



# Minutes

## Planning Decisions Committee

6.30pm, Wednesday 10 March 2021

MS TEAMS

## 1. Appointment of Chair

Cr Landes 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

Daniel Herrman (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.

Rhys Thomas declared that his wife is a Director of Urbis Pty Ltd, who are acting for the applicant for 6-10 Peel Street Collingwood and stated that his role in the meeting is purely administrative and that he has played no role in preparing the reports or officer advice.

## 5. Confirmation of Minutes

### RESOLUTION

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

1. That the minutes of the meeting of the Planning Decisions Committee held on Wednesday 24 February 2021 be confirmed.

**CARRIED**

## 6 PLANNING DECISIONS COMMITTEE

Item		Page	Res. Page
6.1	PLN19/0655 - 413 Swan Street, Richmond - Part demolition to allow for the construction of a multi-level building for the purpose of dwellings with a ground level shop and a reduction in the car parking requirement of the Yarra Planning Scheme.	5	13
6.2	PLN20/0214 - 6 - 10 Peel Street, Collingwood	23	65
6.3	PLN20/0322 - 350 - 356 Johnston Street & 2 Rich Street Abbotsford - Construction of a multi-storey building containing office, food and drink premises and retail premises (no permit required for uses) and a reduction in the car parking and visitor bicycle space requirements	77	93

Cr Landes left the meeting for Item 6.1 due to conflict of interest.

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**6.1**      **PLN19/0655 - 413 Swan Street, Richmond - Part demolition to allow for the construction of a multi-level building for the purpose of dwellings with a ground level shop and a reduction in the car parking requirement of the Yarra Planning Scheme.**

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<b>Reference</b>	D21/19184
<b>Author</b>	John Theodosakis - Principal Planner
<b>Authoriser</b>	Senior Coordinator Statutory Planning

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**RECOMMENDATION**

That having considered all objections and relevant planning policies, the Planning Decisions Committee resolves to issue a Notice of Decision to Grant a Planning Permit for partial demolition, construction of a multi-level, mixed-use building and a reduction in the statutory car parking requirement at 413 Swan Street, Richmond subject to the following conditions:

1. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans 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 Metaxas Architects Pty. Ltd. and dated 30/03/2020 but modified to include:
  - (a) The changes as depicted on the "Sketch" plans prepared by Metaxas Architects Pty. Ltd and dated 11/01/2021 that show:
    - (i) A modified design response to the Swan Street façade to the second floor and above , to exclude the full floor to ceiling glazing and have this replaced with a combination of rendered walls and windows;
    - (ii) Provision of planter boxes added on the terraces of Apartments A02, A03 and A04; and
    - (iii) The inclusion of key Environmental Sustainability Development notes.
    - (iv) Projecting zinc blade elements introduced alongside the windows to Swan Street;
    - (v) Application of a corrugated pattern to sections of the precast concrete panelled walls to the west and east elevations;
    - (vi) The removal of the perforated metal above the garage door;

But further modified to show:

- (b) The retention of the existing chimney shown on all plans;
- (c) A plinth to the shop-front window consistent with the adjacent shop-front windows along Swan Street;
- (d) The fire booster fitted in a cupboard of a transparent design as it presents to Swan Street;
- (e) The warning lantern associated with the garage either:
  - (i) shown in a location within the site's title boundaries and in a location as to not cause any light spill to adjoining properties; or
  - (ii) deleted and replaced with an alternative warning system.
- (f) All apartments to achieve full compliance with Standard D17 (Accessibility objective) at Clause 58.05-1 of the Yarra Planning Scheme;

- (g) Apartment A01 converted to a commercial use (i.e. office or shop or any other Section 1 use at Clause 34.01-1 of the Yarra Planning Scheme) with an equivalent car parking reduction;
  - (h) Screening (only if necessary) to upper level north-facing balconies / terraces in accordance with Standard B22 of Clause 55.04-6 (Overlooking objective) of the Yarra Planning Scheme;
  - (i) The width of the garage door dimensioned on the drawings;
  - (j) The headroom height at the garage door dimensioned on the drawings;
  - (k) The floor to ceiling height above the car stacker device dimensioned on the drawings;
  - (l) 1 in 20 scale cross sectional drawing showing the reduced level of the north and south edge of the laneway, the centreline of the laneway, the edges and invert of the bluestone channel on both sides of the laneway, and the finished floor level of the slab. All levels are to be shown on a cross sectional drawing, with dimensions, together with the B99 design vehicle ground clearance template demonstrating access into and out of the development;
  - (m) The bicycle parking spaces on Swan Street shown with a clearance between the centre of the hoop and the building line of at least 2m or alternatively, deleted;
  - (n) Any changes required by the Conservation Management Plan at Condition 4;
  - (o) Any changes required by the Landscape Plan at Condition 6.
  - (p) Any changes required by the amended Sustainable Development Assessment at Condition 8;
  - (q) Any changes required by the amended Acoustic Report at Condition 10;
  - (r) Any changes required by the amended Wind Assessment at Condition 12;
  - (s) Any changes required by the amended Waste Management Plan at Condition 14;
2. The development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
3. In conjunction with the submission of development plans under Condition 1, a Façade Strategy and Materials and Finishes Plan to the satisfaction of the Responsible Authority must be submitted to and be approved by the Responsible Authority. When approved, the Façade Strategy and Materials and Finishes Plan will be endorsed and will then form part of this permit. This must detail:
- (a) elevation drawings at a scale of 1:20 illustrating typical podium details, entries and doors, and utilities and typical tower facade details;
  - (b) section drawings to demonstrate façade systems, including fixing details and joints between materials or changes in form;
  - (c) information about how the façade will be maintained
  - (d) Renders to demonstrate the correct colours and materials proposed;
  - (e) a sample board and coloured drawings outlining colours, materials and finishes.

### **Conservation Management Plan**

4. Before the demolition commences, a Conservation Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Conservation Management Plan will be endorsed and will form part of this permit. The Conservation Management Plan must include, but not be limited to, the following:
- (a) The proposed reconstruction, restoration or works to the existing building, with notations clearly outlining any changes from existing conditions or use of new materials;
  - (b) Details of all materials/colours etc. to be used;
  - (c) Method of any paint removal;
  - (d) A written description of the demolition and construction methods to be used.



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

### **Landscape Plan**

6. Before the development commences, a Landscape Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Landscape Plan will be endorsed and will form part of this permit. The Landscape Plan must:
  - (a) Provide details of vegetation within individual balconies;
  - (b) Include details of irrigation and show the type, location, quantity, height at maturity and botanical names of all proposed plants and ensure the ongoing survival and maintenance; and
  - (c) provide a specification of works to be undertaken prior to planting,to the satisfaction of the Responsible Authority.
7. 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 Development Assessment**

8. Before the development commences, an amended Sustainable Development Assessment to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Sustainable Development Assessment will be endorsed and will form part of this permit. The amended Sustainable Development Assessment must be generally in accordance with the Sustainable Development Assessment prepared by EcoResults and dated 28 June and 27 August 2019, but modified to include or show:
  - (a) Reference to the plans at Condition 1 and commitments annotated on the "Sketch" plans considered by Council;
  - (b) Confirmation regarding the average NatHERS rating for the apartments to be in line with the City Of Yarra's preference for 10% improvement on the minimum requirements;
  - (c) Provision of vegetation – addressed through the "sketch" plans that include planter boxes on the terraces of several apartments;
  - (d) Composting measures (if any);
  - (e) Operability of windows to ensure appropriate ventilation to all apartments; and
  - (f) A BESS and STORM report that relate to the plans as required at Condition 1.
9. 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**

10. Before the development commences, an Acoustic Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Acoustic Report will be endorsed and will form part of this permit. The Acoustic Report must include / show or address:
  - (a) Noise levels from the garage door and car stacker;
  - (b) Noise impacts of tram and traffic noise along Swan Street to the south;
  - (c) The management of noise levels association with the shop use and any other commercial use within the building;
  - (d) The requirements at *Clause 53.06 (Live Music and Entertainment Noise)* of the Yarra Planning Scheme with regard to the "Concrete Boots" bar at No. 381 Burnley Street to the north; and
  - (e) any attenuation necessary to achieve compliance with all relevant requirements relating to the dwelling in addressing sleep noise targets as these relate to all of the above i.e. (a), (b), (c) and (d).
11. The provisions, recommendations and requirements of the endorsed Acoustic Report, must be implemented and complied with to the satisfaction of the Responsible Authority.

