterned concrete to both the south and west elevations.
  - (iii) Building A upper levels to be treated with a patterned mesh in a light colour as depicted in the schematic plans prepared by SJB Architects dated 26 October 2018.
  - (iv) Building B design resolution to be as depicted in the schematic plans prepared by SJB Architects dated 26 October 2018.
  - (v) Building C Church Street podium façade levels 1 & 2 to replicate façade detailing (brick) of the remainder of the façade in a white or light grey colour
  - (vi) Ground floor building C wall adjacent to lobby and substation to be a patterned brick wall in a black or dark colour.
  - (vii) Details of the grey mesh proposed on the Church Street podium
  - (viii) Details of materials proposed for the ground floor of building D;
  - (ix) Details of car park / loading bay doors
  - (x) include details of graffiti proof coating to be applied to the ground floor interfaces of the buildings;

### *Landscape*

- (m) updated landscape plans generally in accordance with the Landscape Concepts February 2018) prepared by MemLa to the satisfaction of the Responsible Authority must be prepared by a suitably qualified permit. When approved, the landscape plan will be endorsed and will then form part of the permit. The plan must be drawn to scale with dimensions and three copies must be provided. The plan must show:
- (i) the location of all areas to be covered by lawn or other surface materials;
  - (ii) the location of any permanent structures, furniture, public seating or other facilities;
  - (iii) all public area footpaths, steps, ramps and crossings to comply with DDA – Tactile indicators, nosing's and handrails where necessary;
  - (iv) grades of all ramps shown on plan;
  - (v) grades of all footpaths shown on plan;
  - (vi) details of raised planters to courtyards to be confirmed (height, construction and tree planting details);
  - (vii) location and type of water tank for irrigation;
  - (viii) detailed planting plan with plant schedule (common and botanical plant names, density, quantities, size at planting and maturity height;
  - (ix) details of street furniture, including bench seats and street tree planters;
  - (x) existing and proposed levels including top wall and fence heights (where relevant);
  - (xi) details of the installation methodology for the green wall to the car parking area, including planting and initial establishment requirements and details of the proposed maintenance regime to ensure the integrity of the green wall over its operation life, including plant replacement, irrigation and fertilisation and guidelines for monitoring;
  - (xii) ongoing maintenance and management details of all publically accessible spaces;

- (xiii) a detailed lighting plan for all publically accessible areas including private, communal and the public laneways ensuring lighting is baffled to minimise light spill;
- (xiv) a schedule of 'way finding' signage;
- (xv) additional soft landscaping including planting details to assist in the delineation between the pedestrian and loading/waste management sections of the Bank Street square;
- (xvi) dimensioned cross sections and internal elevations detailing the interior of the laneways, access ways and Bank Street square;
- (xvii) deletion of *Quercus Rubra Red Oak* from Podium Level 3 plan and replace with a smaller tree
- (xviii) fencing details for Podium Level 3
- (xix) use of stormwater or grey water for irrigation of planters
- (xx) the ground floor plan to show locations of all existing street trees to be removed and retained and any protection works required
- (xxi) show a physical separation between moving traffic and the food and drinks premises seating in the form of temporary barriers such as (but not limited to) planter boxes on wheels in the western most laneway between the laneway and the 'trade out area';
- (xxii) the relaying or new blue stone within Council's land with need to meet Council' design standards.
- (xxiii) The provision of 2 Street tree plantings along, Cameron Street and Bank Street in consultation with Council.
- (xxiv) Landscape images and plans to match the schematic plans prepared by SJB Architecture dated 26 October.
- (xxv) Additional landscape facilities including toilets, sinks, BBQ to be added to the communal terrace at level 3.

#### Acoustic

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

#### Environmentally Sustainable Design Principles

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

#### Wind Assessment

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

#### Bicycle Parking

- (q) a minimum 7 public bicycle share spaces;
- (r) width of the bike ramps increased to 1.5m with ramp grades to be as close to 1:12 as possible in general compliance with AS2890.3
- (s) increased bike provision to 410 spaces with 103 spaces allocated for visitor parking to be located with the basement and in the laneway access spaces (Bridge Road) without hindering vehicular access.
- (t) 20% of residential /staff spaces to be provided as horizontal at ground level spaces.

