



# Minutes

## Planning Decisions Committee

6.30pm, Wednesday 10 February 2021

MS TEAMS

## 1. Appointment of Chair

Councillor Wade nominated Councillor Nguyen as chair.

There being no other nominations, Councillor Nguyen was elected chair.

Councillor Nguyen assumed the chair.

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

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

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

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

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

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

## 3. Attendance and apologies

Attendance

### Councillors

Councillor Anab Mohamud

Councillor Claudia Nguyen

Councillor Sophie Wade (substitute for Cr Stone)

### Council officers

Amy Hodgen (Senior Co-Ordinator Statutory Planning)

Chris Stathis (Senior Statutory Planner)

Rhys Thomas (Senior Governance Advisor)

Cindi Johnston (Governance Officer)

Apology

Councillor Stone

## 4. Declarations of conflict of interest

No declarations were made.

## 5. Confirmation of Minutes

### **RESOLUTION**

**Moved:** Councillor Wade      **Seconded:** Councillor Nguyen

1. That the minutes of the meeting of the Planning Decisions Committee held on Wednesday 20 January 2021 be confirmed.

**CARRIED**

## 6 PLANNING DECISIONS COMMITTEE

Item		Page	Res. Page
6.1	PLN20/0359 - 4000/9 Robert St Collingwood VIC 3066 - Construction of a two storey addition, containing two additional dwellings (no permit required for use), above the existing four storey building with an associated reduction to the statutory car parking rate	4	8
6.2	PLN20/0420 - 487 - 491 Swan Street Richmond - Construction of a five-storey building (plus basement and roof terrace) for office (no permit required for use) and a reduction in the car parking requirements.	13	19
6.3	PLN20/0479 - 2 Francis Street Richmond - Construction of a two storey dwelling with a roof top terrace	26	28

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**6.1**            **PLN20/0359 - 4000/9 Robert St Collingwood VIC 3066 - Construction of a two storey addition, containing two additional dwellings (no permit required for use), above the existing four storey building with an associated reduction to the statutory car parking rate**

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**Reference**            D21/5643  
**Author**                Robert Galpin - Statutory Planner  
**Authoriser**          Senior Coordinator Statutory Planning

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**RECOMMENDATION**

That having considered all relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant a Planning Permit PLN20/0359 construction of a two storey addition, containing two additional dwellings (no permit required for use), above the existing four storey building located to the northwest of the site (overall height of six storeys) with an associated reduction to the statutory car parking rate.at No.4000/9 Robert Street Collingwood VIC 3066, 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 plans prepared by Hayball, dated 16.07.2020 (ALS\_01.01 – ALS\_05.01) but modified to show the following:
  - (a) The first floor and mezzanine residential use and habitable room windows associated with the building to the west shown on the plans.
  - (b) Confirm the maintenance access arrangements to the landscaped roof area, with an annotation that the full length of the walkway is to be enclosed with locked gate, accessible for maintenance purposes only.
  - (c) The eastern screen to the north-facing terrace of Dwelling 3A dimensioned on the eastern elevation as a minimum of 1.7m above the balcony finished floor level.
  - (d) The west facing windows and balconies screened (to a height of 1.7m from the internal FFL with a maximum of 25% permeability) to prevent views into any habitable room windows located within 9m.
  - (e) The eastern balcony of Dwelling 2A screened (to a height of 1.7m from the internal FFL with a maximum of 25% permeability) to prevent views into any habitable room windows and areas of secluded private open space located within 9m.
  - (f) A basement/ground floor plan showing the allocation/location of the storage/bicycle cages and car parks assigned to each dwelling, ensuring that the distribution of storage cages does not remove storage cages allocated to existing dwellings pursuant to the permit requirements of Planning Permit PLN11/0750.
  - (g) the location and dimensions of the basement storage units demonstrating that a bicycle can be reasonably accommodated.
  - (h) Design changes to implement recommendations of the Sustainable Management Plan Condition No. 3 of this permit;
  - (i) Cross-ventilation breeze paths for Dwelling 2A in accordance with Standard D27 of Clause 58.07-4 of the Yarra Planning Scheme, to be provided via windows and/or external sliding doors where these are to a secure private open space.
  - (j) The operability of windows clearly detailed on the apartment floor plans.

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

### **Sustainable Management Plan**

3. Before the plans under Condition 1 are endorsed, 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 Sustainable Management Plan will be endorsed and will form part of this permit. The Sustainable Management Plan must be generally in accordance with the Sustainable Management Plan prepared by Ark Resources and dated 25 May 2020, but modified to include the following:
  - (a) All design changes required under Condition 1 of this permit.
  - (b) Inclusion of an onsite solar PV array to match, or contribute to, the annual energy demands of the two dwellings.
  - (c) Reference to the existing gas connection associated with the broader development.
  - (d) An updated STORM report demonstrating the existing basement rainwater harvesting system will be able to accommodate the additional dwellings whilst maintaining a satisfactory STORM rating
4. The provisions, recommendation and requirements of the plans and endorsed Sustainable Development Assessment must be implemented and complied with to the satisfaction of the Responsible Authority.

