



Minutes

Planning Decisions Committee

6.30pm, Wednesday 24 February 2021

MS TEAMS

1. Appointment of Chair

Cr de Vietri nominated Cr O'Brien as chair.

There being no other nominations, Cr O'Brien was elected chair.

Cr O'Brien assumed the chair.

2. Statement of recognition of Wurundjeri Woi-wurrung Land

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

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

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

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

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

3. Attendance and apologies

Attendance

Councillors

Cr Herschel Landes

Cr Bridgid O'Brien

Cr Gabrielle de Vietri

Council officers

Julian Larkins (Co-ordinator Statutory Planning)

Michelle King (Principal Planner)

Rhys Thomas (Senior Governance Advisor)

Cindi Johnston (Governance Officer)

4. Declarations of conflict of interest

Cr Landes declared a conflict of interest in relation to application PLN19/0655 at 413 Swan Street Richmond. He stated that he has a business relationship with Planning Property Partners Pty Ltd which could constitute a general conflict of interest under the Local Government Act 2020.

5. Confirmation of Minutes

RESOLUTION

Moved: Cr O'Brien **Seconded:** Cr de Vietri

1. That the confirmation of the minutes of the meeting of the Planning Decisions Committee held on Wednesday 10 February 2021 be deferred until the Planning Decisions Committee meeting on Wednesday 10 March 2021.

CARRIED

6 PLANNING DECISIONS COMMITTEE

Item		Page	Res. Page
6.1	PLN14/0571.01 - 452-456 Bridge Road & 1-3 Fraser Street, Richmond	4	10
6.2	PLN19/0224 - 48 Oxford Street, Collingwood	16	26
6.3	77 Victoria Parade & 9 Brunswick Street, Fitzroy - Heritage Victoria Amendment	Error! Bookmark not defined.	Error! Bookmark not defined.

Reference	D20/170805
Author	Lara Fiscalini - Principal Planner
Authoriser	Senior Coordinator Statutory Planning

RECOMMENDATION

That having considered all objections and relevant planning policies, the Committee resolves to issue a Notice of Decision to Amend Planning Permit PLN14/0571 for demolition, alterations and a six-storey addition and townhouses containing more than two dwellings; the use of part of the land for the purpose of dwellings; reduction of the standard car parking requirement for the dwellings and the retail premises in accordance with the endorsed plans. at 452-456 Bridge Road and 1-3 Fraser 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 two copies must be provided. The plans must be generally in accordance with the plans numbered TP02 – TP24 (inclusive) dated 25 November 2019 and prepared by KUD, but modified to show;
 - (a) An amended ground and first-floor demolition plan, including all demolition works and retained elements as outlined in the endorsed plans, along with the proposed demolition of No. 3 Fraser Street;
 - (b) All relevant elevations amended to include the overall heights from natural ground level (NGL) of Unit 1 and all proposed townhouses;
 - (c) The setbacks from all levels of the townhouses from the eastern and southern boundaries to be consistently shown on all floor plans and elevations;
 - (d) The depth of all balconies proposed for the townhouses to be shown on the floor plans;
 - (e) Any inaccuracies on the plans to be corrected, including but not limited to;
 - (i) The floor area calculation of the ground-floor courtyard of TH3;
 - (ii) The layout of Townhouse 5 on Drawing TP23 – Courtyard South elevation;
 - (iii) The Unit numbers of the approved development on Section B-B;
 - (f) No part of the amended 6-storey building (excluding services) to be higher than the approved 6-storey development;
 - (g) The balcony balustrades along the east and west perimeters of the fifth-floor to be composed of a solid material;
 - (h) A minimum of 9 cubic metres of internal storage be provided for Unit 23 & a minimum of 12 cubic metres of internal storage be provided for Unit 27;
 - (i) The minimum storage requirements outlined at Clause 55.05-6 (Standard B30 – Storage) to be provided for all townhouses;
 - (j) The second bedroom for Unit 23 to be deleted, with the living area to be a minimum of 10sqm with a minimum dimension of 3.3m;
 - (k) The provision of a south-facing window for the study of Unit 27, with internal access to this room demonstrated on the plans;
 - (l) A notation confirming that the rainwater tank in the basement will be connected to toilets within the development;
 - (m) All south-facing windows and balconies within 9m of the habitable room windows and secluded private open space of No. 7 Fraser Street to be screened in accordance with Clause 55.04-6 (Standard B22 – Overlooking objective) of the Yarra Planning Scheme, with an overlooking diagram submitted to demonstrate the windows and balconies within this 9m radius;

- (n) A notation confirming that all sections of obscure glazed windows (to a height of 1.7m above finished floor level) to be shown as being fixed;
 - (o) A notation on the first floor plan confirming that the material of the screen along the eastern and southern perimeter of the balcony of Townhouse 5 will have a maximum transparency of 25%;
 - (p) Confirmation that Clause 55.04-7 (Standard B23-Internal views objective) will be met from the balconies of all south-facing apartments into the ground-floor courtyards of Townhouses 2 & 3;
 - (q) The unlabelled room in townhouse 5 to be either designated as a non-habitable space (i.e. walk-in-robe) or removed from the plans;
 - (r) EV charging stations to be provided for the 3 at-grade car parking spaces;
 - (s) The headroom clearance at the development entrance, from the surface of the ramp to the underside of the first-floor slab, to be dimensioned;
 - (t) The introduction of a traffic signal system (Stop/Go arrangement) with one signal proximate to the vehicle entrance and the second at the base of the ramp, within the basement level;
 - (u) The residential bicycle parking areas to be consolidated into a maximum of 2 separate storage spaces, with these areas to be secure and to comply with the requirements of Australian Standard AS2890.3;
 - (v) Any changes as required by the endorsed Sustainable Management Plan at Condition 3;
 - (w) Any changes as required by the endorsed Landscape Plan at Condition 8.
- 2 The development and use 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 use and development commences, an amended Sustainable Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Sustainable Management Plan will be endorsed and will form part of this permit. The amended Sustainable Management Plan must be generally in accordance with the Sustainable Management Plan prepared by Sustainable Design Consultants and dated April 2020, but modified to include or show:
- (a) Increase reduction of lighting power densities to 20%;
 - (b) A target to reuse or recycle >80% of demolition and construction waste (divert from landfill) included in the Environmental Management Plan;
 - (c) Organic waste facilities for the food and drink premises;
 - (d) Clarify provision of boilers;
 - (e) Confirm reduction in peak energy demand associated with building fabric and services proposed;
 - (f) Clarify provision of CO monitoring for carpark ventilation;
 - (g) Clarify timber by weight or cost to be reused/recycled; and,
 - (h) EV charging stations provided for the 3 at-grade car parking spaces.
- 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.