#### Car Parking

- (u) Dimensions shown for parallel parking spaces at the south west corner of the Basement car spaces (9, 10 and 11) and the parallel parking spaces in Podium level 01 car spaces (5, 120 and 133);
- (v) Column locations to be in accordance with AS2890.1:2004;



- (w) Installation of appropriate signage and / or line marking /ground stencilling be installed at the location where one way aisles meet two way aisles.
- (x) Wayfinding signage for both drivers and cyclist to and from parking areas and entry/exit points;
- (y) Priority line marking within the basement and podium car parking levels at all conflict points
- (z) Appropriate pedestrian crossing signage be provided at each formal pedestrian crossing;
- (aa) Location of speed humps at the approaches to pedestrian crossings if required;

#### Loading and Waste

- (bb) all works recommended in the waste management plan referred to in condition **77**;

#### General

- (cc) internal layout of apartments to comply with the apartment layout schematic plans prepared by SJB Architects dated 26 October 2018.
- (dd) location of the proposed water tank with a minimum capacity of 100,000 litres;
- (ee) all plans to be drawn within title boundaries (excluding architectural features, canopies and awnings) and to be fully dimensioned;
- (ff) a full set of all elevations and cross-sections including full internal elevations of all buildings and public spaces (including laneways) fully dimensioned with setbacks and heights of all buildings;
- (gg) Plans and elevations to clearly show location of doors and windows for both commercial and residential uses and all habitable rooms having openable windows; **(with the exception of dwellings within Building E which must continue to have access to natural light by way of an openable window or sliding door)**;
- (hh) Where overlooking opportunities can be provided within a 9m radius and 45 degree arc from a habitable room window or private open spacea into another habitable room or private open space on or off site, the following must be applied:
  - (i) Minimum 1.7m fixed obscure glazing;
  - (ii) Minimum 1.7 high, maximum 25% transparent screens; or
  - (iii) Other method(s) to the satisfaction of the Responsible Authority.
- (ii) all publically accessible areas to be shown as referred to in condition **23**;
- (jj) deletion of all reference to business identification signage;
- (kk) location of all mailboxes;
- (ll) a demolition plan clearly detailing all structures and surfaces to be demolished within the portion of the site affected by the Heritage Overlay;
- (mm) all internal corridors in the apartment buildings to have a minimum width of 1.5m with an indentation at each entrance of up to 100mm to articulate dwelling entries;
- (nn) details and provision of an average of 4 cubic metres of storage for each dwelling;
- (oo) provision of an internal signage plan detailing indicative signage to guide residents, employees, visitors and the public to communal open spaces, commercial facilities, car parking areas, bicycle parking areas with priority given to pedestrian and cyclist wayfinding;
- (pp) all feature paving and in ground lighting proposed is to be contained within the site title boundaries;
- (qq) a minimum of 33% of the dwellings to be shown as including internal layout supporting adaptation for persons with limited mobility based on the schematic apartment layout plans prepared by SJB Architects dated 26 October 2018.

#### **Endorsed Plans**

2. All development and use must accord with the endorsed plans. Any alterations must be approved in writing by the Responsible Authority.

3. Floor levels shown on the endorsed plans must not be altered or modified. Any alterations must be approved in writing by the Responsible Authority.

#### Ongoing Involvement of the Architect

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

#### Cameron/Church Street Intersection

5. Within six months of the development commencing, the design of the proposed works to the Cameron Street road reserve at the intersection with Church Street must be prepared by an independent and suitably qualified professional to the satisfaction of the Responsible Authority and in consultation with the Responsible Authority. The design must be submitted to and approved by the Responsible Authority. The design of the works must provide details of how the road reserve will be treated to enable:
  - (a) the creation of separate right turn and left turn exit lanes, while retaining a single entry lane;
  - (b) the removal of the two kerb extensions;
  - (c) reinstatement of road pavement;
  - (d) the re-setting of stones within the existing bluestone threshold treatment, demonstrating the threshold treatment is robust to accommodate vehicle loadings and repetitive movements, ensuring that stones are not dislodged;
  - (e) removal of street trees (as necessary);
  - (f) installation of no stopping (all times) restrictions on the south side of Cameron Street (including the loss of three on street car parking spaces) all between the subject sites access points and Church Street;
  - (g) removal of parking restrictions (as necessary); and
  - (h) any other works required.

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

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

#### Environmental Audit

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

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

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

9. The permit holder must:

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

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

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

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

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

12. Any ongoing groundwater management and abatement of groundwater contamination must be in accordance with all requirements of any Clean Up Notice issued by the Environment Protection Authority (EPA) under section 62A of the *Environment Protection Act 1970*, or any other relevant written notice or direction issued by the Environment Protection Authority, to the satisfaction of the Environment Protection Authority.