### **Landscape Plan**

5. Before the plans under Condition 1 are endorsed, a Landscape Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Landscape Plan will be endorsed and will form part of this permit. The Landscape Plan must:
  - (a) Provide a plant schedule and planting plan with the following information including:
    - (i) Screening vegetation along the northern two storey portion of the east-facing wall, such as small to medium trees and/or climbers (if feasible).
    - (ii) show the type, location, quantity, height at maturity and botanical names of all proposed plants;
    - (iii) a legend containing key features, materials and surfaces;
    - (iv) soil media and the dimensions for the planters;
    - (v) information on irrigation and drainage systems;
    - (vi) maintenance schedule, tasks and duration;
    - (vii) Load bearing weights for the building to be checked and confirmed by a suitably qualified structural engineer against the saturated bulk density of soil media, planter box and plant mass proposed.

to the satisfaction of the Responsible Authority.
6. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the landscaping works shown on the endorsed Landscape Plan must be carried out and completed to the satisfaction of the Responsible Authority. The landscaping shown on the endorsed Landscape Plan must be maintained by:
  - (a) implementing and complying with the provisions, recommendations and requirements of the endorsed Landscape Plan;
  - (b) not using the areas set aside on the endorsed Landscape Plan for landscaping for any other purpose; and
  - (c) replacing any dead, diseased, dying or damaged plants,



to the satisfaction of the Responsible Authority.

7. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
8. Before the development is occupied, or by such later date as approved in writing by the Responsible Authority, all screening and other measures to prevent overlooking as shown on the endorsed plans must be installed to the satisfaction of the Responsible Authority. Once installed the screening and other measures must be maintained to the satisfaction of the Responsible Authority.
9. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated (including the full re-sheeting of the footpath at the front of the property if required by Council):
  - (a) at the permit holder's cost; and
  - (b) to the satisfaction of the Responsible Authority.
10. Before the development commences, a Construction Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will form part of this permit. The plan must provide for:
  - (a) a pre-conditions survey (dilapidation report) of the land and all adjacent Council roads frontages and nearby road infrastructure;
  - (b) works necessary to protect road and other infrastructure;
  - (c) remediation of any damage to road and other infrastructure;
  - (d) containment of dust, dirt and mud within the land and method and frequency of clean up procedures to prevent the accumulation of dust, dirt and mud outside the land,
  - (e) facilities for vehicle washing, which must be located on the land;
  - (f) the location of loading zones, site sheds, materials, cranes and crane/hoisting zones, gantries and any other construction related items or equipment to be located in any street;
  - (g) site security;
  - (h) management of any environmental hazards including, but not limited to:
    - (i) contaminated soil;
    - (ii) materials and waste;
    - (iii) dust;
    - (iv) stormwater contamination from run-off and wash-waters;
    - (v) sediment from the land on roads;
    - (vi) washing of concrete trucks and other vehicles and machinery; and
    - (vii) spillage from refuelling cranes and other vehicles and machinery;
  - (i) the construction program;
  - (j) preferred arrangements for trucks delivering to the land, including delivery and unloading points and expected duration and frequency;
  - (k) parking facilities for construction workers;
  - (l) measures to ensure that all work on the land will be carried out in accordance with the Construction Management Plan;
  - (m) an outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services;
  - (n) an emergency contact that is available for 24 hours per day for residents and the Responsible Authority in the event of relevant queries or problems experienced;
  - (o) the provision of a traffic management plan to comply with provisions of AS 1742.3-2002 Manual of uniform traffic control devices - Part 3: Traffic control devices for works on roads;

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

11. 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.
12. The provisions, recommendations and requirements of the endorsed Construction Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
13. The development, once commenced, must be completed to the satisfaction of the Responsible Authority.
14. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
  - (a) Monday-Friday (excluding public holidays) before 7 am or after 6 pm;
  - (b) Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday) before 9 am or after 3 pm;
  - (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.
15. Prior to the issue of a building permit, commencement of the development, or issue of a Statement of Compliance (whichever occurs first) the Development Infrastructure Levy must be paid to Yarra City Council in accordance with the approved Development Contributions Plan, or the Owner must enter into an agreement with Yarra City Council to pay the amount of the levy within a time specified in the agreement.
16. This permit will expire if:
  - (a) the development is not commenced within two years of the date of this permit;
  - (b) the development is not completed within four years of the date of this permit.

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

**Notes:**

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

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

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.

Provision must be made for drainage of the site to a legal point of discharge. Please contact Council's Building Services on 9205 5555 for further information.

No pipes, ducting or protrusions from the ceiling or walls are to be installed above or within the space clearance envelopes for the car stacker devices.

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

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

Prior to the issue of a building permit for the development allowed by this permit, the Community Infrastructure Levy must be paid to Yarra City Council in accordance with the approved Development Contributions Plan.

#### Submissions made online during the meeting

Isobell Vescovi, SJB Planning (for the applicant)  
Christopher Lee  
Jenny Zambelli  
Hilary Heslop  
Mark Warren  
Weiwei Yang

### **PLANNING DECISIONS COMMITTEE RESOLUTION**

**Moved:** Councillor Wade

**Seconded:** Councillor Mohamud

That having considered all relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant a Planning Permit PLN20/0359 construction of a two storey addition, containing two additional dwellings (no permit required for use), above the existing four storey building located to the northwest of the site (overall height of six storeys) with an associated reduction to the statutory car parking rate at No.4000/9 Robert Street Collingwood VIC 3066, 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 plans prepared by Hayball, dated 16.07.2020 (ALS\_01.01 – ALS\_05.01) but modified to show the following:
  - (a) The first floor and mezzanine residential use and habitable room windows associated with the building to the west shown on the plans.