Acoustic Report

- 5 The Acoustic Report prepared by Acoustical Design dated 4 May 2020 to be endorsed and the findings and recommendations contained therein will then form part of this permit.
- 6 The use and/or development must comply at all times with the State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N-1).

Waste Management Plan

- 7 The provisions, recommendations and requirements of the endorsed Waste Management Plan (prepared by Leigh Design and dated 3 April 2020) must be implemented and complied with to the satisfaction of the Responsible Authority.

Landscape Plan

- 8 Before the use and development commences, an amended Landscape Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Landscape Plan will be endorsed and will form part of this permit. The amended Landscape Plan must be generally in accordance with the endorsed Landscape Plan prepared by John Patrick Landscape Architects and dated 24 July 2019, but modified to include
 - (a) The inclusion of No. 3 Fraser Street;
 - (b) Include a proposed plant schedule with botanical name, common name, mature height and spread, installation size and plant spacings;
 - (c) Confirm that the vegetation within the visibility splay of Unit 1 will not exceed 900mm in height;
 - (d) Include planting plans showing plant locations and quantities;
 - (e) Include a legend containing key features, materials and surfaces;
 - (f) Provide details of any raised planter beds including height, width, depth and materials.
 - (g) indicate the location of all areas to be covered by lawn or other surface materials;
 - (h) Ensure that load bearing weights for the building will be checked and confirmed by suitably qualified structural engineers against the saturated bulk density of soil media, planter box and plant mass proposed; and,
 - (i) provide a specification of works to be undertaken prior to planting, to the satisfaction of the Responsible Authority.
- 9 Before the buildings are 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,
 - (d) to the satisfaction of the Responsible Authority.

Tree Management Plan

- 10 Before the development commences, a Tree Management Plan to the satisfaction of the Responsible Authority must be prepared by a suitably qualified Arborist and must be submitted to and approved by the Responsible Authority. When approved the Tree Management Plan will be endorsed and will form part of this permit. The Tree Management Plan must make recommendations for:
 - (a) the protection of the two trees on Fraser Street adjacent to the site frontage;
 - (i) pre-construction;
 - (ii) during construction; and
 - (iii) post construction
 - (b) the provision of any barriers;
 - (c) any pruning necessary; and
 - (d) watering and maintenance regimes,
 - (e) to the satisfaction of the Responsible Authority.

- 11 The provisions, recommendations and requirements of the endorsed Tree Management Plan must be complied with and implemented to the satisfaction of the Responsible Authority.
- 12 Before the development commences, the permit holder must provide an Asset Protection Bond of \$10,000 (ex GST) for the trees in Fraser Street adjacent to the site frontage of the development to the Responsible Authority. The security bond:
 - (a) must be provided in a manner, and on terms, to the satisfaction of the Responsible Authority;
 - (b) may be held by the Responsible Authority until the works are completed to the satisfaction of the Responsible Authority; and
 - (c) in accordance with the requirements of this permit; or
 - (d) otherwise to the satisfaction of the Responsible Authority.

Infrastructure

- 13 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.
- 14 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.
- 15 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.

General

- 16 Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the area set aside on the endorsed plans for the car parking spaces, access lanes, driveways and associated works must be, as appropriate:
 - (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.
- 17 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 car park, and dwelling entrances must be provided. Lighting must be:
 - (a) located;
 - (b) directed;
 - (c) shielded; and
 - (d) of limited intensity,to the satisfaction of the Responsible Authority.

- 18 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 and thereafter maintained to the satisfaction of the Responsible Authority.
- 19 Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the car stackers must be installed in accordance with the manufacturer's specifications by a suitably qualified person and in accordance with the acoustic engineering recommendations in the endorsed acoustic report at condition 6 to the satisfaction of the Responsible Authority.
- 20 The car stackers shown on the endorsed plans must be maintained by a suitably qualified person; and to the satisfaction of the Responsible Authority.
- 21 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.

Development Contribution Plan

- 22 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

- 23 Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
 - (a) before 7.00 am or after 6.00 pm, Monday-Friday (excluding public holidays);
 - (b) before 9.00 am or after 3.00 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.
- 24 Before the use and 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 (as appropriate):
 - (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; and
- (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.

Permit Expiry

25 This permit will expire if:

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

In accordance with Section 69 of the *Planning and Environment Act 1987*, an application may be submitted to the Responsible Authority for an extension of the periods referred to in this condition.

Notes:

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

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

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.

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.

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

James Burton (for the applicant)
Anastasios Karamichalos
Justin Wong

PLANNING DECISIONS COMMITTEE RESOLUTION

Moved: Councillor Landes

Seconded: Councillor de Vietri

That having considered all objections and relevant planning policies, the Committee resolves to issue a Notice of Decision to Amend Planning Permit PLN14/0571 for demolition, alterations and a six-storey addition and townhouses containing more than two dwellings; the use of part of the land for the purpose of dwellings; reduction of the standard car parking requirement for the dwellings and the retail premises in accordance with the endorsed plans. at 452-456 Bridge Road and 1-3 Fraser Street, Richmond, subject to the following conditions;