## **Wind Assessment**

12. Before the development commences, an amended Wind Assessment to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Wind Assessment will be endorsed and will form part of this permit. The amended Wind Assessment Report must be generally in accordance with the Wind Assessment prepared by Vipac Engineers & Scientists and dated 4 December 2019 but modified to include:
  - (a) a wind tunnel model study of the environmental wind conditions which must explore the wind conditions of the terraces and whether additional mitigation treatments are required to satisfy the relevant criteria.
13. The provisions, recommendations and requirements of the endorsed Wind Assessment must be implemented and complied with to the satisfaction of the Responsible Authority.

## **Waste Management Plan**

14. 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 26 June 2019, but modified to include or show;
  - (a) Reference to the plans required by Condition 1;
  - (b) The size of the bin storage area provided in M<sup>2</sup>, and large enough to form an effective waste system and incorporate Councils future 4 bin Kerbside waste service;
  - (c) Provision for hard waste and E waste storage ideally incorporated into the bin storage area; and
  - (d) Reference to private and Council bins with these clearly separated otherwise all bins must be collected privately.



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

#### **VicRoads Condition (No. 17)**

16. The permit holder must avoid disruption to tram operation along Swan Street during the construction of the development. Any planned disruptions to tram operation during construction and mitigation measures must be communicated to and approved by the Head, Transport for Victoria and Yarra Trams a minimum of thirty five days (35) prior. The permit holder must ensure that all track, tram and overhead infrastructure is not damaged. Any damage to public transport infrastructure must be rectified to the satisfaction of the Head, Transport for Victoria at the full cost of the permit holder.

#### **Lighting**

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

to the satisfaction of the Responsible Authority.

#### **General**

18. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the footpath frontage to Swan Street directly adjacent to the site must be profiled and re-sheeted;
  - (a) at the permit holder's cost; and
  - (b) to the satisfaction of the Responsible Authority.
19. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated:
  - (a) at the permit holder's cost,
  - (b) to the satisfaction of the Responsible Authority.
20. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any new vehicle crossing must be constructed:
  - (a) in accordance with any requirements or conditions imposed by Council;
  - (b) at the permit holder's cost; and
  - (c) to the satisfaction of the Responsible Authority.
21. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.
22. 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.

23. 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.
24. 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.
25. 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.
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. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
28. Before the building is occupied, any new wall/garage doors located on a boundary facing public property must be treated with a graffiti proof finish to the satisfaction of the Responsible Authority.
29. 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.
30. The development must comply at all times with the State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N-1).
31. The development must comply at all times with the State Environment Protection Policy – Control of Music Noise from Public Premises (SEPP N-2).
32. The collection of waste from the site must be by private collection, unless with the prior written consent of the Responsible Authority.
33. 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.

#### **Development Infrastructure Levy**

34. 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**

35. 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.

36. 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.
37. The provisions, recommendations and requirements of the endorsed Construction Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
38. 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.
39. This permit will expire if:
- (a) the development is not commenced within two years of the date of this permit;
  - (b) the development is not completed within four years of the date of this permit.

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

**Notes:**

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

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

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

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

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

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

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

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

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

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

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

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

#### 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.

#### **VicRoad's Note:**

*Separate consent may be required from Head, Transport for Victoria under the Road Management Act 2004 for buildings and works undertaken outside the title boundary within a Road Zone Category 1 (Swan Street). Please contact Head, Transport for Victoria prior to commencing any works.*

#### Submissions made online during the meeting

Luke Mooney, Planning and Property Partners Pty Ltd (for the applicant)  
Ellen Beatty

### **PLANNING DECISIONS COMMITTEE RESOLUTION**

**Moved:** Councillor de Vietri

**Seconded:** Councillor O'Brien

That having considered all objections and relevant planning policies, the Planning Decisions Committee resolves to issue a Notice of Decision to Grant a Planning Permit for partial demolition, construction of a multi-level, mixed-use building and a reduction in the statutory car parking requirement at 413 Swan Street, Richmond subject to the following conditions:

1. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans 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 Metaxas Architects Pty. Ltd. and dated 30/03/2020 but modified to include:
  - (a) The changes as depicted on the "Sketch" plans prepared by Metaxas Architects Pty. Ltd and dated 11/01/2021 that show:

- (i) A modified design response to the Swan Street façade to the second floor and above, to exclude the full floor to ceiling glazing and have this replaced with a combination of rendered walls and windows;
- (ii) Provision of planter boxes added on the terraces of Apartments A02, A03 and A04; and
- (iii) The inclusion of key Environmental Sustainability Development notes.
- (iv) Projecting zinc blade elements introduced alongside the windows to Swan Street;
- (v) Application of a corrugated pattern to sections of the precast concrete panelled walls to the west and east elevations;
- (vi) The removal of the perforated metal above the garage door;

But further modified to show:

- (b) A reduction in height of two levels, between the second and sixth levels;
- (c) The retention of the existing chimney shown on all plans;
- (d) A plinth to the shop-front window consistent with the adjacent shop-front windows along Swan Street;
- (e) The fire booster fitted in a cupboard of a transparent design as it presents to Swan Street;
- (f) The window of the southern most bedroom of any level above the existing heritage place to be aligned vertically;
- (g) The warning lantern associated with the garage either:
  - (i) shown in a location within the site's title boundaries and in a location as to not cause any light spill to adjoining properties; or
  - (ii) deleted and replaced with an alternative warning system.
- (h) All apartments to achieve full compliance with Standard D17 (Accessibility objective) at Clause 58.05-1 of the Yarra Planning Scheme;
- (i) Apartment A01 converted to a commercial use (i.e. office or shop or any other Section 1 use at Clause 34.01-1 of the Yarra Planning Scheme) with an equivalent car parking reduction;
- (j) Screening (only if necessary) to upper level north-facing balconies / terraces in accordance with Standard B22 of Clause 55.04-6 (Overlooking objective) of the Yarra Planning Scheme;
- (k) The width of the garage door dimensioned on the drawings;
- (l) The headroom height at the garage door dimensioned on the drawings;
- (m) The floor to ceiling height above the car stacker device dimensioned on the drawings;
- (n) 1 in 20 scale cross sectional drawing showing the reduced level of the north and south edge of the laneway, the centreline of the laneway, the edges and invert of the bluestone channel on both sides of the laneway, and the finished floor level of the slab. All levels are to be shown on a cross sectional drawing, with dimensions, together with the B99 design vehicle ground clearance template demonstrating access into and out of the development;
- (o) The bicycle parking spaces on Swan Street shown with a clearance between the centre of the hoop and the building line of at least 2m or alternatively, deleted;
- (p) Any changes required by the Conservation Management Plan at Condition 4;
- (q) Any changes required by the Landscape Plan at Condition 6.
- (r) Any changes required by the amended Sustainable Development Assessment at Condition 8;
- (s) Any changes required by the amended Acoustic Report at Condition 10;
- (t) Any changes required by the amended Wind Assessment at Condition 12;
- (u) Any changes required by the amended Waste Management Plan at Condition 14.

2. The development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
3. In conjunction with the submission of development plans under Condition 1, a Façade Strategy and Materials and Finishes Plan to the satisfaction of the Responsible Authority must be submitted to and be approved by the Responsible Authority. When approved, the Façade Strategy and Materials and Finishes Plan will be endorsed and will then form part of this permit. This must detail:
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  - (b) section drawings to demonstrate façade systems, including fixing details and joints between materials or changes in form;
  - (c) information about how the façade will be maintained
  - (d) Renders to demonstrate the correct colours and materials proposed;
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### **Conservation Management Plan**

4. Before the demolition commences, a Conservation Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Conservation Management Plan will be endorsed and will form part of this permit. The Conservation Management Plan must include, but not be limited to, the following:
  - (a) The proposed reconstruction, restoration or works to the existing building, with notations clearly outlining any changes from existing conditions or use of new materials;
  - (b) Details of all materials/colours etc. to be used;
  - (c) Method of any paint removal;
  - (d) A written description of the demolition and construction methods to be used.
5. The provisions, recommendations and requirements of the endorsed Conservation Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

### **Landscape Plan**

6. Before the development commences, a Landscape Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Landscape Plan will be endorsed and will form part of this permit. The Landscape Plan must:
  - (a) Provide details of vegetation within individual balconies;
  - (b) Include details of irrigation and show the type, location, quantity, height at maturity and botanical names of all proposed plants and ensure the ongoing survival and maintenance; and
  - (c) provide a specification of works to be undertaken prior to planting,to the satisfaction of the Responsible Authority.
7. 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 Development Assessment**

8. Before the development commences, an amended Sustainable Development Assessment to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Sustainable Development Assessment will be endorsed and will form part of this permit. The amended Sustainable Development Assessment must be generally in accordance with the Sustainable Development Assessment prepared by EcoResults and dated 28 June and 27 August 2019, but modified to include or show:
  - (a) Reference to the plans at Condition 1 and commitments annotated on the "Sketch" plans considered by Council;
  - (b) Confirmation regarding the average NatHERS rating for the apartments to be in line with the City Of Yarra's preference for 10% improvement on the minimum requirements;
  - (c) Provision of vegetation – addressed through the "sketch" plans that include planter boxes on the terraces of several apartments;
  - (d) Composting measures (if any);
  - (e) Operability of windows to ensure appropriate ventilation to all apartments; and
  - (f) A BESS and STORM report that relate to the plans as required at Condition 1.
9. 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**

10. Before the development commences, an Acoustic Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Acoustic Report will be endorsed and will form part of this permit. The Acoustic Report must include / show or address:
  - (a) Noise levels from the garage door and car stacker;
  - (b) Noise impacts of tram and traffic noise along Swan Street to the south;
  - (c) The management of noise levels association with the shop use and any other commercial use within the building;
  - (d) The requirements at *Clause 53.06 (Live Music and Entertainment Noise)* of the Yarra Planning Scheme with regard to the "Concrete Boots" bar at No. 381 Burnley Street to the north; and
  - (e) any attenuation necessary to achieve compliance with all relevant requirements relating to the dwelling in addressing sleep noise targets as these relate to all of the above i.e. (a), (b), (c) and (d).
11. The provisions, recommendations and requirements of the endorsed Acoustic Report, must be implemented and complied with to the satisfaction of the Responsible Authority.