- (b) Confirm the maintenance access arrangements to the landscaped roof area, with an annotation that the full length of the walkway is to be enclosed with locked gate, accessible for maintenance purposes only.
- (c) The eastern screen to the north-facing terrace of Dwelling 3A dimensioned on the eastern elevation as a minimum of 1.7m above the balcony finished floor level.
- (d) The west facing windows and balconies screened (to a height of 1.7m from the internal FFL with a maximum of 25% permeability) to prevent views into any habitable room windows located within 9m.
- (e) The eastern balcony of Dwelling 2A screened (to a height of 1.7m from the internal FFL with a maximum of 25% permeability) to prevent views into any habitable room windows and areas of secluded private open space located within 9m.
- (f) A basement/ground floor plan showing the allocation/location of the storage/bicycle cages and car parks assigned to each dwelling, ensuring that the distribution of storage cages does not remove storage cages allocated to existing dwellings pursuant to the permit requirements of Planning Permit PLN11/0750.
- (g) the location and dimensions of the basement storage units demonstrating that a bicycle can be reasonably accommodated.
- (h) Design changes to implement recommendations of the Sustainable Management Plan Condition No. 3 of this permit;
- (i) Cross-ventilation breeze paths for Dwelling 2A in accordance with Standard D27 of Clause 58.07-4 of the Yarra Planning Scheme, to be provided via windows and/or external sliding doors where these are to a secure private open space.
- (j) The operability of windows clearly detailed on the apartment floor plans.
- (k) The north facing habitable room windows on levels 5 and 6 of the brew tower to the south correctly shown as clear glazing.
- (l) The southern terrace of Dwelling 2A set back a minimum of 9m from the north facing habitable room windows on Levels 5 and 6 of the brew tower to the south or alternatively, screening applied to the southern edge of the terrace to a height of 1.7m above the finished floor level of the terrace, with a maximum of 25% permeability.

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

### **Sustainable Management Plan**

3. Before the plans under Condition 1 are endorsed, 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 Sustainable Management Plan will be endorsed and will form part of this permit. The Sustainable Management Plan must be generally in accordance with the Sustainable Management Plan prepared by Ark Resources and dated 25 May 2020, but modified to include the following:
  - (a) All design changes required under Condition 1 of this permit.
  - (b) Inclusion of an onsite solar PV array to match, or contribute to, the annual energy demands of the two dwellings.
  - (c) Reference to the existing gas connection associated with the broader development.
  - (d) An updated STORM report demonstrating the existing basement rainwater harvesting system will be able to accommodate the additional dwellings whilst maintaining a satisfactory STORM rating
4. The provisions, recommendation and requirements of the plans and endorsed Sustainable Development Assessment must be implemented and complied with to the satisfaction of the Responsible Authority.

## **Landscape Plan**

5. Before the plans under Condition 1 are endorsed, a Landscape Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Landscape Plan will be endorsed and will form part of this permit. The Landscape Plan must:
  - (a) Provide a plant schedule and planting plan with the following information including:
    - (i) Screening vegetation along the northern two storey portion of the east-facing wall, such as small to medium trees and/or climbers (if feasible).
    - (ii) show the type, location, quantity, height at maturity and botanical names of all proposed plants;
    - (iii) a legend containing key features, materials and surfaces;
    - (iv) soil media and the dimensions for the planters;
    - (v) information on irrigation and drainage systems;
    - (vi) maintenance schedule, tasks and duration;
    - (vii) Load bearing weights for the building to be checked and confirmed by a suitably qualified structural engineer against the saturated bulk density of soil media, planter box and plant mass proposed.

to the satisfaction of the Responsible Authority.
6. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the landscaping works shown on the endorsed Landscape Plan must be carried out and completed to the satisfaction of the Responsible Authority. The landscaping shown on the endorsed Landscape Plan must be maintained by:
  - (a) implementing and complying with the provisions, recommendations and requirements of the endorsed Landscape Plan;
  - (b) not using the areas set aside on the endorsed Landscape Plan for landscaping for any other purpose; and
  - (c) replacing any dead, diseased, dying or damaged plants,

to the satisfaction of the Responsible Authority.
7. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
8. Before the development is occupied, or by such later date as approved in writing by the Responsible Authority, all screening and other measures to prevent overlooking as shown on the endorsed plans must be installed to the satisfaction of the Responsible Authority. Once installed the screening and other measures must be maintained to the satisfaction of the Responsible Authority.
9. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated (including the full re-sheeting of the footpath at the front of the property if required by Council):
  - (a) at the permit holder's cost; and
  - (b) to the satisfaction of the Responsible Authority.
10. Before the development commences, a Construction Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will form part of this permit. The plan must provide for:

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

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

11. 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.

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

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

14. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
  - (a) Monday-Friday (excluding public holidays) before 7 am or after 6 pm;
  - (b) Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday) before 9 am or after 3 pm;
  - (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.
15. Prior to the issue of a building permit, commencement of the development, or issue of a Statement of Compliance (whichever occurs first) the Development Infrastructure Levy must be paid to Yarra City Council in accordance with the approved Development Contributions Plan, or the Owner must enter into an agreement with Yarra City Council to pay the amount of the levy within a time specified in the agreement.
16. This permit will expire if:
  - (a) the development is not commenced within two years of the date of this permit;
  - (b) the development is not completed within four years of the date of this permit.

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

**Notes:**

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

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

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.

Provision must be made for drainage of the site to a legal point of discharge. Please contact Council's Building Services on 9205 5555 for further information.

No pipes, ducting or protrusions from the ceiling or walls are to be installed above or within the space clearance envelopes for the car stacker devices.

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

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

Prior to the issue of a building permit for the development allowed by this permit, the Community Infrastructure Levy must be paid to Yarra City Council in accordance with the approved Development Contributions Plan.