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 - (b) All relevant elevations amended to include the overall heights from natural ground level (NGL) of Unit 1 and all proposed townhouses;
 - (c) The setbacks from all levels of the townhouses from the eastern and southern boundaries to be consistently shown on all floor plans and elevations;
 - (d) The depth of all balconies proposed for the townhouses to be shown on the floor plans;
 - (e) Any inaccuracies on the plans to be corrected, including but not limited to;
 - (i) The floor area calculation of the ground-floor courtyard of TH3;
 - (ii) The layout of Townhouse 5 on Drawing TP23 – Courtyard South elevation;
 - (iii) The Unit numbers of the approved development on Section B-B;
 - (f) No part of the amended 6-storey building (excluding services) to be higher than the approved 6-storey development;
 - (g) The balcony balustrades along the east and west perimeters of the fifth-floor to be composed of a solid material;
 - (h) A minimum of 9 cubic metres of internal storage be provided for Unit 23 & a minimum of 12 cubic metres of internal storage be provided for Unit 27;
 - (i) The minimum storage requirements outlined at Clause 55.05-6 (Standard B30 – Storage) to be provided for all townhouses;
 - (j) The second bedroom for Unit 23 to be deleted, with the living area to be a minimum of 10sqm with a minimum dimension of 3.3m;
 - (k) The provision of a south-facing window for the study of Unit 27, with internal access to this room demonstrated on the plans;
 - (l) A notation confirming that the rainwater tank in the basement will be connected to toilets within the development;
 - (m) All south-facing windows and balconies within 9m of the habitable room windows and secluded private open space of No. 7 Fraser Street to be screened in accordance with Clause 55.04-6 (Standard B22 – Overlooking objective) of the Yarra Planning Scheme, with an overlooking diagram submitted to demonstrate the windows and balconies within this 9m radius;
 - (n) A notation confirming that all sections of obscure glazed windows (to a height of 1.7m above finished floor level) to be shown as being fixed;
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- (p) Confirmation that Clause 55.04-7 (Standard B23-Internal views objective) will be met from the balconies of all south-facing apartments into the ground-floor courtyards of Townhouses 2 & 3;
- (q) The unlabelled room in townhouse 5 to be either designated as a non-habitable space (i.e. walk-in-robe) or removed from the plans;
- (r) EV charging stations to be provided for the 3 at-grade car parking spaces;
- (s) The headroom clearance at the development entrance, from the surface of the ramp to the underside of the first-floor slab, to be dimensioned;
- (t) The introduction of a traffic signal system (Stop/Go arrangement) with one signal proximate to the vehicle entrance and the second at the base of the ramp, within the basement level;
- (u) The residential bicycle parking areas to be consolidated into a maximum of 2 separate storage spaces, with these areas to be secure and to comply with the requirements of Australian Standard AS2890.3;
- (v) Any changes as required by the endorsed Sustainable Management Plan at Condition 3;
- (w) Any changes as required by the endorsed Landscape Plan at Condition 8.
- (x) Show toilets to internal layouts of food and drink premises.
- (y) Confirm a door remains to the ROW.

- 2 The development and use 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

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 - (c) Organic waste facilities for the food and drink premises;
 - (d) Clarify provision of boilers;
 - (e) Confirm reduction in peak energy demand associated with building fabric and services proposed;
 - (f) Clarify provision of CO monitoring for carpark ventilation;
 - (g) Clarify timber by weight or cost to be reused/recycled; and,
 - (h) EV charging stations provided for the 3 at-grade car parking spaces.
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Acoustic Report

- 5 The Acoustic Report prepared by Acoustical Design dated 4 May 2020 to be endorsed and the findings and recommendations contained therein will then form part of this permit.
- 6 The use and/or development must comply at all times with the State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N-1).

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- (a) The inclusion of No. 3 Fraser Street;
 - (b) Include a proposed plant schedule with botanical name, common name, mature height and spread, installation size and plant spacings;
 - (c) Confirm that the vegetation within the visibility splay of Unit 1 will not exceed 900mm in height;
 - (d) Include planting plans showing plant locations and quantities;
 - (e) Include a legend containing key features, materials and surfaces;
 - (f) Provide details of any raised planter beds including height, width, depth and materials.
 - (g) indicate the location of all areas to be covered by lawn or other surface materials;
 - (h) Ensure that load bearing weights for the building will be checked and confirmed by suitably qualified structural engineers against the saturated bulk density of soil media, planter box and plant mass proposed; and,
 - (i) provide a specification of works to be undertaken prior to planting, to the satisfaction of the Responsible Authority.
- 9 Before the buildings are 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,
 - (d) to the satisfaction of the Responsible Authority.

Tree Management Plan

- 10 Before the development commences, a Tree Management Plan to the satisfaction of the Responsible Authority must be prepared by a suitably qualified Arborist and must be submitted to and approved by the Responsible Authority. When approved the Tree Management Plan will be endorsed and will form part of this permit. The Tree Management Plan must make recommendations for:
- (a) the protection of the two trees on Fraser Street adjacent to the site frontage;
 - (i) pre-construction;
 - (ii) during construction; and
 - (iii) post construction
 - (b) the provision of any barriers;
 - (c) any pruning necessary; and
 - (d) watering and maintenance regimes,
 - (e) to the satisfaction of the Responsible Authority.

- 11 The provisions, recommendations and requirements of the endorsed Tree Management Plan must be complied with and implemented to the satisfaction of the Responsible Authority.
- 12 Before the development commences, the permit holder must provide an Asset Protection Bond of \$10,000 (ex GST) for the trees in Fraser Street adjacent to the site frontage of the development to the Responsible Authority. The security bond:
 - (a) must be provided in a manner, and on terms, to the satisfaction of the Responsible Authority;
 - (b) may be held by the Responsible Authority until the works are completed to the satisfaction of the Responsible Authority; and
 - (c) in accordance with the requirements of this permit; or
 - (d) otherwise to the satisfaction of the Responsible Authority.

Infrastructure

- 13 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.
- 14 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.
- 15 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.

General

- 16 Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the area set aside on the endorsed plans for the car parking spaces, access lanes, driveways and associated works must be, as appropriate:
 - (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.
- 17 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 car park, and dwelling entrances must be provided. Lighting must be:
 - (a) located;
 - (b) directed;
 - (c) shielded; and
 - (d) of limited intensity,to the satisfaction of the Responsible Authority.