### **Wind Assessment**

12. Before the development commences, an amended Wind Assessment to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Wind Assessment will be endorsed and will form part of this permit.

The amended Wind Assessment Report must be generally in accordance with the Wind Assessment prepared by Vipac Engineers & Scientists and dated 4 December 2019 but modified to include:

- (a) a wind tunnel model study of the environmental wind conditions which must explore the wind conditions of the terraces and whether additional mitigation treatments are required to satisfy the relevant criteria.
13. The provisions, recommendations and requirements of the endorsed Wind Assessment must be implemented and complied with to the satisfaction of the Responsible Authority.

### **Waste Management Plan**

14. 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 26 June 2019, but modified to include or show;
  - (a) Reference to the plans required by Condition 1;
  - (b) The size of the bin storage area provided in M<sup>2</sup>, and large enough to form an effective waste system and incorporate Councils future 4 bin Kerbside waste service;
  - (c) Provision for hard waste and E waste storage ideally incorporated into the bin storage area; and
  - (d) Reference to private and Council bins with these clearly separated otherwise all bins must be collected privately.
15. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

### **VicRoads Condition (No. 17)**

16. The permit holder must avoid disruption to tram operation along Swan Street during the construction of the development. Any planned disruptions to tram operation during construction and mitigation measures must be communicated to and approved by the Head, Transport for Victoria and Yarra Trams a minimum of thirty five days (35) prior. The permit holder must ensure that all track, tram and overhead infrastructure is not damaged. Any damage to public transport infrastructure must be rectified to the satisfaction of the Head, Transport for Victoria at the full cost of the permit holder.

### **Lighting**

17. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating pedestrian entrances must be provided within the property boundary. Lighting must be:
  - (a) located;

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

to the satisfaction of the Responsible Authority.

### **General**

18. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the footpath frontage to Swan Street directly adjacent to the site must be profiled and re-sheeted;
  - (a) at the permit holder's cost; and
  - (b) to the satisfaction of the Responsible Authority.
19. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated:
  - (a) at the permit holder's cost,
  - (b) to the satisfaction of the Responsible Authority.
20. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any new vehicle crossing must be constructed:
  - (a) in accordance with any requirements or conditions imposed by Council;
  - (b) at the permit holder's cost; and
  - (c) to the satisfaction of the Responsible Authority.
21. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.
22. 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.
23. 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.
24. 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.
25. 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.
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. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
28. Before the building is occupied, any new wall/garage doors located on a boundary facing public property must be treated with a graffiti proof finish to the satisfaction of the Responsible Authority.
29. 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.
30. The development must comply at all times with the State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N-1).
31. The development must comply at all times with the State Environment Protection Policy – Control of Music Noise from Public Premises (SEPP N-2).
32. The collection of waste from the site must be by private collection, unless with the prior written consent of the Responsible Authority.
33. 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.

#### **Development Infrastructure Levy**

34. 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**

35. 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.

36. 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.

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

38. 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.

39. This permit will expire if:

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

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

**Notes:**

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

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

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

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

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

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

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

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

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

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

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

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

### 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.

#### **VicRoad's Note:**

*Separate consent may be required from Head, Transport for Victoria under the Road Management Act 2004 for buildings and works undertaken outside the title boundary within a Road Zone Category 1 (Swan Street). Please contact Head, Transport for Victoria prior to commencing any works.*

**CARRIED UNANIMOUSLY**

Cr Landes returned to the meeting for the next matter.



<b>Reference</b>	D21/14443
<b>Author</b>	Michelle King - Principal Planner
<b>Authoriser</b>	Senior Coordinator Statutory Planning

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## RECOMMENDATION

1. Before the use and/or 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 Warren and Mahoney, Sheets: A2.00, A3.00, A3.01, A3.08, A5.02, A5.03, A8.00 (All Revision 'E' dated 9/11/2020), A3.07, A4.01, A7.01 (All Revision 'D' dated 9/11/2020), A2.01 (Revision 'C' dated 25/05/2020), A7.02 (All Revision 'C' dated 9/11/2020), A3.09, A7.00 (All Revision 'C' dated 21/10/2020), A3.02, A3.03, A3.04, A3.05, A3.06 (All Revision 'D' dated 21/10/2020), A5.00, A5.01 (All Revision 'E' dated 21/10/2020), A3.10, A4.00 (All Revision A dated 20/05/2020), A7.03 (Revision 'A' dated 21/10/2020) and A4.03, A4.04 (All Revision B dated 15/06/2020) but modified to show:

### Layout

- (a) All proposed demolition as shown in blue on A2.00 and A2.01 to be shown in red.
- (b) All new works on the ground floor to be contained within the title boundaries of the site.

### Built Form and Materials

- (c) Levels 03 – 07 be setback 1 metre from the northern boundary, with the setback area at Level 03 to be non-trafficable.
- (d) Levels 03 – 07 be setback 2.55 metres from the western boundary, with the setback area at Level 03 to be non-trafficable.
- (e) The southern elevation of the lift core to be clad in TL:01, or an architectural treatment that integrates with the overall building.
- (f) The northern elevation of the meeting room/theatrette modified to incorporate obscure, patterned glazing to provide visual interest in lieu of GA:01.
- (g) The Level 03 terrace on the northern side of the built form to be non-trafficable where the parapet of the retained heritage building does not extend above the finished floor level by 1.7 metres in height.
- (h) The Level 04 west-facing windows north of the lift core to be obscure glazed to a height of 1.7 metres.

### Car Parking and Services

- (i) The two bike hoops on the Peel Street footpath must be offset from the kerb by 0.6m and must maintain a minimum 1.5m clear path of travel from the adjacent building line, in accordance with Council's Street Furniture Details 01: Bicycle Hoops.

### Reports and Plans

- (j) Any changes required by the amended Conservation Management Plan at Condition 5;
- (k) Any changes required by the amended Sustainable Management Plan at Condition 10;
- (l) Any changes required by the amended Acoustic Report at Condition 12;
- (m) Any changes required by the amended Wind Impact Assessment at Condition 16;
- (n) Any changes required by the amended Waste Management Plan at Condition 18; and
- (o) Any changes required by the Landscape Plan at Condition 21.

2. The use and development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
3. In conjunction with the submission of development plans under Condition 1, a Façade Strategy and Materials and Finishes Plan to the satisfaction of the Responsible Authority must be submitted to and be approved by the Responsible Authority. When approved, the Façade Strategy and Materials and Finishes Plan will be endorsed and will then form part of this permit. This must detail:
  - (a) elevations at a scale of 1:20 illustrating typical podium details, entries and doors, and utilities and typical tower facade details (in particular the detailing of 'TL:01');
  - (b) section drawings to demonstrate façade systems, including fixing details and joints between materials or changes in form;
  - (c) information about how the façade will be maintained, including any vegetation; and
  - (d) a sample board and coloured drawings outlining colours, materials and finishes.
4. As part of the ongoing consultant team, Warren and Mahoney architects or an architectural firm to the satisfaction of the Responsible Authority must be engaged to:
  - (a) oversee design and construction of the development; and
  - (b) ensure the design quality and appearance of the development is realised as shown in the endorsed plans or otherwise to the satisfaction of the Responsible Authority.