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

### Acoustic Treatments

- 16.** Before the development commences (excluding demolition and excavation), an updated acoustic report generally in accordance with the Watson Moss Growcott report dated December 2017 and the Acoustic Logic report dated 9 July 2018 must be submitted to and approved by the Responsible Authority. Once approved, the acoustic report will be endorsed and will then form part of the permit. The report must be prepared by a suitably qualified acoustic engineer and include:
  - (a) an assessment of how the requirements of State Environment Protection Policy N-1 and relevant Australian Standards will be met and must prescribe the form of acoustic treatment to:
    - (i) protect all dwelling occupants from external noise sources from Bridge Road and Church Street including details of glazing types;
    - (ii) protect dwelling occupants with a specific interface to commercial tenancies above, next to or below from associated commercial noise sources including but not limited to loading (including reversing beepers), waste collection, plant and equipment and gym;
    - (iii) protect all dwelling occupants and nearby occupants from noise generated from the mechanical plant equipment and ventilation mechanisms installed or constructed as part of the development;
    - (iv) protect all dwelling occupants and nearby occupants with a direct interface with the loading areas and car park; and
    - (v) protect all dwellings within Building A from noise generated from use of the bin chutes.
  - (b) details of acoustic treatment of the rooftop terrace fronting Bridge Road (westernmost above the second floor café) to limit noise emanating from the site to not exceed 48dB(A) when measure at the nearest residential dwelling at night time under the SEPP- N1 methodology;
  - (c) an assessment of how the requirements of State Environment Protection Policy N-2 and relevant Australian Standards will be met including music noise from gym, cafes/restaurant etc.;
  - (d) specific details of acoustic attenuation (not just preliminary recommendations), including but not limited to mechanical services equipment, the gym/yoga centre and the child care centre; and
  - (e) the façade of the Gym and yoga studio designed such that noise breakout from the facility will comply with the relevant noise limits at the nearest noise sensitive receivers (existing and future). (Noting that the Revision 10 design features the Gym and Yoga Studio entrance across the hall from the entry doors of apartments B-0-14 and B-0-13, therefore this may require an airlock to the Gym and Yoga Studio entry door.)
  - (f) Include 42 Cameron Street into the assessment and review any interface issues between the fresh food truck store and dwellings DG.02, D.104 and D.203;
  - (g) Address the modified loading area.

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

### **Environmentally Sustainable Design Principles**

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

The Report must be generally in accordance with the report Sustainability Management Plan for Coles Richmond Plaza (April 2018) prepared by Cundall but modified to address the following:

- (a) the apartment layout schematic plans prepared by SJB Architects dated 26 October 2018.
  - (b) An updated daylight modelling report reflective of the layout changes;
  - (c) confirmation that door / window locks are to be provided to all balcony doors and windows so that they can be fixed/locked into position such that they can provide a secure opening for night purging;
  - (d) inclusion of a daylight modelling report that confirms that albeit the use of tinted glazing a daylight factor of at least 1.5 per cent is met for 75% of the living areas across at least 80 per cent of dwellings;
  - (e) confirmation that the development will achieve at least 10 per cent or half a star (whichever is greater) above BCA minimum standards;
  - (f) details of insulation and sealing of penetrations between air-conditioned and unair-conditioned areas through the provision of seals to the loading dock area;
  - (g) incorporation where viable, solar boosted gas hot-water; and confirm the use of dimmable lighting systems;
  - (h) confirmation that a 100,000 litre water tank is sufficient to service watering of landscaping and flushing of retail tenancy toilets;
  - (i) confirmation the number and location of toilets that will be serviced by rainwater rather than mains water;
  - (j) natural ventilation to residential corridors, in consultation with the wind assessment required by condition **22**;
  - (k) provision for future electric vehicle and bicycle charging points; and
  - (l) provision for all electric vehicle charging stations to be powered by Green power.
- 20.** The dwellings must achieve a minimum average of 6.5 star rating under first rate (BCA standards).
- 21.** The provisions, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

## Wind Assessment

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

## Accessibility Plan

- 23.** Before the plans are endorsed, an accessibility plan must be submitted to and approved by the Responsible Authority and must be generally in accordance with the access plan shown on page 88 of the original urban context report submitted with the application. Once approved, the accessibility plan will be endorsed and will then form part of the permit. The plan must show:

- (a) areas within the development that are proposed to have 24 hour access including but not limited to:
  - (i) western laneway accessed from Bridge Road;
  - (ii) part eastern laneway accessed from Bridge Road;
  - (iii) public square accessed from Bank Street;
  - (iv) existing lane extending south from Cameron Street;
  - (v) civic space adjacent to Church Street;
  - (vi) residential lobby adjacent to Church Street; and
- (b) areas within the development that are proposed to have access during the centre operating hours.