- 18 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 and thereafter maintained to the satisfaction of the Responsible Authority.
- 19 Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the car stackers must be installed in accordance with the manufacturer's specifications by a suitably qualified person and in accordance with the acoustic engineering recommendations in the endorsed acoustic report at condition 6 to the satisfaction of the Responsible Authority.
- 20 The car stackers shown on the endorsed plans must be maintained by a suitably qualified person; and to the satisfaction of the Responsible Authority.
- 21 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.

Development Contribution Plan

- 22 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

- 23 Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
 - (a) before 7.00 am or after 6.00 pm, Monday-Friday (excluding public holidays);
 - (b) before 9.00 am or after 3.00 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.
- 24 Before the use and 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 (as appropriate):
 - (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; and
- (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.

Permit Expiry

25 This permit will expire if:

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

In accordance with Section 69 of the *Planning and Environment Act 1987*, an application may be submitted to the Responsible Authority for an extension of the periods referred to in this condition.

Notes:

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

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

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.

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.

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

Cr Landes left the meeting after this matter due to Conflict of Interest for the next matter.

Reference	D21/6338
Author	Michelle King - Principal Planner
Authoriser	Senior Coordinator Statutory Planning

RECOMMENDATION

That having considered all objections and relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant a Planning Permit be issued for the Construction of a mixed-use building, use of the land for office and reduction of the car parking requirements at 48 Oxford Street, Collingwood generally in accordance with the plans noted previously as the “decision plans” and subject to the following conditions:

1. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions, and three copies must be provided. The plans must be generally in accordance with the decision plans, prepared by Design Office, Sheets TP01 – TP05, TP07 – TP11, TP20 – TP24, TP30 – TP32 and TP40 dated 24/07/2020 and TP06 dated 16/10/2018 but modified to show:

Layout

- (a) The notation ‘Commercial tenancy’ modified to ‘office’ on all levels.
- (b) The portion of the boundary fence located on No. 50 Oxford Street shown to be retained.
- (c) The ground floor northern on-boundary wall associated with the podium to be 7.5 metres in length, in accordance with the northern elevation.
- (d) The first floor planter box to the rear of the podium, where abutting the northern boundary, reduced to 0.6 metres in width, in accordance with the northern elevation.
- (e) A sectional diagram demonstrating that the east-facing Level 01 window of the commercial tenancy is obscure glazed.
- (f) Detailed diagrams demonstrating the development limits overlooking to the south-facing window and secluded private open space of No. 50 Oxford Street in accordance with Clause 55.04-6 (Overlooking) from the operable portion of the east-facing window of the Level 01 office tenancy. Any additional screening measures used to achieve compliance are to be shown.
- (g) The 1700mm high screen on the eastern edge of the Level 02 dwelling balcony to be fixed with a maximum 25% transparency.
- (h) Detailed diagrams demonstrating the development limits overlooking to the south-facing window of No. 50 Oxford Street in accordance with Clause 55.04-6 (Overlooking) from the north-facing windows of office tenancies, on the western side of the central stair, at Levels 03, 04 and 05. Any additional screening measures used to achieve compliance are to be shown.
- (i) Detailed diagrams demonstrating the development limits overlooking to the secluded private open spaces of No. 50 and 52 Oxford Street in accordance with Clause 55.04-6 (Overlooking) from the north-facing balcony Level 01 dwelling balcony and the north-facing windows and balcony of the Level 05 office terrace (east of the lift overrun). Any additional screening measures used to achieve compliance are to be shown.
- (j) Location of the heating/cooling unit for each dwelling.
- (k) The ‘BADS apartment plans’ on TP40 updated to show:
 - (i) A minimum 1.2 metre clear path connecting the dwelling entrance to the main bedroom, an adaptable bathroom and the living area. The living area may be reduced to accommodate, remaining compliant with Standard D24 – Functional layout objective of the Scheme.
 - (ii) The showers of each apartment noted as hobless (step free).

- (iii) The toilet is to be adjacent to a 0.7 metre in length nib wall (between the toilet and shower).
- (iv) the location of the internal storage as notated.

Car Parking and Services

- (l) Pedestrian sight line triangles superimposed at the development entrance in accordance with *Design standard 1*. Convex mirrors are to be installed where visibility is restricted.
 - (m) The floor-to-ceiling height of the car stacker device dimensioned with confirmation the Trendvario 4300-200 model type is to be utilised.
 - (n) A minimum of 8 employee/resident bicycle spaces located within a secure compound on the ground floor, provided in accordance with the requirements of AS23890.3 (including a minimum 20% of racks horizontal at grade) with dimensions of bicycle spaces and access way dimensioned.
 - (o) Provision of a minimum 1 shower and change room.
 - (p) One bicycle hoop located on Oxford Street in accordance with Council's Street Furniture Details 01: Bicycle Hoops.
 - (q) A notation confirming that all car parking areas will be electrically wired to be 'EV ready'.
 - (r) Any changes required by the Landscape Plan at Condition 5.
 - (s) Any changes required by the amended Sustainable Management Plan at Condition 7;
 - (t) Any changes required by the amended Acoustic Report at Condition 9;
 - (u) Any changes required by the amended Waste Management Plan at Condition 13;
2. In conjunction with the submission of development plans under Condition 1, a Façade Strategy and Materials and Finishes Plan to the satisfaction of the Responsible Authority must be submitted to and be approved by the Responsible Authority. When approved, the Façade Strategy and Materials and Finishes Plan will be endorsed and will then form part of this permit. This must detail:
- (a) elevations at a scale of 1:20 illustrating typical podium details, entries and doors, and utilities and typical mid-level and tower facade details;
 - (b) section drawings to demonstrate façade systems, including fixing details and joints between materials or changes in form;
 - (c) information about how the façade will be maintained, including any vegetation; and
 - (d) a materials schedule and coloured drawings outlining colours, materials and finishes, including additional details on the ground floor 'retractable security mesh curtain' to the street-facing opening of the café courtyard, ensuring the material is visually permeable and integrates with the overall development.
3. The development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
4. As part of the ongoing progress and development of the site, Design Office or an architectural firm to the satisfaction of the Responsible Authority must be engaged to:
- (a) oversee design and construction of the development; and
 - (b) ensure the design quality and appearance of the development is realised as shown in the endorsed plans or otherwise to the satisfaction of the Responsible Authority.