**CARRIED UNANIMOUSLY**

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**6.2**            **PLN20/0420 - 487 - 491 Swan Street Richmond - Construction of a five-storey building (plus basement and roof terrace) for office (no permit required for use) and a reduction in the car parking requirements.**

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**Reference**            D21/2073  
**Author**              Chris Stathis - Senior Statutory Planner  
**Authoriser**        Senior Coordinator Statutory Planning

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**RECOMMENDATION**

That having considered all objections and relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant Planning Permit PLN20/0420 for the construction of a five-storey building (plus basement of roof terrace) for office (no permit required for use) and a reduction in the car parking requirements at 487 – 491 Swan Street, Richmond, subject to the following conditions:

1. Before the development commences, amended plans to the satisfaction of the responsible Authority must be submitted to an approved by the Responsible Authority. When approved, the plans must be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the decision plans prepared by 'Architects and Project Co-ordinators' (dated 10 September 2020) but modified to show:
  - (a) The following changes only, as per the sketch plans prepared by 'Architects and Project Co-ordinators' (dated 10 December 2020):
    - (i) Provision of concrete to the street wall facades;
    - (ii) Reduction in the extent of glazing to the street wall facades;
    - (iii) Provision of brick to the east-facing return wall of the Swan Street street wall;
    - (iv) Increased use of metal cladding and climber plantings to upper levels;
    - (v) Increased proportion of landscaping to the ground floor, west-facing wall;
    - (vi) Provision of climber plantings to the upper level facades;
    - (vii) Deletion of the east-facing glazed wall at roof level (with no additional structures between the lift overrun and stairs), and;
    - (viii) Double-hung windows to west elevation.

But further modified to show:

- (b) clarify extent of natural ventilation across all levels;
- (c) provision of external shading devices to the northern, eastern and western facades at first floor to fourth floor;
- (d) all works within title boundary (other than external shading devices);
- (e) materials schedule updated to show all materials including materials shown on sketch plans and with a sample of the brick proposed);
- (f) elevations to accurately show all materials;
- (g) clarify material shown adjacent to landscaping at upper levels shown on the sketch plans referenced at condition 1(a);
- (h) motion sensor lighting provided to the at-grade car parking and surrounding areas at ground floor, with design features to minimise light spill;
- (i) north-facing obscure glass at levels 1 and 2 to be shown as fixed below 1.7m;
- (j) The width of the rear roller door dimensioned;

- (k) The roadway of the vehicle accessway widened to a minimum of 3.3m where a wall is on one side and a minimum of 3.6m where a wall is on both sides to satisfy AS/NZS 2890.1:2004;
- (l) Location of the convex mirrors depicted;
- (m) Headroom clearance at the rear roller door depicted;
- (n) Notate all car spaces allocated as 'small car spaces';
- (o) Column depths and setbacks adjacent to regular car spaces dimensioned on the basement plan to comply with *Figure 5.2 Design Envelope Around Parked Vehicle Kept Clear of Columns, Walls and Obstructions* of AS/NZS 2890.1:2004.
- (p) Cross-sectional drawing (1:20 scale) showing the reduced level of the north and south edges of the rear laneway, the centre line of the laneway and the finished floor level of the slab. The drawing must show a ground clearance check for a B99-standard vehicle with the provision of a 40mm lip from the southern edge of the laneway to the finished floor level of the front edge of the slab at ground level.
- (q) Notation to state that the service cabinet doors opening onto Swan Street and Belgravia Street must swing 180-degrees and be latched to the building when opened;
- (r) Swept path diagram for a waste vehicle entering the rear laneway off Queen Street updated to show the location of on-street car spaces on the western side of Queen Street;
- (s) Deletion of the four visitor bicycle spaces and replacement with one horizontal visitor bicycle space and one additional horizontal visitor bicycle space to be located on the Swan Street footpath in a location to the satisfaction of the Responsible Authority.
- (t) Notation to the ground floor plan to provide details on the product type and specification of the employee bicycle spaces;
- (u) A minimum of 20% of the 18 employee bicycle spaces to be provided as horizontal-at-grade spaces or otherwise be to the satisfaction of the Responsible Authority.
- (v) Any change required by the endorsed Sustainability Management Plan (as required by condition 3), where relevant to show on the plans;
- (w) Any change required by the endorsed Landscape Plan (as required by condition 5), where relevant to show on the plans;
- (x) Any change required by the endorsed Waste Management Plan (as required by condition 7), where relevant to show on the plans;

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

### **Sustainability Management Plan**

3. 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 EcoResults, (dated 11 June 2020) but modified to include;
  - (a) Clarify shading strategy for the north, east and west facades
  - (b) Clarify extent of natural ventilation;
  - (c) Provide VLT (Visual Light Transmittance) used for daylight calculations.
  - (d) Articulate low-VOC thresholds (Volatile Organic Compounds), and strategy to minimise formaldehyde.



- (e) Provide a JV3 assessment with details regarding improvements against a reference building (NCC 2019), services and GHG (Green House Gas) emissions.
  - (f) Clarify inconsistency in source of irrigation water and consider a strategy to reduce landscape water needs.
  - (g) Provide calculations to illustrate that post-development stormwater quality levels will not exceed pre-development.
  - (h) Clarify recycled content (by weight or cost) for both and consider additional materials that can use post-consumer content (i.e. bulk insulation).
  - (i) Reword to remove indication that embodied carbon can be naturally offset during operation (it requires actual purchased offsets) and commit to conducting an LCA (Life Cycle Assessment) to assess reduction in embodied carbon associated with the strategy.
  - (j) Clarify that timber will be recycled or from accredited sustainably harvested plantation sources (Forest Stewardship Council or Australian Forestry Standard).
  - (k) Include car share details within Green Travel Plan (and Building Users Guide).
  - (l) Provide a statement as to how the development respond to, and minimises the urban heat island effect – and consider a lighter palette for external finishes and additional vegetation to provide cooling benefits.
4. The provisions, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