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

## Affordable Housing

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

## Car and Bicycle Share

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

## Green Travel Plan [GTP]

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

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

### **Developer Contribution**

- 28.** Prior to the commencement of the development, the permit holder must pay a bank guarantee to the value of \$40,000 to the City of Yarra for future public transport improvements to Bridge Road and/or Church Street in the immediate vicinity of the site. The bank guarantee may be drawn down by Council and used for proposed works by either Yarra Trams, Department of Transport or VicRoads to carry out public transport improvements (e.g. increased tram capacity) in the immediate vicinity of the site along Bridge Road and/or Church Street, Richmond, in consultation with the permit holder. The bank guarantee will be returned to the permit holder if the transport improvement works are not commenced by the relevant authorities, prior to the occupation of the final stage of the development.

### **Loading General**

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

### **Loading and Waste Management – Cameron Street Loading Dock**

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

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

All Days (Monday to Sunday)	6.00 pm – 10.00 pm	1
Weekday (Monday to Friday)	5.00 am – 7.00 am	2
Saturday	5.00 am – 7.00 am	1
Sunday	5.00 am – 7.00 am	No vehicles

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

#### **Loading and Waste Management – Bank Street Loading Dock**

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

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

#### **Loading and Waste Management – Church Street Loading Dock**

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

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

#### **Transport Management Plan**

- 39.** Prior to the commencement of the development, a Transport Management Plan prepared by a suitably qualified professional to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Transport Management Plan will be endorsed and will then form part of the permit. The Transport Management Plan must address the following:

##### **General**

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

##### **Car Parking**



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

#### Bicycle Spaces

- (n) a minimum of 410 on site bicycle parking spaces:
  - (i) 307 resident spaces;
  - (ii) 103 visitor spaces; and
  - (iii) seven bike share spaces provided along the Church Street frontage;
- (o) a mechanism to review the car parking **(including car share spaces)** and bicycle spaces to either re-allocate the spaces if demand warrants so, or provide more spaces if the opportunity arises. This may include future Owners Corporation review/input;
- (p) management details of the bike share programme provided;

#### Loading and Deliveries and Waste

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

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

## **Car Parking, Crossovers and Footpaths**

- 41.** The area set aside for the parking of vehicles, together with the associated access lanes as delineated on the endorsed plan must:
- (a) be provided and completed to the satisfaction of the Responsible Authority prior to the commencement of the development hereby permitted;
  - (b) thereafter be maintained to the satisfaction of the Responsible Authority;
  - (c) be made available for such use at all times and not used for any other purpose;
  - (d) be properly formed to such levels that it can be used in accordance with the endorsed plan; and
  - (e) be drained and sealed with an all weather seal coat
- all to the satisfaction on the Responsible Authority.
- 42.** Any redundant vehicle crossings must be broken out and reinstated with paving, kerb and channel of the surrounding area. The cost of these reinstatement works must be borne by the Permit Holder.
- 43.** Any damaged road(s) and footpath(s) adjacent to the development site as a result of the development must be reinstated to the satisfaction of the Responsible Authority and at the expense of the Permit Holder.
- 44.** Footpaths adjacent to the development site (along Bank Street, Cameron Street, Church Street and Bridge Road) must be reconstructed to the satisfaction of the Responsible Authority and at the expense of the Permit Holder.
- 45.** All vehicle crossings must be constructed in accordance with City of Yarra Standard Drawings and Specifications;
- 46.** The development's finished floor levels relative to the existing footpath and road levels must be such that pedestrian and vehicular access accord with the Australian/New Zealand Standard AS/NZS 2890.1:2004;
- 47.** All existing kerb and channel, and road pavement surface levels should not be altered. Council may permit the adjustment of Building Line levels to provide access in accordance with AS/NZS 2890.1:2004;
- 48.** At no cost to Council, any in-ground parking sensors surrounding the subject site that are required to be removed as part of the works approved by this development must be removed and or relocated/reinstated in consultation with and to the satisfaction of the Responsible Authority.
- 49.** Before the development commences (excluding demolition and excavation), detailed design drawings must be prepared by a suitably qualified person and to the satisfaction of the Responsible Authority addressing all civil and road infrastructure works associated with the development.  
Once approved, the plans will be endorsed and will then form part of the permit.  
Before the development is completed, all works shown on the endorsed plans must be carried out and completed and at no cost and to the satisfaction of the Responsible Authority