#### Conservation Management Plan

5. In conjunction with the submission of development plans under Condition 1, a Conservation Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Conservation Management Plan will be endorsed and will form part of this permit. The Conservation Management Plan is to be generally in accordance with the Heritage Impact Statement prepared by Bryce Raworth, dated June 2020 and the '6-10 Peel Street, Collingwood - List of conservation and refurbishment works proposed to the existing facades' two page document and must include, but not be limited to, the following:
  - (a) Fully dimensioned and accurately measured plans at a scale of no less than 1:50 prepared by a suitably qualified heritage practitioner/ architect, detailing:
    - (i) The existing façades, roof and return walls, including sections demonstrating the thickness of architectural elements;
    - (ii) The proposed restoration and conservation works to the existing façade, roof and return walls, with notations clearly outlining any changes from existing conditions or use of new materials; and
    - (iv) Any specific requirements.
  - (b) A written description of the demolition and construction methods to be used.
6. The provisions, recommendations and requirements of the endorsed Conservation Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

#### Archival Record

7. Before demolition commences, a detailed and annotated photographic record of the existing building at No. 6 Peel Street in its context must be submitted to and approved by the Responsible Authority as a record of the building. The photographs must:
  - (a) include the interior and each external elevation of the building;
  - (b) be submitted in black and white format; and

- (c) be taken by a suitably qualified heritage photographer.

#### Structural Report

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

#### Sustainable Management Plan

10. Before the use and/or 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 WRAP Engineering Pty Ltd dated 12 October 2020, but modified to include or show:
- (a) Clarify provision of outdoor air to office spaces on all levels, and mark plans (including elevations).
  - (b) Provide details in Section J Analysis and aim for a minimum 10% improvement on 2019 NCC requirements.
  - (c) Clarify depth between articulated façade and recessed glass.
  - (d) Provide Landscape Plan articulating details of planting schedule and maintenance.
  - (e) Provide a statement as to how building design mitigates urban heat.
11. 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

12. Before the use and/or 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 Marshall Day Acoustics and dated 12 May 2020, but modified to include or show:
- (a) Assess the proposal as referenced and amended pursuant to Condition 1.
  - (b) SEPP N-2 limits identified and applied to music and amplified voice from the meeting space/theatrette.
  - (c) An assessment and acoustic specifications for the meeting space/theatrette façade wall and external door so as to achieve the SEPP N-2 limits.
  - (d) Management strategies for minimising noise impacts from users of the meeting space/theatrette to occupants of the overlooking apartments. Including:
    - (i) Use of the door to Oxford Place for emergencies only; and
    - (ii) Limitations to the times that the space can be used.
13. The provisions, recommendations and requirements of the endorsed Acoustic Report, must be implemented and complied with to the satisfaction of the Responsible Authority.

14. Following completion of the development, and prior to the occupation of the building, 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 compliance of the mechanical plant with both State Environment Protection Policy (Noise from Commerce, Industry and Trade) No. N-1 and sleep disturbance targets at existing dwellings. When approved, the Acoustic Report will be endorsed and will then form part of this permit.
15. 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.

#### Wind Impact Assessment

16. Before the use and/or development commences, an amended Wind Impact Assessment to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Wind Impact Assessment will be endorsed and will form part of this permit. The amended Wind Impact Assessment must be generally in accordance with the assessment prepared by Windtech Consultants Pty Ltd dated May 21, 2020, but modified to include or show:
  - (a) Assess the proposal as referenced and amended pursuant to Condition 1.
  - (b) An explicit reference to the expected criteria satisfied for the ground level streetscapes.
  - (c) Standing criterion to be achieved for:
    - (i) The ground floor building entrances; and
    - (ii) The Level 03 and Level 06 terraces.
  - (d) Vegetation is not to be used as a wind mitigation measure.
17. The provisions, recommendations and requirements of the endorsed Wind Impact Assessment must be implemented and complied with to the satisfaction of the Responsible Authority.

#### Waste Management Plan

18. Before the use and/or 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 4 August 2020, but modified to include or show:
  - (a) A separate waste stream and bin/s for glass.
19. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
20. The collection of commercial waste from the site must be by private collection, unless with the prior written consent of the Responsible Authority.

#### Landscape Plan

21. In conjunction with the submission of development plans under Condition 1, a Landscape Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Landscape Plan will be endorsed and will form part of this permit. The Landscape Plan must:

- (a) show the type, location, quantity, height at maturity and botanical names of all proposed plants;
- (b) indicate the location of all areas to be covered by lawn or other surface materials;
- (c) Details of any raised planters and rain gardens including height, width, soil depths and materiality;
- (d) provide a specification of works to be undertaken prior to planting; and
- (e) details of the maintenance of the vegetation, to ensure the planting is kept below the heritage façade line.

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 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.

### Street Trees

23. Before the use and 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 the protection of the two street trees located on the Peel Street frontage, including:

- (a) pre-construction;
- (b) during construction; and
- (c) post construction
- (d) the provision of any barriers;
- (e) any pruning necessary; and
- (f) watering and maintenance regimes,

to the satisfaction of the Responsible Authority.

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

25. Before the use and development commences, the permit holder must provide a security bond of \$50,000 for the retained street trees 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.

## Green Travel Plan

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

## Use

27. 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 – 8:00pm.

28. Except with the prior written consent of the Responsible Authority, the use of the office terraces are restricted to the hours referenced within Condition 27.

29. 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.

30. 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

31. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating pedestrian entrances must be provided within the property boundary. Lighting must be:

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

to the satisfaction of the Responsible Authority.

## General

32. Finished floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.

33. Before the building is occupied, any wall located on a boundary facing public property must be treated with a graffiti proof finish to the satisfaction of the Responsible Authority.

34. 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.

35. 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.
36. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
37. 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.
38. The development must comply at all times with the State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N-1).
39. The development must comply at all times with the State Environment Protection Policy – Control of Music Noise from Public Premises (SEPP N-2).

#### Infrastructure Works (Streetscape Plan)

40. Before the development commences, detailed design drawings to the satisfaction of the Responsible Authority of Oxford Place, to be reconstructed as part of this proposal, and all infrastructure works in Peel Street and Little Oxford Street, must be submitted to and approved by the Responsible Authority. The detailed design drawings must be prepared by an independent and suitably qualified engineering professional to the satisfaction of the Responsible Authority and in consultation with the Responsible Authority.

The detailed design drawings must also detail the following

- (a) pavement widths,
- (b) on-street parking bays,
- (c) reinstated surface treatment,
- (d) existing and proposed street fixtures,
- (e) street trees,
- (f) road infrastructure items,
- (g) landscaping (where applicable),
- (h) Dimensions of openings and offsets,
- (i) complete levels and grading resolution around the perimeter of the subject site,
- (j) drainage including the installation of any additional drainage pits and associated connecting drainage, and
- (k) the finished floor levels inside the entry lobby to neatly match and transition to the new design levels of the reconstructed footpath.

to the satisfaction of the Responsible Authority.

41. Before the building is occupied, all works to the public realm required by condition 40 must be fully constructed and completed by the owner:
  - (a) at the full cost of the owner; and
  - (b) in accordance with the detailed design drawings approved under condition 40.

to the satisfaction of the Responsible Authority.

#### Road Infrastructure

42. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the kerb and channel and footpath along the frontages to Peel Street and Little Oxford Street must be reconstructed:



- (a) With a cross-fall of 1 in 33 unless otherwise specified by Council;
  - (b) at the permit holder's cost; and
  - (c) to the satisfaction of the Responsible Authority.
43. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the asphalt flanks (pavement surface) of Oxford Place, from the western boundary of the site to Little Oxford Street must be profile and re-sheeted and the central bluestone channel is to be reset:
- (a) at the permit holder's cost; and
  - (b) to the satisfaction of the Responsible Authority.
44. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, 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.
45. 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.
46. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.
47. 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.
48. 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.
49. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, two bicycle hoops (four spaces) must be installed on Peel 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.

50. 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

51. Before the use and/or 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.

52. 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.

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

54. 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

55. 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:**

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

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

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.

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.

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.

### **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

Laura Dixon, Urbis Pty Ltd (for the applicant)  
Karen Cummings  
Gayle King

### **MOTION**

**Moved:** Cr Landes

**Seconded:** Cr de Vietri

1. Before the use and/or 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 Warren and Mahoney, Sheets: A2.00, A3.00, A3.01, A3.08, A5.02, A5.03, A8.00 (All Revision 'E' dated 9/11/2020), A3.07, A4.01, A7.01 (All Revision 'D' dated 9/11/2020), A2.01 (Revision 'C' dated 25/05/2020), A7.02 (All Revision 'C' dated 9/11/2020), A3.09, A7.00 (All Revision 'C' dated 21/10/2020), A3.02, A3.03, A3.04, A3.05, A3.06 (All Revision 'D' dated 21/10/2020), A5.00, A5.01 (All Revision 'E' dated 21/10/2020), A3.10, A4.00 (All Revision A dated 20/05/2020), A7.03 (Revision 'A' dated 21/10/2020) and A4.03, A4.04 (All Revision B dated 15/06/2020) but modified to show:

### Layout

- (a) All proposed demolition as shown in blue on A2.00 and A2.01 to be shown in red.
- (b) All new works on the ground floor to be contained within the title boundaries of the site.
- (c) Location of building services to be shown and integrated into the overall design of the building.