Landscape Plan

5. Before the development commences, an amended Landscape Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Landscape Plan will be endorsed and will form part of this permit. The amended Landscape Plan must be generally in accordance with the Landscape Plans prepared by Eckersley Garden Architecture, drawing number GAR0000-00-01 - GAR0000-00-03 and GAR0000-00-05 - GAR0000-00-08 dated 23 July 2020 and GAR0000-00-04 dated 12 Nov 2019, but modified to include (or show):

- (a) Details on the soil volume, stability support and precepts provided for the proposed *Ceiba speciosa* 'Silk Floss Tree.'
- (b) Planting plans and plant schedules containing the following information:
 - (i) Proposed plant schedule with botanical name, common name, mature height and spread, installation size and plant spacing's;
 - (ii) Planting plans showing plant locations and quantities;
 - (iii) A legend containing key features, materials and surfaces;
 - (iv) Details of any raised planter beds including height, width and materials;
- (c) The planter details updated to include further details about planter dimensions, soil depths and materiality.
- (d) Notes on irrigation and maintenance, including:
 - (i) Information on irrigation and drainage systems
 - (ii) Notes on the maintenance schedule, tasks and duration
- (e) Notation indicating the load bearing weights for the building have been checked and confirmed by a suitably qualified structural engineers against the saturated bulk density of soil media, planter 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.

Sustainable Management Plan

7. Before the development commences, an amended Sustainable Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Sustainable Management Plan will be endorsed and will form part of this permit. The amended Sustainable Management Plan must be generally in accordance with the Sustainable Management Plan prepared by Urban Digester dated 27 July 2020 but modified to include or show:

- (a) Assess the proposal as amended pursuant to Condition 1.
- (b) Reference to a 4,000 litre rainwater tank.

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

Acoustic Report

9. 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 Watson Moss Growcott and dated 24 July 2020, but modified to include or show:

- (a) A SEPP N-1 assessment be provided of car stacker noise, taking into consideration the likely duration of use of the equipment during the day, evening and night periods. The assessment is to be based on the chosen car stacker model and include all noise emitted from the plant during an operational cycle, as well as noise from the hydraulic pump and motor.
 - (b) An assessment of potential on-site and off-site noise impacts that may affect the new dwellings, including from mechanical plant and commercial premises within the subject development. Additional measures to achieve compliance is to be outlined and shown, if required.
10. The provisions, recommendations and requirements of the endorsed Acoustic Report, must be implemented and complied with to the satisfaction of the Responsible Authority.
11. Following completion of the development, and prior to its occupation, an Acoustic Report to the satisfaction of the responsible authority must be submitted to, and be approved by, the responsible authority. The Acoustic Report must be prepared by a suitably qualified acoustic engineer and must demonstrate:
- (a) Compliance of the mechanical plant, car park entrance door and car stackers with both State Environment Protection Policy (Noise from Commerce, Industry and Trade) No. N-1 and sleep disturbance targets at existing dwellings and dwellings proposed within the development.

When approved, the Acoustic Report will be endorsed and will then form part of this permit.

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

Waste Management Plan

13. Before the development commences, an amended Waste Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Waste Management Plan will be endorsed and will form part of this permit. The amended Waste Management Plan must be generally in accordance with the Waste Management Plan prepared by Leigh Design and dated 16 July 2020, but modified to include or show:
- (a) Assess the proposal as amended pursuant to Condition 1.
 - (b) The waste room to be of an area that allows an effective waste system.
 - (c) The hard waste area to be provided within the bin room.
 - (d) Details of how the site will ensure separation of private and Council services.
 - (e) Provision of bins for four waste streams (food/green waste, glass, comingled recycle and landfill waste), both for the residential and commercial components, including details of how the waste will be separated and ensuring adequate space for extra bins that will be required is included.
14. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
15. The collection of commercial waste from the site must be by private collection, unless with the prior written consent of the Responsible Authority.

Use

16. Except with the prior written consent of the Responsible Authority, the office use authorised by this permit may only operate between the following hours:

(a) Monday to Friday: 8:00am – 6:00pm.

17. Except with the prior written consent of the Responsible Authority, the use of the office terraces are restricted to the hours referenced within Condition 16.
18. The amenity of the area must not be detrimentally affected by the use or development, including through:
- (a) the transport of materials, goods or commodities to or from land;
 - (b) the appearance of any buildings, works or materials;
 - (c) the emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or
 - (d) the presence of vermin.

to the satisfaction of the Responsible Authority.

Car parking

19. Before the development is occupied, a Car Park Management Plan 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 form part of this permit. The Car Park Management Plan must address the following:
- (a) the number of car parking spaces allocated to each tenancy;
 - (b) one car space allocated to each dwelling;
 - (c) details of way-finding, cleaning and security of end of trip bicycle facilities;
 - (d) provision of two secure bicycle spaces for residents and six secure bicycle spaces for employees;
 - (e) any policing arrangements and formal agreements; and
 - (f) 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.
20. 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.
21. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the area set aside on the endorsed plans for the car parking spaces, access lanes, driveways and associated works must be:
- (a) constructed and available for use in accordance with the endorsed plans;
 - (b) formed to such levels and drained so that they can be used in accordance with the endorsed plans;
 - (c) treated with an all-weather seal or some other durable surface; and
 - (d) line-marked or provided with some adequate means of showing the car parking spaces;
- to the satisfaction of the Responsible Authority.
22. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the car stackers must be installed in accordance with the manufacturer's specifications by a suitably qualified person. The car stackers must be maintained thereafter to the satisfaction of the Responsible Authority.
23. The loading and unloading of vehicles and the delivery of goods to and from the land must be conducted entirely within the land to the satisfaction of the Responsible Authority.

24. Delivery and collection of goods to and from the land may only occur between 7am and 10pm Monday to Saturday, or after 9am on a Sunday or public holiday except for those allowed under any relevant local law.

Lighting

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

General

26. Finished floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.
27. 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.
28. 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.
29. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, all new on-boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.
30. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
31. All pipes, fixtures, fittings and vents servicing any building on the land must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.
32. The development must comply at all times with the State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N-1).
33. The development must comply at all times with the State Environment Protection Policy – Control of Music Noise from Public Premises (SEPP N-2).