### **Landscape Plan**

5. Before the development commences, a Landscape Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Landscape Plan will be endorsed and will form part of this permit. The Landscape Plan must show all landscaping shown by the decision plans (produced by 'Architects and Project Co-ordinators' and dated 10 September 2020) but modified to include:
- (a) The following changes in accordance with the sketch plans received by Council on 14 December 2020 (produced by 'Architects and Project Co-ordinators', dated 10 December 2020):
    - (i) Additional landscaping to the ground floor western façade;
    - (ii) Integration of climber plantings to the upper levels.
  - (b) Show the type, location, quantity, height at maturity and botanical names of all proposed plants;
  - (c) Indicate the location of all areas to be covered by lawn or other surface;
  - (d) Provide a specification of works to be undertaken prior to planting.
- to the satisfaction of the Responsible Authority.
6. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the landscaping works shown on the endorsed Landscape Plan must be carried out and completed to the satisfaction of the Responsible Authority. The landscaping shown on the endorsed Landscape Plan must be maintained by:
- (a) implementing and complying with the provisions, recommendations and requirements of the endorsed Landscape Plan;
  - (b) not using the areas set aside on the endorsed Landscape Plan for landscaping for any other purpose; and
  - (c) replacing any dead, diseased, dying or damaged plants,
- to the satisfaction of the Responsible Authority.

## **Waste Management Plan**

7. Before the development commences, an amended Waste Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Waste Management Plan will be endorsed and will form part of this permit. The Waste Management Plan must be generally in accordance with the Waste Management Plan produced by RB Waste Consulting Service dated 11 June 2020, but modified to include:
  - (a) Commitment for review into the waste service if operational requirements change.
  - (b) Confirmation that any drainage point for bin wash down must be connected to sewerage and not stormwater.
  - (c) The bin storage area expanded to include storage of hard waste.
8. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
9. The collection of waste from the site must be by private collection, unless with the prior written consent of the Responsible Authority.

## **Infrastructure**

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

## **General**

13. The development must comply at all times with the State Environment Protection Policy — Control of Noise from Commerce, Industry and Trade (SEPP N-1).
14. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating access to the pedestrian and vehicular entrances must be provided on the subject site. Lighting must be:
  - (a) located;
  - (b) directed;
  - (c) shielded; and

(d) of limited intensity,

to the satisfaction of the Responsible Authority.

15. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
16. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, all new on-boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.
17. Before the building is occupied, any wall located on a boundary facing public property must be treated with a graffiti proof finish to the satisfaction of the Responsible Authority.
18. Prior to the issue of a building permit, commencement of the development, or issue of a Statement of Compliance (whichever occurs first) the Development Infrastructure Levy must be paid to Yarra City Council in accordance with the approved Development Contributions Plan, or the Owner must enter into an agreement with Yarra City Council to pay the amount of the levy within a time specified in the agreement.

### **Construction Management Plan**

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

- (o) The provision of a traffic management plan to comply with provisions of AS 1742.3-2002 Manual of uniform traffic control devices - Part 3: Traffic control devices for works on roads.
- 20. The provisions, recommendations and requirements of the endorsed construction management plan must be implemented and complied with to the satisfaction of the Responsible Authority.
- 21. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
  - (a) Monday to Friday (excluding public holidays) before 7:00am or after 6:00pm.
  - (b) Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday) before 9:00am or after 3:00pm.
  - (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.

### **Permit Expiry**

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

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

### **NOTES:**

A building permit may be required before development is commenced. Please contact Council's building services on 9205 5095 to confirm.

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

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

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

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

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

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

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

Prior to the issue of a building permit for the development allowed by this permit, the Community Infrastructure Levy must be paid to Yarra City Council in accordance with the approved Development Contributions Plan.

## Submissions made online during the meeting

Mark Stanojevic, ASK Planning (for the applicant)  
Samantha Thorogood, Kellehers Australia  
Bronwyn Gowty

### **PLANNING DECISIONS COMMITTEE RESOLUTION**

**Moved:** Councillor Nguyen

**Seconded:** Councillor Mohamud

That having considered all objections and relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant Planning Permit PLN20/0420 for the construction of a five-storey building (plus basement of roof terrace) for office (no permit required for use) and a reduction in the car parking requirements at 487 – 491 Swan Street, Richmond, subject to the following conditions:

1. Before the development commences, amended plans to the satisfaction of the responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans must be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the decision plans prepared by 'Architects and Project Co-ordinators' (dated 10 September 2020) but modified to show:
  - (a) The following changes only, as per the sketch plans prepared by 'Architects and Project Co-ordinators' (dated 10 December 2020):
    - (i) Provision of concrete to the street wall facades;
    - (ii) Reduction in the extent of glazing to the street wall facades;
    - (iii) Provision of brick to the east-facing return wall of the Swan Street street wall;
    - (iv) Increased use of metal cladding and climber plantings to upper levels;
    - (v) Increased proportion of landscaping to the ground floor, west-facing wall;
    - (vi) Provision of climber plantings to the upper level facades;
    - (vii) Deletion of the east-facing glazed wall at roof level (with no additional structures between the lift overrun and stairs), and;
    - (viii) Double-hung windows to west elevation.