## **Childcare Centre**

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

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

#### **Restricted Recreation Facility (Gym)**

- 52.** Unless with the prior written consent of the Responsible Authority, no more than 60 patrons and six staff may be present in the gym at any time.
- 53.** Unless with the prior written consent of the Responsible Authority, the gym may only operate between:
- (a) 6.00 am to 10.00 pm Monday to Friday; and
  - (b) 6.00 am to 10.00 pm Saturday and Sunday.

#### **Restricted Recreation Facility (Yoga studio)**

- 54.** Unless with the prior written consent of the Responsible Authority, no more than 25 patrons and five staff may be present in the yoga studio at any time.
- 55.** Unless with the prior written consent of the Responsible Authority, the yoga studio may only operate between:
- (a) 6.00 am to 10.00 pm Monday to Friday; and
  - (b) 6.00 am to 10.00 pm Saturday and Sunday.

#### **Bottle Shop**

- 56.** Unless with the prior written consent of the Responsible Authority, the sale of liquor hereby permitted may only be offered between 9.00 am – 11.00 pm Monday to Sunday.
- 57.** During all hours in which the business is open to the public, entry must be made freely available to any authorised officer(s) of the responsible authority for the carrying out of any investigations associated with the sale of alcohol on the site.
- 58.** During all operating hours of the use hereby authorised, there must be present on the site a person above the age of 18 years, who has been authorised by the occupier of the land and that person will be responsible for the good conduct of patrons arriving, using or leaving the land, (For the purposes of this permit, this person is known as "the Manager").
- 59.** The Manager must be qualified in operating in accordance with the policies and guidelines prescribed by Liquor Licensing Victoria.
- 60.** The Manager must at all times be authorised by the occupier of the premises to make statements and admissions on their behalf to any authorised officer of the Responsible Authority regarding the conduct of the premises for the use hereby authorised.

#### **Operations Management Plan**

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

- (e) complaint resolution mechanisms.

### **Community Services Plan**

- 62.** Prior to the commencement of the uses hereby permitted, a community services plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The plan must address:
- (a) implementation and management of the plaza to enable the opportunity for community events to be coordinated between council and the centre free of charge each year, including display spaces etc.;
  - (b) installation of real time information on public transport services and programs; and
  - (c) that the centre will be invested with wireless technology to the public lanes and spaces ensuring these areas support local commerce and contemporary e-commerce, community information and social networking.

### **General Amenity**

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

### **Landscaping**

- 68.** Before the occupation of the development, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.
- 69.** The landscaping shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority including that any dead or diseased or damaged plants are to be replaced.
- 70.** Prior to commencement of the development the permit holder must make a one off contribution of a maximum of \$6,000 to the Responsible Authority to be used for street tree plantings to Hull Street.
- 71.** Before the development commences, the permit holder must make a one off contribution of \$3220.00 (excluding GST) to the Responsible Authority to be use for 2 new street tree plantings along Cameron and Bank Streets that are required as a result of the development.

- 72.** Before construction works start, a landscaping bond or bank guarantee of no less than 5% of the total landscaping value must be paid to the responsible authority. This bond will be returned in full no later than six months after the satisfactory completion of these works and subject to an inspection by the Responsible Authority.

### **Lighting**

- 73.** The development must be provided with external lighting capable of illuminating access to each car parking spaces, storage, rubbish bin, recycling bin, pedestrian walkways, stairwells, lift, dwelling entrances and entry foyer. Lighting must be located, directed, shielded and of limited intensity so that no nuisance or loss of amenity is caused to any person within and beyond the site, to the satisfaction of the Responsible Authority.

### **General**

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

### **Waste Management**

- 77.** Before the use and development commences, an amended Waste Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority.  
When approved, the amended Waste Management Plan will be endorsed and will form part of this permit. The amended Waste Management Plan must be generally in accordance with the Waste Management Plan prepared by Leigh Design and dated 3 August 2018, but modified to include the following:
- (a) An organic waste collection or a composting system **for residents**.
- 78.** The collection of all waste must be in accordance with the approved Waste Management Plan. Rubbish, including bottles and packaging material, must at all times be stored within the building and screened from external view and be managed to the satisfaction of the Responsible Authority in accordance with the approved Waste Management Plan.
- 79.** All commercial waste must be collected via a private collection service to the satisfaction of the Responsible Authority.