Road Infrastructure

34. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the new vehicle crossing must be designed and constructed:
- (a) In accordance with any requirements or conditions imposed by Council.
 - (b) Demonstrating satisfactory access into and out of the site with a vehicle ground clearance check using the B99 design vehicle, and be fully dimensioned with actual reduced levels (to three decimal places) as per Council's Vehicle Crossing Information Sheet;
 - (c) At the Permit Holder's cost; and

(d) To the satisfaction of Council.

35. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the redundant vehicular crossing spanning the width of the property frontage (with the exception of the new vehicle crossover) 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.
36. 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 (including trenching and excavation for utility service connections) must be reinstated:
- (a) at the permit holder's cost,
 - (b) to the satisfaction of the Responsible Authority.
37. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.
38. Prior to the completion of the development, subject to the relevant authority's consent, the relocation of any service poles, street line markings, car parking sensors, service structures or service pits necessary to facilitate the development must be undertaken:
- (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
39. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the removal of any kerbside parking sensors and any reinstatement of parking sensors will require the Permit Holder to pay Council the cost of each parking sensor taken out from the kerb/footpath/roadway. Any costs associated with the reinstatement of road infrastructure due to the removal of the parking sensors must also be borne by the Permit Holder.
40. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, one bicycle hoop (two spaces) must be installed on Oxford Street:
- (a) at the permit holder's cost;
 - (b) in accordance with Street Furniture Details 01: Bicycle Hoops; and
 - (c) in a location and manner,
- to the satisfaction of the Responsible Authority.

Development Infrastructure Levy

41. 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

42. Before the development commences, a Construction Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will form part of this permit. The plan must provide for:
- (a) a pre-conditions survey (dilapidation report) of the land and all adjacent Council roads frontages and nearby road infrastructure;

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

43. 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.

44. The provisions, recommendations and requirements of the endorsed Construction Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
45. 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.

Time Expiry

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

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

Notes:

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

A vehicle crossing permit is required for the construction of the vehicle crossing(s). Please contact Council's Construction Management Branch on 9205 5555 for further information.

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

The applicant must apply for a Legal Point of Discharge under Regulation 133 – Stormwater Drainage of the *Building Regulations* 2018 from Yarra Building Services unit. Any storm water drainage within the property must be provided and be connected to the nearest Council pit of adequate depth and capacity (legal point of discharge), or to Council's satisfaction under Section 200 of the *Local Government Act* 1989 and Regulation 133.

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

All future businesses and residents (whether as owners, lessees/tenants, occupiers) within the development approved under this permit, will not be permitted to obtain business, 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 5555 to confirm.

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.

No parking restriction signs or line-marked on-street parking bays are to be removed, adjusted, changed or relocated without approval or authorisation from Council's Parking Management unit and Construction Management branch. Any on-street parking reinstated (signs and line markings) as a result of development works must be approved by Council's Parking Management unit.

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

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

Community Infrastructure Levy

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.

Public Open Space Contribution

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.

Environmental Audit Overlay

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.

Submissions made online during the meeting

Andrew Thornton (for the applicant)
Mark Simpson (for the applicant)
Jacqueline Rayner
Loretta Genovesi
Santo Genovesi (for Peter Eckersall)
Diane Cronin

Adjournment

Moved: Cr O'Brien

Seconded: Cr De Vietri

The meeting adjourned at 8.10pm.

The meeting resumed at 8.16pm.

Adjournment

Moved: Cr O'Brien

Seconded: Cr de Vietri

The meeting adjourned at 8.25pm.

The meeting resumed at 8.35pm.

PLANNING DECISIONS COMMITTEE RESOLUTION

Moved: Councillor de Vietri

Seconded: Councillor O'Brien

That having considered all objections and relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant a Planning Permit be issued for the Construction of a mixed-use building, use of the land for office and reduction of the car parking requirements at 48 Oxford Street, Collingwood generally in accordance with the plans noted previously as the "decision plans" and subject to the following conditions:

1. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions, and three copies must be provided. The plans must be generally in accordance with the decision plans, prepared by Design Office, Sheets TP01 – TP05, TP07 – TP11, TP20 – TP24, TP30 – TP32 and TP40 dated 24/07/2020 and TP06 dated 16/10/2018 but modified to show:

Layout

- (a) Deletion of Level 03 (with the exception of the above podium terrace), and Level 04, with the new Level 03 to provide access to the above podium terrace.
- (b) The notation 'Commercial tenancy' modified to 'office' on all levels.
- (c) The portion of the boundary fence located on No. 50 Oxford Street shown to be retained.
- (d) The ground floor northern on-boundary wall associated with the podium to be 7.5 metres in length, in accordance with the northern elevation.
- (e) The first floor planter box to the rear of the podium, where abutting the northern boundary, reduced to 0.6 metres in width, in accordance with the northern elevation.
- (f) A sectional diagram demonstrating that the east-facing Level 01 window of the commercial tenancy is obscure glazed.
- (g) Detailed diagrams demonstrating the development limits overlooking to the south-facing window and secluded private open space of No. 50 Oxford Street in accordance with Clause 55.04-6 (Overlooking) from the operable portion of the east-facing window of the Level 01 office tenancy. Any additional screening measures used to achieve compliance are to be shown.
- (h) The 1700mm high screen on the eastern edge of the Level 02 dwelling balcony to be fixed with a maximum 25% transparency.
- (i) Detailed diagrams demonstrating the development limits overlooking to the south-facing window of No. 50 Oxford Street in accordance with Clause 55.04-6 (Overlooking) from the north-facing windows of office tenancies, on the western side of the central stair, at Level 03. Any additional screening measures used to achieve compliance are to be shown.