### Built Form and Materials

- (d) Levels 03 – 07 be setback 1 metre from the northern boundary, with the setback area at Level 03 to be non-trafficable.
- (e) Levels 03 – 07 be setback 2.55 metres from the western boundary, with the setback area at Level 03 to be non-trafficable.
- (f) The southern elevation of the lift core to be clad in TL:01, or an architectural treatment that integrates with the overall building.
- (g) The northern elevation of the meeting room/theatrette modified to incorporate obscure, patterned glazing to provide visual interest in lieu of GA:01.
- (h) The Level 03 terrace on the northern side of the built form to be non-trafficable where the parapet of the retained heritage building does not extend above the finished floor level by 1.7 metres in height.
- (i) The Level 04 west-facing windows north of the lift core to be obscure glazed to a height of 1.7 metres.

### Car Parking and Services

- (i) The two bike hoops on the Peel Street footpath must be offset from the kerb by 0.6m and must maintain a minimum 1.5m clear path of travel from the adjacent building line, in accordance with Council's Street Furniture Details 01: Bicycle Hoops.

### Reports and Plans

- (k) Any changes required by the amended Conservation Management Plan at Condition 5;
  - (l) Any changes required by the amended Sustainable Management Plan at Condition 10;
  - (m) Any changes required by the amended Acoustic Report at Condition 12;
  - (n) Any changes required by the amended Wind Impact Assessment at Condition 16;
  - (o) Any changes required by the amended Waste Management Plan at Condition 18; and
  - (p) Any changes required by the Landscape Plan at Condition 21.
2. The use and development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
3. In conjunction with the submission of development plans under Condition 1, a Façade Strategy and Materials and Finishes Plan to the satisfaction of the Responsible Authority must be submitted to and be approved by the Responsible Authority. When approved, the Façade Strategy and Materials and Finishes Plan will be endorsed and will then form part of this permit. This must detail:
- (a) elevations at a scale of 1:20 illustrating typical podium details, entries and doors, and utilities and typical tower facade details (in particular the detailing of 'TL:01');
  - (b) section drawings to demonstrate façade systems, including fixing details and joints between materials or changes in form;
  - (c) information about how the façade will be maintained, including any vegetation; and
  - (d) a sample board and coloured drawings outlining colours, materials and finishes.
4. As part of the ongoing consultant team, Warren and Mahoney architects or an architectural firm to the satisfaction of the Responsible Authority must be engaged to:
- (a) oversee design and construction of the development; and

- (b) ensure the design quality and appearance of the development is realised as shown in the endorsed plans or otherwise to the satisfaction of the Responsible Authority.

#### Conservation Management Plan

- 5. In conjunction with the submission of development plans under Condition 1, a Conservation Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Conservation Management Plan will be endorsed and will form part of this permit. The Conservation Management Plan is to be generally in accordance with the Heritage Impact Statement prepared by Bryce Raworth, dated June 2020 and the '6-10 Peel Street, Collingwood - List of conservation and refurbishment works proposed to the existing facades' two page document and must include, but not be limited to, the following:
  - (a) Fully dimensioned and accurately measured plans at a scale of no less than 1:50 prepared by a suitably qualified heritage practitioner/ architect, detailing:
    - (i) The existing façades, roof and return walls, including sections demonstrating the thickness of architectural elements;
    - (ii) The proposed restoration and conservation works to the existing façade, roof and return walls, with notations clearly outlining any changes from existing conditions or use of new materials; and
    - (iv) Any specific requirements.
  - (b) A written description of the demolition and construction methods to be used.
- 6. The provisions, recommendations and requirements of the endorsed Conservation Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

#### Archival Record

- 7. Before demolition commences, a detailed and annotated photographic record of the existing building at No. 6 Peel Street in its context must be submitted to and approved by the Responsible Authority as a record of the building. The photographs must:
  - (a) include the interior and each external elevation of the building;
  - (b) be submitted in black and white format; and
  - (c) be taken by a suitably qualified heritage photographer.

#### Structural Report

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

#### Sustainable Management Plan

- 10. Before the use and/or 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 WRAP Engineering Pty Ltd dated 12 October 2020, but modified to include or show:

- (a) Clarify provision of outdoor air to office spaces on all levels, and mark plans (including elevations).
  - (b) Provide details in Section J Analysis and aim for a minimum 10% improvement on 2019 NCC requirements.
  - (c) Clarify depth between articulated façade and recessed glass.
  - (d) Provide Landscape Plan articulating details of planting schedule and maintenance.
  - (e) Provide a statement as to how building design mitigates urban heat.
11. 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

12. Before the use and/or 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 Marshall Day Acoustics and dated 12 May 2020, but modified to include or show:
- (a) Assess the proposal as referenced and amended pursuant to Condition 1.
  - (b) SEPP N-2 limits identified and applied to music and amplified voice from the meeting space/theatrette.
  - (c) An assessment and acoustic specifications for the meeting space/theatrette façade wall and external door so as to achieve the SEPP N-2 limits.
  - (d) Management strategies for minimising noise impacts from users of the meeting space/theatrette to occupants of the overlooking apartments. Including:
    - (i) Use of the door to Oxford Place for emergencies only; and
    - (ii) Limitations to the times that the space can be used.
13. The provisions, recommendations and requirements of the endorsed Acoustic Report, must be implemented and complied with to the satisfaction of the Responsible Authority.
14. Following completion of the development, and prior to the occupation of the building, 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 compliance of the mechanical plant with both State Environment Protection Policy (Noise from Commerce, Industry and Trade) No. N-1 and sleep disturbance targets at existing dwellings. When approved, the Acoustic Report will be endorsed and will then form part of this permit.
15. 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.

#### Wind Impact Assessment

16. Before the use and/or development commences, an amended Wind Impact Assessment to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Wind Impact Assessment will be endorsed and will form part of this permit.



The amended Wind Impact Assessment must be generally in accordance with the assessment prepared by Windtech Consultants Pty Ltd dated May 21, 2020, but modified to include or show:

- (a) Assess the proposal as referenced and amended pursuant to Condition 1.
  - (b) An explicit reference to the expected criteria satisfied for the ground level streetscapes.
  - (c) Standing criterion to be achieved for:
    - (i) The ground floor building entrances; and
    - (ii) The Level 03 and Level 06 terraces.
  - (d) Vegetation is not to be used as a wind mitigation measure.
17. The provisions, recommendations and requirements of the endorsed Wind Impact Assessment must be implemented and complied with to the satisfaction of the Responsible Authority.

#### Waste Management Plan

18. Before the use and/or 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 4 August 2020, but modified to include or show:
- (a) A separate waste stream and bin/s for glass.
19. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
20. The collection of commercial waste from the site must be by private collection, unless with the prior written consent of the Responsible Authority.

#### Landscape Plan

21. In conjunction with the submission of development plans under Condition 1, a Landscape Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Landscape Plan will be endorsed and will form part of this permit. The Landscape Plan must:
- (a) show the type, location, quantity, height at maturity and botanical names of all proposed plants;
  - (b) indicate the location of all areas to be covered by lawn or other surface materials;
  - (c) Details of any raised planters and rain gardens including height, width, soil depths and materiality;
  - (d) provide a specification of works to be undertaken prior to planting; and
  - (e) details of the maintenance of the vegetation, to ensure the planting is kept below the heritage façade line.
- 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 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.

### Street Trees

23. Before the use and 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 the protection of the two street trees located on the Peel Street frontage, including:

- (a) pre-construction;
- (b) during construction; and
- (c) post construction
- (d) the provision of any barriers;
- (e) any pruning necessary; and
- (f) watering and maintenance regimes,

to the satisfaction of the Responsible Authority.

24. The provisions, recommendations and requirements of the endorsed Tree Management Plan must be complied with and implemented to the satisfaction of the Responsible Authority
25. Before the use and development commences, the permit holder must provide a security bond of \$50,000 for the retained street trees 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.

### Green Travel Plan

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

### Use

27. 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 – 8:00pm.

28. Except with the prior written consent of the Responsible Authority, the use of the office terraces are restricted to the hours referenced within Condition 27.

29. 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.

30. 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

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

to the satisfaction of the Responsible Authority.