But further modified to show:

- (b) clarify extent of natural ventilation across all levels;
- (c) provision of external shading devices to the northern, eastern and western facades at first floor to fourth floor;
- (d) all works within title boundary (other than external shading devices);
- (e) materials schedule updated to show all materials including materials shown on sketch plans and with a sample of the brick proposed);
- (f) elevations to accurately show all materials;
- (g) clarify material shown adjacent to landscaping at upper levels shown on the sketch plans referenced at condition 1(a);
- (h) motion sensor lighting provided to the at-grade car parking and surrounding areas at ground floor, with design features to minimise light spill;
- (i) north-facing obscure glass at levels 1 and 2 to be shown as fixed below 1.7m;
- (j) The width of the rear roller door dimensioned;

- (k) The roadway of the vehicle accessway widened to a minimum of 3.3m where a wall is on one side and a minimum of 3.6m where a wall is on both sides to satisfy AS/NZS 2890.1:2004;
- (l) Location of the convex mirrors depicted;
- (m) Headroom clearance at the rear roller door depicted;
- (n) Notate all car spaces allocated as 'small car spaces';
- (o) Column depths and setbacks adjacent to regular car spaces dimensioned on the basement plan to comply with *Figure 5.2 Design Envelope Around Parked Vehicle Kept Clear of Columns, Walls and Obstructions* of AS/NZS 2890.1:2004.
- (p) Cross-sectional drawing (1:20 scale) showing the reduced level of the north and south edges of the rear laneway, the centre line of the laneway and the finished floor level of the slab. The drawing must show a ground clearance check for a B99-standard vehicle with the provision of a 40mm lip from the southern edge of the laneway to the finished floor level of the front edge of the slab at ground level.
- (q) Notation to state that the service cabinet doors opening onto Swan Street and Belgravia Street must swing 180-degrees and be latched to the building when opened;
- (r) Swept path diagram for a waste vehicle entering the rear laneway off Queen Street updated to show the location of on-street car spaces on the western side of Queen Street;
- (s) Deletion of the four visitor bicycle spaces and replacement with one horizontal visitor bicycle space and one additional horizontal visitor bicycle space to be located on the Swan Street footpath in a location to the satisfaction of the Responsible Authority.
- (t) Notation to the ground floor plan to provide details on the product type and specification of the employee bicycle spaces;
- (u) A minimum of 20% of the 18 employee bicycle spaces to be provided as horizontal-at-grade spaces or otherwise be to the satisfaction of the Responsible Authority.
- (v) Any change required by the endorsed Sustainability Management Plan (as required by condition 3), where relevant to show on the plans;
- (w) Any change required by the endorsed Landscape Plan (as required by condition 5), where relevant to show on the plans;
- (x) Any change required by the endorsed Waste Management Plan (as required by condition 7), where relevant to show on the plans;

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

### **Sustainability Management Plan**

3. 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 EcoResults, (dated 11 June 2020) but modified to include;
  - (a) Clarify shading strategy for the north, east and west facades.
  - (b) Clarify extent of natural ventilation.
  - (c) Provide VLT (Visual Light Transmittance) used for daylight calculations.



- (d) Articulate low-VOC thresholds (Volatile Organic Compounds), and strategy to minimise formaldehyde.
- (e) Provide a preliminary JV3 assessment with details regarding improvements against a reference building (NCC 2019), services and GHG (Green House Gas) emissions.
- (f) Clarify inconsistency in source of irrigation water and consider a strategy to reduce landscape water needs.
- (g) Provide calculations to illustrate that post-development stormwater quality levels will not exceed pre-development.
- (h) Clarify recycled content (by weight or cost) for both and consider additional materials that can use post-consumer content (i.e. bulk insulation).
- (i) Reword to remove indication that embodied carbon can be naturally offset during operation (it requires actual purchased offsets) and commit to conducting an LCA (Life Cycle Assessment) to assess reduction in embodied carbon associated with the strategy.
- (j) Clarify that timber will be recycled or from accredited sustainably harvested plantation sources (Forest Stewardship Council or Australian Forestry Standard).
- (k) Include car share details within Green Travel Plan (and Building Users Guide).
- (l) Provide a statement as to how the development respond to, and minimises the urban heat island effect – and consider a lighter palette for external finishes and additional vegetation to provide cooling benefits.

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

### **Landscape Plan**

5. Before the development commences, a Landscape Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Landscape Plan will be endorsed and will form part of this permit. The Landscape Plan must show all landscaping shown by the decision plans (produced by 'Architects and Project Co-ordinators' and dated 10 September 2020) but modified to include:

- (a) The following changes in accordance with the sketch plans received by Council on 14 December 2020 (produced by 'Architects and Project Co-ordinators', dated 10 December 2020):
  - (i) Additional landscaping to the ground floor western façade;
  - (ii) Integration of climber plantings to the upper levels.
- (b) Show the type, location, quantity, height at maturity and botanical names of all proposed plants;
- (c) Indicate the location of all areas to be covered by lawn or other surface;
- (d) Provide a specification of works to be undertaken prior to planting.

to the satisfaction of the Responsible Authority.

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

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

to the satisfaction of the Responsible Authority.

### **Waste Management Plan**

7. Before the development commences, an amended Waste Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Waste Management Plan will be endorsed and will form part of this permit. The Waste Management Plan must be generally in accordance with the Waste Management Plan produced by RB Waste Consulting Service dated 11 June 2020, but modified to include:
  - (a) Commitment for review into the waste service if operational requirements change.
  - (b) Confirmation that any drainage point for bin wash down must be connected to sewerage and not stormwater.
  - (c) The bin storage area expanded to include storage of hard waste.
8. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
9. The collection of waste from the site must be by private collection, unless with the prior written consent of the Responsible Authority.

### **Infrastructure**

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

### **General**

13. The development must comply at all times with the State Environment Protection Policy — Control of Noise from Commerce, Industry and Trade (SEPP N-1).
14. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating access to the pedestrian and vehicular entrances must be provided on the subject site. Lighting must be:

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

to the satisfaction of the Responsible Authority.

15. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
16. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, all new on-boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.
17. Before the building is occupied, any wall located on a boundary facing public property must be treated with a graffiti proof finish to the satisfaction of the Responsible Authority.
18. Prior to the issue of a building permit, commencement of the development, or issue of a Statement of Compliance (whichever occurs first) the Development Infrastructure Levy must be paid to Yarra City Council in accordance with the approved Development Contributions Plan, or the Owner must enter into an agreement with Yarra City Council to pay the amount of the levy within a time specified in the agreement.

### **Construction Management Plan**

19. Before the development commences, a construction management plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will form part of this permit. The plan must provide for:
  - (a) A pre-conditions survey (dilapidation report) of the land and all adjacent Council roads frontages and nearby road infrastructure.
  - (b) Works necessary to protect road and other infrastructure.
  - (c) Remediation of any damage to road and other infrastructure.
  - (d) Containment of dust, dirt and mud within the land and method and frequency of clean up procedures to prevent the accumulation of dust, dirt and mud outside the land.
  - (e) Facilities for vehicle washing, which must be located on the land.
  - (f) The location of loading zones, site sheds, materials, cranes and crane/hoisting zones, gantries and any other construction related items or equipment to be located in any street.
  - (g) Site security.
  - (h) Management of any environmental hazards including, but not limited to,:
    - (i) contaminated soil.
    - (ii) materials and waste.
    - (iii) dust.
    - (iv) stormwater contamination from run-off and wash-waters.
    - (v) sediment from the land on roads.
    - (vi) washing of concrete trucks and other vehicles and machinery.
    - (vii) spillage from refuelling cranes and other vehicles and machinery.
  - (i) The construction program.
  - (j) Preferred arrangements for trucks delivering to the land, including delivery and unloading points and expected duration and frequency.
  - (k) Parking facilities for construction workers.
  - (l) Measures to ensure that all work on the land will be carried out in accordance with the construction management plan.

- (m) An outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services.
  - (n) An emergency contact that is available for 24 hours per day for residents and the Responsible Authority in the event of relevant queries or problems experienced.
  - (o) The provision of a traffic management plan to comply with provisions of AS 1742.3-2002 Manual of uniform traffic control devices - Part 3: Traffic control devices for works on roads.
20. The provisions, recommendations and requirements of the endorsed construction management plan must be implemented and complied with to the satisfaction of the Responsible Authority.
21. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
- (a) Monday to Friday (excluding public holidays) before 7:00am or after 6:00pm.
  - (b) Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday) before 9:00am or after 3:00pm.
  - (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.

### **Permit Expiry**

22. This permit will expire if:

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

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

### **NOTES:**

A building permit may be required before development is commenced. Please contact Council's building services on 9205 5095 to confirm.

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

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

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

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

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

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

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

Prior to the issue of a building permit for the development allowed by this permit, the Community Infrastructure Levy must be paid to Yarra City Council in accordance with the approved Development Contributions Plan.

**CARRIED UNANIMOUSLY**

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## 6.3 PLN20/0479 - 2 Francis Street Richmond - Construction of a two storey dwelling with a roof top terrace

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<b>Reference</b>	D21/9267
<b>Author</b>	Ariadne Hasiotis - Statutory Planner
<b>Authoriser</b>	Senior Coordinator Statutory Planning

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### RECOMMENDATION

That the Planning Decisions Committee resolves to issue a Notice of Decision (NOD) to Grant Planning Permit PLN20/0479 for the construction of a two storey dwelling with a roof top terrace at No. 2 Francis Street, Richmond, generally in accordance with the decision plans and subject to the following conditions:

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must generally be in accordance with the decision plans prepared by Hooke Architecture TP01 – TP03 and TP09 Rev A dated 11 September 2020, and TP04 – TP08 Rev B dated 18 September 2020, but modified to show the following:
  - (a) The maximum height of the development to be dimensioned on the western elevation above natural ground level.
  - (b) The rear courtyard area at No.3 Sheedy Street to be accurately shown on the plans.
  - (c) Habitable room windows at No.3 Sheedy Street facing the subject site to be shown on the plans.
  - (d) Delete or significantly reduce the eastern solid wing wall from the front balcony.
  - (e) Correction of the proposed pervious area / permeability to be shown on the plans (as % and sqm) i.e. excluding the area covered by the first floor front balcony.
  - (f) The proposed ground floor plan to include a notation to state that the rainwater tank will be connected to toilets for flushing.
  - (g) An operable window to be provided to all habitable rooms, to comply with Standard A7 (Energy Efficiency Protection Objectives) of the Yarra Planning Scheme.
  - (h) First floor and roof top terrace side and rear setbacks from title boundaries to be dimensioned on the plans.
  - (i) The east-facing windows to Bedroom 2 to state “fixed obscure glazing to 1.7m above the finished floor level” on the east elevation and materials legend.
  - (j) The proposed roof plan and elevations updated to show screening to all four sides of the roof top terrace with fixed external screens to at least 1.7 metres above floor level of the roof terrace and be no more than 25 per cent transparent.
  - (k) The following to be screened to comply with Clause 54.04-6 (Overlooking) of the Yarra Planning Scheme:
    - (i) The south-facing and west-facing windows to Bedroom 2 and the west-facing window to the first floor living room;