- (j) Detailed diagrams demonstrating the development limits overlooking to the secluded private open spaces of No. 50 and 52 Oxford Street in accordance with Clause 55.04-6 (Overlooking) from the north-facing balcony Level 01 dwelling balcony and the north-facing windows and balcony of the Level 03 office terrace (east of the lift overrun) and the roof top terrace. Any additional screening measures used to achieve compliance are to be shown.
- (k) Location of the heating/cooling unit for each dwelling.
- (l) The 'BADS apartment plans' on TP40 updated to show:
 - (i) A minimum 1.2 metre clear path connecting the dwelling entrance to the main bedroom, an adaptable bathroom and the living area. The living area may be reduced to accommodate, remaining compliant with Standard D24 – Functional layout objective of the Scheme.
 - (ii) The showers of each apartment noted as hobless (step free).
 - (iii) The toilet is to be adjacent to a 0.7 metre in length nib wall (between the toilet and shower).
 - (iv) the location of the internal storage as notated.

Car Parking and Services

- (m) Pedestrian sight line triangles superimposed at the development entrance in accordance with *Design standard 1*. Convex mirrors are to be installed where visibility is restricted.
 - (n) The floor-to-ceiling height of the car stacker device dimensioned with confirmation the Trendvario 4300-200 model type is to be utilised.
 - (o) A minimum of 8 employee/resident bicycle spaces located within a secure compound on the ground floor, provided in accordance with the requirements of AS23890.3 (including a minimum 20% of racks horizontal at grade) with dimensions of bicycle spaces and access way dimensioned.
 - (p) Provision of a minimum 1 shower and change room.
 - (q) One bicycle hoop located on Oxford Street in accordance with Council's Street Furniture Details 01: Bicycle Hoops.
 - (r) A notation confirming that all car parking areas will be electrically wired to be 'EV ready'.
 - (s) Any changes required by the Landscape Plan at Condition 5.
 - (t) Any changes required by the amended Sustainable Management Plan at Condition 7;
 - (u) Any changes required by the amended Acoustic Report at Condition 9;
 - (v) Any changes required by the amended Waste Management Plan at Condition 13;
2. In conjunction with the submission of development plans under Condition 1, a Façade Strategy and Materials and Finishes Plan to the satisfaction of the Responsible Authority must be submitted to and be approved by the Responsible Authority. When approved, the Façade Strategy and Materials and Finishes Plan will be endorsed and will then form part of this permit. This must detail:
- (a) elevations at a scale of 1:20 illustrating typical podium details, entries and doors, and utilities and typical mid-level and tower facade details;
 - (b) section drawings to demonstrate façade systems, including fixing details and joints between materials or changes in form;
 - (c) information about how the façade will be maintained, including any vegetation; and
 - (d) a materials schedule and coloured drawings outlining colours, materials and finishes, including additional details on the ground floor 'retractable security mesh curtain' to the street-facing opening of the café courtyard, ensuring the material is visually permeable and integrates with the overall development.
3. The development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.

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

Landscape Plan

5. Before the development commences, an amended Landscape Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Landscape Plan will be endorsed and will form part of this permit. The amended Landscape Plan must be generally in accordance with the Landscape Plans prepared by Eckersley Garden Architecture, drawing number GAR0000-00-01 - GAR0000-00-03 and GAR0000-00-05 - GAR0000-00-08 dated 23 July 2020 and GAR0000-00-04 dated 12 Nov 2019, but modified to include (or show):
 - (a) Details on the soil volume, stability support and precepts provided for the proposed *Ceiba speciosa* 'Silk Floss Tree.'
 - (b) Planting plans and plant schedules containing the following information:
 - (i) Proposed plant schedule with botanical name, common name, mature height and spread, installation size and plant spacing's;
 - (ii) Planting plans showing plant locations and quantities;
 - (iii) A legend containing key features, materials and surfaces;
 - (iv) Details of any raised planter beds including height, width and materials;
 - (c) The planter details updated to include further details about planter dimensions, soil depths and materiality.
 - (d) Notes on irrigation and maintenance, including:
 - (i) Information on irrigation and drainage systems
 - (ii) Notes on the maintenance schedule, tasks and duration
 - (e) Notation indicating the load bearing weights for the building have been checked and confirmed by a suitably qualified structural engineers against the saturated bulk density of soil media, planter 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.

Sustainable Management Plan

7. Before the development commences, an amended Sustainable Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Sustainable Management Plan will be endorsed and will form part of this permit. The amended Sustainable Management Plan must be generally in accordance with the Sustainable Management Plan prepared by Urban Digester dated 27 July 2020 but modified to include or show:

- (a) Assess the proposal as amended pursuant to Condition 1.
- (b) Reference to a 4,000 litre rainwater tank.

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

Acoustic Report

9. 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 Watson Moss Growcott and dated 24 July 2020, but modified to include or show:
- (a) A SEPP N-1 assessment be provided of car stacker noise, taking into consideration the likely duration of use of the equipment during the day, evening and night periods. The assessment is to be based on the chosen car stacker model and include all noise emitted from the plant during an operational cycle, as well as noise from the hydraulic pump and motor.
 - (b) An assessment of potential on-site and off-site noise impacts that may affect the new dwellings, including from mechanical plant and commercial premises within the subject development. Additional measures to achieve compliance is to be outlined and shown, if required.
10. The provisions, recommendations and requirements of the endorsed Acoustic Report, must be implemented and complied with to the satisfaction of the Responsible Authority.
11. Following completion of the development, and prior to its occupation, an Acoustic Report to the satisfaction of the responsible authority must be submitted to, and be approved by, the responsible authority. The Acoustic Report must be prepared by a suitably qualified acoustic engineer and must demonstrate:
- (a) Compliance of the mechanical plant, car park entrance door and car stackers with both State Environment Protection Policy (Noise from Commerce, Industry and Trade) No. N-1 and sleep disturbance targets at existing dwellings and dwellings proposed within the development.

When approved, the Acoustic Report will be endorsed and will then form part of this permit.

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

Waste Management Plan

13. Before the development commences, an amended Waste Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Waste Management Plan will be endorsed and will form part of this permit. The amended Waste Management Plan must be generally in accordance with the Waste Management Plan prepared by Leigh Design and dated 16 July 2020, but modified to include or show:
- (a) Assess the proposal as amended pursuant to Condition 1.
 - (b) The waste room to be of an area that allows an effective waste system.