### **Construction Management Plan**

- 80.** Before any development commences, a Construction Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed as evidence of its approval. The plan must provide for or include the following:
- (a) a pre-conditions survey (dilapidation report) of the subject site and all adjacent Council roads frontages and nearby road infrastructure;
- (b) protection works necessary to road and other infrastructure (limited to an area reasonably proximate to the site);

- (c) remediation of any damage to road and other infrastructure (limited to an area reasonably proximate to the site);
- (d) containment of dust, dirt and mud within the site and method and frequency of clean up procedures in the event of build up of matter outside the site;
- (e) on site facilities for vehicle washing;
- (f) the location of loading zones, site sheds, materials, cranes and crane/hoisting zones, gantries and any other construction related items or equipment to be located in any street;
- (g) site security;
- (h) management of any environmental hazards that the activities on-site pose including but not limited to: contaminated soil, materials and waste, dust, stormwater contamination from run-off and wash-waters, sediment from the site on roads, washing of concrete trucks and other vehicles and machinery, spillage from refuelling cranes and other vehicles and machinery;
- (i) construction program;
- (j) preferred arrangements for trucks delivering to the site including delivery and unloading points and expected frequency;
- (k) parking facilities for construction workers;
- (l) measures to ensure that sub-contractors/tradespersons operate in accordance with the Construction Management Plan;
- (m) an outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services;
- (n) an emergency contact that is available for 24 hours per day for residents and the Responsible Authority in the event of relevant queries or problems experienced;
- (o) the provision of a traffic management plan to comply with provisions of AS 1742.3-2002 Manual of uniform traffic control devices - Part 3: Traffic control devices for works on roads;
- (p) a noise and vibration management plan showing methods to minimise noise and vibration impacts on nearby properties and to demonstrate compliance with Noise Control Guideline 12 for Construction (Publication 1254) as issued by the Environment Protection Authority in October 2008, to the satisfaction of the Responsible Authority. In this regard, consideration (amongst other matters) may be given to:
  - (i) using lower noise work practice and equipment;
  - (ii) the suitability of the site for the use of an electric crane;
  - (iii) silencing all mechanical plant by the best practical means using current technology; and
  - (iv) fitting all pneumatic tools operated near a residential area with an effective silencer on their air exhaust port;
- (q) confirm the location of the Council drain within the laneway running adjacent to properties fronting Bank Street and ensure that the drain is protected and be made accessible to Council work works in times of maintenance or emergency; and
- (r) screening measures to prevent overlooking into 267 Bridge Road during construction.

**81.** During the construction, the following must occur:

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

- (f) all site operations must comply with the EPA Publication TG302/92.

- 82.** The development once commenced, must be completed to the satisfaction of the Responsible Authority.

**Transport for Victoria Condition (83 to 84)**

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

**VicRoads Conditions (85 – 87)**

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

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

**Expiry**

- 88.** This permit will expire if one of the following circumstances applies:
- (a) the development is not started within three (3) years of the date of this permit;
  - (b) the development is not completed within seven (7) years of the date of this permit;
  - (c) the uses are not commenced within seven (7) years of the date of this permit.
- The Responsible Authority may approve extensions to these time limits if requests are made before the permit expires or within three (3) months afterwards.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**CARRIED UNANIMOUSLY**



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**1.3 St. Ignatius Church Complex, Church Street, Richmond - Heritage Victoria  
Referral Comments**

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Trim Record Number: D19/79372

Responsible Officer: Senior Coordinator Statutory Planning

**RECOMMENDATION**

1. That:
  - (a) Officers will issue a letter to Heritage Victoria outlining no objection to the proposed works at 326-348 Church Street, Richmond. The letter will also include Council's Heritage Advisor's recommendations.

**INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION**

**Moved:** Councillor Coleman

**Seconded:** Councillor Bosler

1. That:
  - (a) Officers will issue a letter to Heritage Victoria outlining no objection to the proposed works at 326-348 Church Street, Richmond, subject to the Council's Heritage Advisor's recommendations being adopted.

**CARRIED UNANIMOUSLY**

The meeting closed at 6.41pm.

**Confirmed at the meeting held on Wednesday 5 June 2019**

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**Chair**