#### General

32. Finished floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.
33. Before the building is occupied, any wall located on a boundary facing public property must be treated with a graffiti proof finish to the satisfaction of the Responsible Authority.
34. 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.
35. 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.
36. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
37. 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.
38. The development must comply at all times with the State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N-1).
39. The development must comply at all times with the State Environment Protection Policy – Control of Music Noise from Public Premises (SEPP N-2).

### Infrastructure Works (Streetscape Plan)

40. Before the development commences, detailed design drawings to the satisfaction of the Responsible Authority of Oxford Place, to be reconstructed as part of this proposal, and all infrastructure works in Peel Street and Little Oxford Street, must be submitted to and approved by the Responsible Authority. The detailed design drawings must be prepared by an independent and suitably qualified engineering professional to the satisfaction of the Responsible Authority and in consultation with the Responsible Authority.

The detailed design drawings must also detail the following

- (a) pavement widths,
- (b) on-street parking bays,
- (c) reinstated surface treatment,
- (d) existing and proposed street fixtures,
- (e) street trees,
- (f) road infrastructure items,
- (g) landscaping (where applicable),
- (h) Dimensions of openings and offsets,
- (i) complete levels and grading resolution around the perimeter of the subject site,
- (j) drainage including the installation of any additional drainage pits and associated connecting drainage, and
- (k) the finished floor levels inside the entry lobby to neatly match and transition to the new design levels of the reconstructed footpath.

to the satisfaction of the Responsible Authority.

41. Before the building is occupied, all works to the public realm required by condition 40 must be fully constructed and completed by the owner:

- (a) at the full cost of the owner; and
- (b) in accordance with the detailed design drawings approved under condition 40.

to the satisfaction of the Responsible Authority.

### Road Infrastructure

42. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the kerb and channel and footpath along the frontages to Peel Street and Little Oxford Street must be reconstructed:

- (a) With a cross-fall of 1 in 33 unless otherwise specified by Council;
- (b) at the permit holder's cost; and
- (c) to the satisfaction of the Responsible Authority.

43. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the asphalt flanks (pavement surface) of Oxford Place, from the western boundary of the site to Little Oxford Street must be profile and re-sheeted and the central bluestone channel is to be reset:

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

44. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, 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.
45. 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.
46. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.
47. 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.
48. 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.
49. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, two bicycle hoops (four spaces) must be installed on Peel 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

50. 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

51. Before the use and/or 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.

52. 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.

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

54. 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

55. 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:**

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

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

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.

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.

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.

### 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.

### AMENDMENT

**Moved:** Cr de Vietri

**Seconded:** Cr O'Brien

1. Before the use and/or 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 Warren and Mahoney, Sheets: A2.00, A3.00, A3.01, A3.08, A5.02, A5.03, A8.00 (All Revision 'E' dated 9/11/2020), A3.07, A4.01, A7.01 (All Revision 'D' dated 9/11/2020), A2.01 (Revision 'C' dated 25/05/2020), A7.02 (All Revision 'C' dated 9/11/2020), A3.09, A7.00 (All Revision 'C' dated 21/10/2020), A3.02, A3.03, A3.04, A3.05, A3.06 (All Revision 'D' dated 21/10/2020), A5.00, A5.01 (All Revision 'E' dated 21/10/2020), A3.10, A4.00 (All Revision A dated 20/05/2020), A7.03 (Revision 'A' dated 21/10/2020) and A4.03, A4.04 (All Revision B dated 15/06/2020) but modified to show:

#### Layout

- (a) All proposed demolition as shown in blue on A2.00 and A2.01 to be shown in red.
- (b) All new works on the ground floor to be contained within the title boundaries of the site.
- (c) Location of building services to be shown and integrated into the overall design of the building.

#### Built Form and Materials

- (d) Deletion of one level (Level 5).
- (e) Levels 03 and above be setback 1 metre from the northern boundary, with the setback area at Level 03 to be non-trafficable.
- (f) Levels 03 and above be setback 2.55 metres from the western boundary, with the setback area at Level 03 to be non-trafficable.
- (g) The relocated internal stairwell to be redesigned to include glazed or unenclosed stairwell doors and walls to internal and or external areas, where possible.
- (h) The southern elevation of the lift core to be clad in TL:01, or an architectural treatment that integrates with the overall building.
- (i) The northern elevation of the meeting room/theatrette modified to incorporate obscure, patterned glazing to provide visual interest in lieu of GA:01.
- (j) The Level 03 terrace on the northern side of the built form to be non-trafficable where the parapet of the retained heritage building does not extend above the finished floor level by 1.7 metres in height.
- (k) The Level 04 west-facing windows north of the lift core to be obscure glazed to a height of 1.7 metres.

#### Car Parking and Services

- (l) The two bike hoops on the Peel Street footpath must be offset from the kerb by 0.6m and must maintain a minimum 1.5m clear path of travel from the adjacent building line, in accordance with Council's Street Furniture Details 01: Bicycle Hoops.



### Reports and Plans

- (m) Any changes required by the amended Conservation Management Plan at Condition 5;
  - (n) Any changes required by the amended Sustainable Management Plan at Condition 10;
  - (o) Any changes required by the amended Acoustic Report at Condition 12;
  - (p) Any changes required by the amended Wind Impact Assessment at Condition 16;
  - (q) Any changes required by the amended Waste Management Plan at Condition 18; and
  - (r) Any changes required by the Landscape Plan at Condition 21.
2. The use and development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
3. In conjunction with the submission of development plans under Condition 1, a Façade Strategy and Materials and Finishes Plan to the satisfaction of the Responsible Authority must be submitted to and be approved by the Responsible Authority. When approved, the Façade Strategy and Materials and Finishes Plan will be endorsed and will then form part of this permit. This must detail:
- (a) elevations at a scale of 1:20 illustrating typical podium details, entries and doors, and utilities and typical tower facade details (in particular the detailing of 'TL:01');
  - (b) section drawings to demonstrate façade systems, including fixing details and joints between materials or changes in form;
  - (c) information about how the façade will be maintained, including any vegetation; and
  - (d) a sample board and coloured drawings outlining colours, materials and finishes.
4. As part of the ongoing consultant team, Warren and Mahoney architects or an architectural firm to the satisfaction of the Responsible Authority must be engaged to:
- (a) oversee design and construction of the development; and
  - (b) ensure the design quality and appearance of the development is realised as shown in the endorsed plans or otherwise to the satisfaction of the Responsible Authority.

### Conservation Management Plan

5. In conjunction with the submission of development plans under Condition 1, a Conservation Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Conservation Management Plan will be endorsed and will form part of this permit. The Conservation Management Plan is to be generally in accordance with the Heritage Impact Statement prepared by Bryce Raworth, dated June 2020 and the '6-10 Peel Street, Collingwood - List of conservation and refurbishment works proposed to the existing facades' two page document and must include, but not be limited to, the following:
- (a) Fully dimensioned and accurately measured plans at a scale of no less than 1:50 prepared by a suitably qualified heritage practitioner/ architect, detailing:
    - (i) The existing façades, roof and return walls, including sections demonstrating the thickness of architectural elements;
    - (ii) The proposed restoration and conservation works to the existing façade, roof and return walls, with notations clearly outlining any changes from existing conditions or use of new materials; and
    - (iv) Any specific requirements.
  - (b) A written description of the demolition and construction methods to be used.
6. The provisions, recommendations and requirements of the endorsed Conservation Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

### Archival Record

7. Before demolition commences, a detailed and annotated photographic record of the existing building at No. 6 Peel Street in its context must be submitted to and approved by the Responsible Authority as a record of the building. The photographs must:
  - (a) include the interior and each external elevation of the building;
  - (b) be submitted in black and white format; and
  - (c) be taken by a suitably qualified heritage photographer.

### Structural Report

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

### Sustainable Management Plan

10. Before the use and/or 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 WRAP Engineering Pty Ltd dated 12 October 2020, but modified to include or show:
  - (a) Clarify provision of outdoor air to office spaces on all levels, and mark plans (including elevations).
  - (b) Provide details in Section J Analysis and aim for a minimum 10% improvement on 2019 NCC requirements.
  - (c) Clarify depth between articulated façade and recessed glass.
  - (d) Provide Landscape Plan articulating details of planting schedule and maintenance.
  - (e) Provide a statement as to how building design mitigates urban heat.
11. 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

12. Before the use and/or 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 Marshall Day Acoustics and dated 12 May 2020, but modified to include or show:
  - (a) Assess the proposal as referenced and amended pursuant to Condition 1.
  - (b) SEPP N-2 limits identified and applied to music and amplified voice from the meeting space/theatrette.