- (c) The hard waste area to be provided within the bin room.
- (d) Details of how the site will ensure separation of private and Council services.
- (e) Provision of bins for four waste streams (food/green waste, glass, comingled recycle and landfill waste), both for the residential and commercial components, including details of how the waste will be separated and ensuring adequate space for extra bins that will be required is included.

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

Use

- 16. Except with the prior written consent of the Responsible Authority, the office use authorised by this permit may only operate between the following hours:
 - (a) Monday to Friday: 8:00am – 6:00pm.
- 17. Except with the prior written consent of the Responsible Authority, the use of the office terraces are restricted to the hours referenced within Condition 16.
- 18. The amenity of the area must not be detrimentally affected by the use or development, including through:
 - (a) the transport of materials, goods or commodities to or from land;
 - (b) the appearance of any buildings, works or materials;
 - (c) the emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or
 - (d) the presence of vermin.

to the satisfaction of the Responsible Authority.

Car parking

- 19. Before the development is occupied, a Car Park Management Plan 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 form part of this permit. The Car Park Management Plan must address the following:
 - (a) the number of car parking spaces allocated to each tenancy;
 - (b) one car space allocated to each dwelling;
 - (c) details of way-finding, cleaning and security of end of trip bicycle facilities;
 - (d) provision of two secure bicycle spaces for residents and six secure bicycle spaces for employees;
 - (e) any policing arrangements and formal agreements; and
 - (f) 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.
- 20. 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.

21. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the area set aside on the endorsed plans for the car parking spaces, access lanes, driveways and associated works must be:
- (a) constructed and available for use in accordance with the endorsed plans;
 - (b) formed to such levels and drained so that they can be used in accordance with the endorsed plans;
 - (c) treated with an all-weather seal or some other durable surface; and
 - (d) line-marked or provided with some adequate means of showing the car parking spaces;
- to the satisfaction of the Responsible Authority.
22. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the car stackers must be installed in accordance with the manufacturer's specifications by a suitably qualified person. The car stackers must be maintained thereafter to the satisfaction of the Responsible Authority.
23. The loading and unloading of vehicles and the delivery of goods to and from the land must be conducted entirely within the land to the satisfaction of the Responsible Authority.
24. Delivery and collection of goods to and from the land may only occur between 7am and 10pm Monday to Saturday, or after 9am on a Sunday or public holiday except for those allowed under any relevant local law.

Lighting

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

General

26. Finished floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.
27. 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.
28. 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.
29. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, all new on-boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.
30. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.

31. All pipes, fixtures, fittings and vents servicing any building on the land must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.
32. The development must comply at all times with the State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N-1).
33. The development must comply at all times with the State Environment Protection Policy – Control of Music Noise from Public Premises (SEPP N-2).

Road Infrastructure

34. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the new vehicle crossing must be designed and constructed:
 - (a) In accordance with any requirements or conditions imposed by Council.
 - (b) Demonstrating satisfactory access into and out of the site with a vehicle ground clearance check using the B99 design vehicle, and be fully dimensioned with actual reduced levels (to three decimal places) as per Council's Vehicle Crossing Information Sheet;
 - (c) At the Permit Holder's cost; and
 - (d) To the satisfaction of Council.
35. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the redundant vehicular crossing spanning the width of the property frontage (with the exception of the new vehicle crossover) 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.
36. 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 (including trenching and excavation for utility service connections) must be reinstated:
 - (a) at the permit holder's cost,
 - (b) to the satisfaction of the Responsible Authority.
37. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.
38. Prior to the completion of the development, subject to the relevant authority's consent, the relocation of any service poles, street line markings, car parking sensors, service structures or service pits necessary to facilitate the development must be undertaken:
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
39. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the removal of any kerbside parking sensors and any reinstatement of parking sensors will require the Permit Holder to pay Council the cost of each parking sensor taken out from the kerb/footpath/roadway. Any costs associated with the reinstatement of road infrastructure due to the removal of the parking sensors must also be borne by the Permit Holder.
40. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, one bicycle hoop (two spaces) must be installed on Oxford Street:
 - (a) at the permit holder's cost;
 - (b) in accordance with Street Furniture Details 01: Bicycle Hoops; and

- (c) in a location and manner,
to the satisfaction of the Responsible Authority.

Development Infrastructure Levy

41. 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

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

- (i) using lower noise work practice and equipment;
 - (ii) the suitability of the land for the use of an electric crane;
 - (iii) silencing all mechanical plant by the best practical means using current technology;
 - (iv) fitting pneumatic tools with an effective silencer;
 - (v) other relevant considerations.
- (q) any site-specific requirements.

43. 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.

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

45. 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.

Time Expiry

46. This permit will expire if:

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

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

Notes:

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

A vehicle crossing permit is required for the construction of the vehicle crossing(s). Please contact Council's Construction Management Branch on 9205 5555 for further information.

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

The applicant must apply for a Legal Point of Discharge under Regulation 133 – Stormwater Drainage of the *Building Regulations* 2018 from Yarra Building Services unit. Any storm water drainage within the property must be provided and be connected to the nearest Council pit of adequate depth and capacity (legal point of discharge), or to Council's satisfaction under Section 200 of the *Local Government Act* 1989 and Regulation 133.

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

All future businesses and residents (whether as owners, lessees/tenants, occupiers) within the development approved under this permit, will not be permitted to obtain business, 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 5555 to confirm.

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.

No parking restriction signs or line-marked on-street parking bays are to be removed, adjusted, changed or relocated without approval or authorisation from Council's Parking Management unit and Construction Management branch. Any on-street parking reinstated (signs and line markings) as a result of development works must be approved by Council's Parking Management unit.

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

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

Community Infrastructure Levy

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.

Public Open Space Contribution

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.

Environmental Audit Overlay

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.

CARRIED UNANIMOUSLY

6.3	77 Victoria Parade & 9 Brunswick Street, Fitzroy - Heritage Victoria Amendment
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This matter was withdrawn from the Agenda prior to the Planning Decisions Committee Meeting.

The meeting closed at 8.45pm.

Confirmed at the meeting held on Wednesday 10 March 2021

Chair