- (ii) The western edge of the front balcony.
  - (l) The width of the roller door increased to a minimum of 4.5 metres.
  - (m) The finished floor level of the car space to be set 40mm higher than the laneway.
  - (n) Delete annotation 'backyard' within the rear setback and replace with 'car space'.
  - (o) Demonstrate ground clearance for a B85 design vehicle by providing a fully dimensioned cross section of the internal slab and laneway (that runs along the centre of the car space) showing:
    - (i) the level at the east-west edge of the laneway;
    - (ii) the invert level of the bluestone spoon drain in the laneway;
    - (iii) the top edge of the internal slab of the car space;
    - (iv) 2 metres inside the internal slab of the car space.
  - (p) The side pedestrian doorway to be recessed by 1.2m from the property line.
  - (q) No part of the building to encroach or extend over the laneway.
2. The development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
  3. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, all new on-boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.
  4. Before the development is occupied, or by such later date as approved in writing by the Responsible Authority, all screening and other measures to limit overlooking as shown on the endorsed plans must be installed to the satisfaction of the Responsible Authority. Once installed the screening and other measures must be maintained to the satisfaction of the Responsible Authority.
  5. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated:
    - (a) at the permit holder's cost; and
    - (b) to the satisfaction of the Responsible Authority.
  6. 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.
  7. The permit will expire if:
    - (a) the development is not commenced within two years of the date of this permit; or
    - (b) the development is not completed within four years of the date of this permit.

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

## Notes:

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

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

The dwelling has been assessed under Clause 54 (single dwelling on a lot) of the Yarra Planning Scheme. The first floor of the dwelling is not permitted to function as a second dwelling on the lot.

### Submissions made online during the meeting

Geoffrey Hooke, Hooke Architecture Pty Ltd (for the applicant)  
Andrew Hale (applicant)  
Jim Alexander  
Tom Motyl-Coverdale

## PLANNING DECISIONS COMMITTEE RESOLUTION

**Moved:** Councillor Wade

**Seconded:** Councillor Nguyen

That the Planning Decisions Committee resolves to issue a Notice of Decision (NOD) to Grant Planning Permit PLN20/0479 for the construction of a two storey dwelling with a roof top terrace at No. 2 Francis Street, Richmond, generally in accordance with the decision plans and subject to the following conditions:

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must generally be in accordance with the decision plans prepared by Hooke Architecture TP01 – TP03 and TP09 Rev A dated 11 September 2020, and TP04 – TP08 Rev B dated 18 September 2020, but modified to show the following:
  - (a) The maximum height of the development to be dimensioned on the western elevation above natural ground level.
  - (b) The rear courtyard area at No.3 Sheedy Street to be accurately shown on the plans.
  - (c) Habitable room windows at No.3 Sheedy Street facing the subject site to be shown on the plans.
  - (d) Delete or significantly reduce the eastern solid wing wall from the front balcony.
  - (e) Correction of the proposed pervious area / permeability to be shown on the plans (as % and sqm) i.e. excluding the area covered by the first floor front balcony.
  - (f) The proposed ground floor plan to include a notation to state that the rainwater tank will be connected to toilets for flushing.
  - (g) An operable window to be provided to all habitable rooms, to comply with Standard A7 (Energy Efficiency Protection Objectives) of the Yarra Planning Scheme.

- (h) First floor and roof top terrace side and rear setbacks from title boundaries to be dimensioned on the plans.
- (i) The east-facing windows to Bedroom 2 to state "fixed obscure glazing to 1.7m above the finished floor level" on the east elevation and materials legend.
- (j) The proposed roof plan and elevations updated to show screening to all four sides of the roof top terrace with fixed external screens to at least 1.7 metres above floor level of the roof terrace and be no more than 25 per cent transparent.
- (k) The following to be screened to comply with Clause 54.04-6 (Overlooking) of the Yarra Planning Scheme:
  - (i) The south-facing and west-facing windows to Bedroom 2 and the west-facing window to the first floor living room;
  - (ii) The western edge of the front balcony.
- (l) The width of the roller door increased to a minimum of 4.5 metres.
- (m) The finished floor level of the car space to be set 40mm higher than the laneway.
- (n) Delete annotation 'backyard' within the rear setback and replace with 'car space'.
- (o) Demonstrate ground clearance for a B85 design vehicle by providing a fully dimensioned cross section of the internal slab and laneway (that runs along the centre of the car space) showing:
  - (i) the level at the east-west edge of the laneway;
  - (ii) the invert level of the bluestone spoon drain in the laneway;
  - (iii) the top edge of the internal slab of the car space;
  - (iv) 2 metres inside the internal slab of the car space.
- (p) The side pedestrian doorway to be recessed by 1.2m from the property line.
- (q) No part of the building to encroach or extend over the laneway.
- (r) The following changes to correspond with the sketch plans received 10 February 2021:
  - (i) The rear section of built form reduced in length at ground floor and first floor by 500mm;
  - (ii) Eastern wall on boundary reduced in length to 13.15m;
  - (iii) Reduction in the height of the eastern boundary wall from 3.56m to 3.19m.
  - (iv) Reduced floor to ceiling height of the ground floor from 3m to 2.9m.
  - (v) The roof pitch above bedroom 2 reversed to slope downwards from west to east;
  - (vi) The roof top terrace reduced in length from 4.73m to 4.47m and re-positioned 1.37m further north.

2. The development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
3. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, all new on-boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.

4. Before the development is occupied, or by such later date as approved in writing by the Responsible Authority, all screening and other measures to limit overlooking as shown on the endorsed plans must be installed to the satisfaction of the Responsible Authority. Once installed the screening and other measures must be maintained to the satisfaction of the Responsible Authority.
5. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated:
  - (a) at the permit holder's cost; and
  - (b) to the satisfaction of the Responsible Authority.
6. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
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  - (b) before 9 am or after 3 pm, Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday); or
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7. The permit will expire if:
  - (a) the development is not commenced within two years of the date of this permit; or
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The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires or within six months afterwards for commencement or within twelve months afterwards for completion.

**Notes:**

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**CARRIED UNANIMOUSLY**

The meeting closed at 8.05pm.

**Confirmed at the meeting held on Wednesday 24 February 2021**

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**Chair**