- (c) An assessment and acoustic specifications for the meeting space/theatrette façade wall and external door so as to achieve the SEPP N-2 limits.
  - (d) Management strategies for minimising noise impacts from users of the meeting space/theatrette to occupants of the overlooking apartments. Including:
    - (i) Use of the door to Oxford Place for emergencies only; and
    - (ii) Limitations to the times that the space can be used.
13. The provisions, recommendations and requirements of the endorsed Acoustic Report, must be implemented and complied with to the satisfaction of the Responsible Authority.
14. Following completion of the development, and prior to the occupation of the building, 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 compliance of the mechanical plant with both State Environment Protection Policy (Noise from Commerce, Industry and Trade) No. N-1 and sleep disturbance targets at existing dwellings. When approved, the Acoustic Report will be endorsed and will then form part of this permit.
15. 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.

#### Wind Impact Assessment

16. Before the use and/or development commences, an amended Wind Impact Assessment to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Wind Impact Assessment will be endorsed and will form part of this permit. The amended Wind Impact Assessment must be generally in accordance with the assessment prepared by Windtech Consultants Pty Ltd dated May 21, 2020, but modified to include or show:
- (a) Assess the proposal as referenced and amended pursuant to Condition 1.
  - (b) An explicit reference to the expected criteria satisfied for the ground level streetscapes.
  - (c) Standing criterion to be achieved for:
    - (i) The ground floor building entrances; and
    - (ii) The Level 03 and Level 06 terraces.
  - (d) Vegetation is not to be used as a wind mitigation measure.
17. The provisions, recommendations and requirements of the endorsed Wind Impact Assessment must be implemented and complied with to the satisfaction of the Responsible Authority.

#### Waste Management Plan

18. Before the use and/or 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 4 August 2020, but modified to include or show:
- (a) A separate waste stream and bin/s for glass.
19. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

20. The collection of commercial waste from the site must be by private collection, unless with the prior written consent of the Responsible Authority.

#### Landscape Plan

21. In conjunction with the submission of development plans under Condition 1, a Landscape Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Landscape Plan will be endorsed and will form part of this permit. The Landscape Plan must:
- (a) show the type, location, quantity, height at maturity and botanical names of all proposed plants;
  - (b) indicate the location of all areas to be covered by lawn or other surface materials;
  - (c) Details of any raised planters and rain gardens including height, width, soil depths and materiality;
  - (d) provide a specification of works to be undertaken prior to planting; and
  - (e) details of the maintenance of the vegetation, to ensure the planting is kept below the heritage façade line.
- 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 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.

#### Street Trees

23. Before the use and 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 the protection of the two street trees located on the Peel Street frontage, including:
- (a) pre-construction;
  - (b) during construction; and
  - (c) post construction
  - (d) the provision of any barriers;
  - (e) any pruning necessary; and
  - (f) watering and maintenance regimes,
- to the satisfaction of the Responsible Authority.
24. The provisions, recommendations and requirements of the endorsed Tree Management Plan must be complied with and implemented to the satisfaction of the Responsible Authority

25. Before the use and development commences, the permit holder must provide a security bond of \$50,000 for the retained street trees 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.

#### Green Travel Plan

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

#### Use

27. 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 – 8:00pm.

28. Except with the prior written consent of the Responsible Authority, the use of the office terraces are restricted to the hours referenced within Condition 27.

29. 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.

30. 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

31. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating pedestrian entrances must be provided within the property boundary. Lighting must be:

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

to the satisfaction of the Responsible Authority.

#### General

32. Finished floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.

33. Before the building is occupied, any wall located on a boundary facing public property must be treated with a graffiti proof finish to the satisfaction of the Responsible Authority.
34. 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.
35. 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.
36. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
37. 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.
38. The development must comply at all times with the State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N-1).
39. The development must comply at all times with the State Environment Protection Policy – Control of Music Noise from Public Premises (SEPP N-2).

#### Infrastructure Works (Streetscape Plan)

40. Before the development commences, detailed design drawings to the satisfaction of the Responsible Authority of Oxford Place, to be reconstructed as part of this proposal, and all infrastructure works in Peel Street and Little Oxford Street, must be submitted to and approved by the Responsible Authority. The detailed design drawings must be prepared by an independent and suitably qualified engineering professional to the satisfaction of the Responsible Authority and in consultation with the Responsible Authority.

The detailed design drawings must also detail the following

- (a) pavement widths,
- (b) on-street parking bays,
- (c) reinstated surface treatment,
- (d) existing and proposed street fixtures,
- (e) street trees,
- (f) road infrastructure items,
- (g) landscaping (where applicable),
- (h) Dimensions of openings and offsets,
- (i) complete levels and grading resolution around the perimeter of the subject site,
- (j) drainage including the installation of any additional drainage pits and associated connecting drainage, and
- (k) the finished floor levels inside the entry lobby to neatly match and transition to the new design levels of the reconstructed footpath.

to the satisfaction of the Responsible Authority.

41. Before the building is occupied, all works to the public realm required by condition 40 must be fully constructed and completed by the owner:
  - (a) at the full cost of the owner; and

(b) in accordance with the detailed design drawings approved under condition 40.

to the satisfaction of the Responsible Authority.

#### Road Infrastructure

42. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the kerb and channel and footpath along the frontages to Peel Street and Little Oxford Street must be reconstructed:
  - (a) With a cross-fall of 1 in 33 unless otherwise specified by Council;
  - (b) at the permit holder's cost; and
  - (c) to the satisfaction of the Responsible Authority.
43. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the asphalt flanks (pavement surface) of Oxford Place, from the western boundary of the site to Little Oxford Street must be profile and re-sheeted and the central bluestone channel is to be reset:
  - (a) at the permit holder's cost; and
  - (b) to the satisfaction of the Responsible Authority.
44. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, 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.
45. 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.
46. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.
47. 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.
48. 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.
49. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, two bicycle hoops (four spaces) must be installed on Peel 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

50. 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

51. Before the use and/or 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.

52. 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.

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

54. 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

55. 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:**

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

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

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.

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.

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.

### **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**

**The amendment was incorporated into the motion as follows:**

### **AMENDED MOTION**

**Moved:** Cr Landes

**Seconded:** Cr de Vietri

1. Before the use and/or 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 Warren and Mahoney, Sheets: A2.00, A3.00, A3.01, A3.08, A5.02, A5.03, A8.00 (All Revision 'E' dated 9/11/2020), A3.07, A4.01, A7.01 (All Revision 'D' dated 9/11/2020), A2.01 (Revision 'C' dated 25/05/2020), A7.02 (All Revision 'C' dated 9/11/2020), A3.09, A7.00 (All Revision 'C' dated 21/10/2020), A3.02, A3.03, A3.04, A3.05, A3.06 (All Revision 'D' dated 21/10/2020), A5.00, A5.01 (All Revision 'E' dated 21/10/2020), A3.10, A4.00 (All Revision A dated 20/05/2020), A7.03 (Revision 'A' dated 21/10/2020) and A4.03, A4.04 (All Revision B dated 15/06/2020) but modified to show:

#### Layout

- (a) All proposed demolition as shown in blue on A2.00 and A2.01 to be shown in red.
- (b) All new works on the ground floor to be contained within the title boundaries of the site.
- (c) Location of building services to be shown and integrated into the overall design of the building.

#### Built Form and Materials

- (d) Deletion of one level (Level 5).
- (e) Levels 03 and above be setback 1 metre from the northern boundary, with the setback area at Level 03 to be non-trafficable.
- (f) Levels 03 and above be setback 2.55 metres from the western boundary, with the setback area at Level 03 to be non-trafficable.
- (g) The relocated internal stairwell to be redesigned to include glazed or unenclosed stairwell doors and walls to internal and or external areas, where possible.
- (h) The southern elevation of the lift core to be clad in TL:01, or an architectural treatment that integrates with the overall building.
- (i) The northern elevation of the meeting room/theatrette modified to incorporate obscure, patterned glazing to provide visual interest in lieu of GA:01.
- (j) The Level 03 terrace on the northern side of the built form to be non-trafficable where the parapet of the retained heritage building does not extend above the finished floor level by 1.7 metres in height.
- (k) The Level 04 west-facing windows north of the lift core to be obscure glazed to a height of 1.7 metres.

#### Car Parking and Services

- (l) The two bike hoops on the Peel Street footpath must be offset from the kerb by 0.6m and must maintain a minimum 1.5m clear path of travel from the adjacent building line, in accordance with Council's Street Furniture Details 01: Bicycle Hoops.

#### Reports and Plans

- (m) Any changes required by the amended Conservation Management Plan at Condition 5;
- (n) Any changes required by the amended Sustainable Management Plan at Condition 10;
- (o) Any changes required by the amended Acoustic Report at Condition 12;
- (p) Any changes required by the amended Wind Impact Assessment at Condition 16;
- (q) Any changes required by the amended Waste Management Plan at Condition 18; and
- (r) Any changes required by the Landscape Plan at Condition 21.

2. The use and development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
3. In conjunction with the submission of development plans under Condition 1, a Façade Strategy and Materials and Finishes Plan to the satisfaction of the Responsible Authority must be submitted to and be approved by the Responsible Authority. When approved, the Façade Strategy and Materials and Finishes Plan will be endorsed and will then form part of this permit. This must detail:

- (a) elevations at a scale of 1:20 illustrating typical podium details, entries and doors, and utilities and typical tower facade details (in particular the detailing of 'TL:01');
  - (b) section drawings to demonstrate façade systems, including fixing details and joints between materials or changes in form;
  - (c) information about how the façade will be maintained, including any vegetation; and
  - (d) a sample board and coloured drawings outlining colours, materials and finishes.
4. As part of the ongoing consultant team, Warren and Mahoney architects or an architectural firm to the satisfaction of the Responsible Authority must be engaged to:
- (a) oversee design and construction of the development; and
  - (b) ensure the design quality and appearance of the development is realised as shown in the endorsed plans or otherwise to the satisfaction of the Responsible Authority.

#### Conservation Management Plan

5. In conjunction with the submission of development plans under Condition 1, a Conservation Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Conservation Management Plan will be endorsed and will form part of this permit. The Conservation Management Plan is to be generally in accordance with the Heritage Impact Statement prepared by Bryce Raworth, dated June 2020 and the '6-10 Peel Street, Collingwood - List of conservation and refurbishment works proposed to the existing facades' two page document and must include, but not be limited to, the following:
- (a) Fully dimensioned and accurately measured plans at a scale of no less than 1:50 prepared by a suitably qualified heritage practitioner/ architect, detailing:
    - (i) The existing façades, roof and return walls, including sections demonstrating the thickness of architectural elements;
    - (ii) The proposed restoration and conservation works to the existing façade, roof and return walls, with notations clearly outlining any changes from existing conditions or use of new materials; and
    - (iv) Any specific requirements.
  - (b) A written description of the demolition and construction methods to be used.
6. The provisions, recommendations and requirements of the endorsed Conservation Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

#### Archival Record

7. Before demolition commences, a detailed and annotated photographic record of the existing building at No. 6 Peel Street in its context must be submitted to and approved by the Responsible Authority as a record of the building. The photographs must:
- (a) include the interior and each external elevation of the building;
  - (b) be submitted in black and white format; and
  - (c) be taken by a suitably qualified heritage photographer.

### Structural Report

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

### Sustainable Management Plan

10. Before the use and/or 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 WRAP Engineering Pty Ltd dated 12 October 2020, but modified to include or show:
  - (a) Clarify provision of outdoor air to office spaces on all levels, and mark plans (including elevations).
  - (b) Provide details in Section J Analysis and aim for a minimum 10% improvement on 2019 NCC requirements.
  - (c) Clarify depth between articulated façade and recessed glass.
  - (d) Provide Landscape Plan articulating details of planting schedule and maintenance.
  - (e) Provide a statement as to how building design mitigates urban heat.
11. 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

12. Before the use and/or 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 Marshall Day Acoustics and dated 12 May 2020, but modified to include or show:
  - (a) Assess the proposal as referenced and amended pursuant to Condition 1.
  - (b) SEPP N-2 limits identified and applied to music and amplified voice from the meeting space/theatrette.
  - (c) An assessment and acoustic specifications for the meeting space/theatrette façade wall and external door so as to achieve the SEPP N-2 limits.
  - (d) Management strategies for minimising noise impacts from users of the meeting space/theatrette to occupants of the overlooking apartments. Including:
    - (i) Use of the door to Oxford Place for emergencies only; and
    - (ii) Limitations to the times that the space can be used.
13. The provisions, recommendations and requirements of the endorsed Acoustic Report, must be implemented and complied with to the satisfaction of the Responsible Authority.

14. Following completion of the development, and prior to the occupation of the building, 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 compliance of the mechanical plant with both State Environment Protection Policy (Noise from Commerce, Industry and Trade) No. N-1 and sleep disturbance targets at existing dwellings. When approved, the Acoustic Report will be endorsed and will then form part of this permit.
15. 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.

#### Wind Impact Assessment

16. Before the use and/or development commences, an amended Wind Impact Assessment to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Wind Impact Assessment will be endorsed and will form part of this permit. The amended Wind Impact Assessment must be generally in accordance with the assessment prepared by Windtech Consultants Pty Ltd dated May 21, 2020, but modified to include or show:
  - (a) Assess the proposal as referenced and amended pursuant to Condition 1.
  - (b) An explicit reference to the expected criteria satisfied for the ground level streetscapes.
  - (c) Standing criterion to be achieved for:
    - (i) The ground floor building entrances; and
    - (ii) The Level 03 and Level 06 terraces.
  - (d) Vegetation is not to be used as a wind mitigation measure.
17. The provisions, recommendations and requirements of the endorsed Wind Impact Assessment must be implemented and complied with to the satisfaction of the Responsible Authority.

#### Waste Management Plan

18. Before the use and/or 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 4 August 2020, but modified to include or show:
  - (a) A separate waste stream and bin/s for glass.
19. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
20. The collection of commercial waste from the site must be by private collection, unless with the prior written consent of the Responsible Authority.

#### Landscape Plan

21. In conjunction with the submission of development plans under Condition 1, a Landscape Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Landscape Plan will be endorsed and will form part of this permit. The Landscape Plan must:

- (a) show the type, location, quantity, height at maturity and botanical names of all proposed plants;
- (b) indicate the location of all areas to be covered by lawn or other surface materials;
- (c) Details of any raised planters and rain gardens including height, width, soil depths and materiality;
- (d) provide a specification of works to be undertaken prior to planting; and
- (e) details of the maintenance of the vegetation, to ensure the planting is kept below the heritage façade line.

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 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.

### Street Trees

23. Before the use and 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 the protection of the two street trees located on the Peel Street frontage, including:

- (a) pre-construction;
- (b) during construction; and
- (c) post construction
- (d) the provision of any barriers;
- (e) any pruning necessary; and
- (f) watering and maintenance regimes,

to the satisfaction of the Responsible Authority.

24. The provisions, recommendations and requirements of the endorsed Tree Management Plan must be complied with and implemented to the satisfaction of the Responsible Authority
25. Before the use and development commences, the permit holder must provide a security bond of \$50,000 for the retained street trees 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.

## Green Travel Plan

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

## Use

27. 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 – 8:00pm.

28. Except with the prior written consent of the Responsible Authority, the use of the office terraces are restricted to the hours referenced within Condition 27.

29. 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.

30. 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

31. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating pedestrian entrances must be provided within the property boundary. Lighting must be:

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

to the satisfaction of the Responsible Authority.

## General

32. Finished floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.

33. Before the building is occupied, any wall located on a boundary facing public property must be treated with a graffiti proof finish to the satisfaction of the Responsible Authority.

34. 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.



35. 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.
36. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
37. 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.
38. The development must comply at all times with the State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N-1).
39. The development must comply at all times with the State Environment Protection Policy – Control of Music Noise from Public Premises (SEPP N-2).

#### Infrastructure Works (Streetscape Plan)

40. Before the development commences, detailed design drawings to the satisfaction of the Responsible Authority of Oxford Place, to be reconstructed as part of this proposal, and all infrastructure works in Peel Street and Little Oxford Street, must be submitted to and approved by the Responsible Authority. The detailed design drawings must be prepared by an independent and suitably qualified engineering professional to the satisfaction of the Responsible Authority and in consultation with the Responsible Authority.

The detailed design drawings must also detail the following

- (a) pavement widths,
- (b) on-street parking bays,
- (c) reinstated surface treatment,
- (d) existing and proposed street fixtures,
- (e) street trees,
- (f) road infrastructure items,
- (g) landscaping (where applicable),
- (h) Dimensions of openings and offsets,
- (i) complete levels and grading resolution around the perimeter of the subject site,
- (j) drainage including the installation of any additional drainage pits and associated connecting drainage, and
- (k) the finished floor levels inside the entry lobby to neatly match and transition to the new design levels of the reconstructed footpath.

to the satisfaction of the Responsible Authority.

41. Before the building is occupied, all works to the public realm required by condition 40 must be fully constructed and completed by the owner:
  - (a) at the full cost of the owner; and
  - (b) in accordance with the detailed design drawings approved under condition 40.

to the satisfaction of the Responsible Authority.

#### Road Infrastructure

42. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the kerb and channel and footpath along the frontages to Peel Street and Little Oxford Street must be reconstructed:

- (a) With a cross-fall of 1 in 33 unless otherwise specified by Council;
- (b) at the permit holder's cost; and
- (c) to the satisfaction of the Responsible Authority.

43. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the asphalt flanks (pavement surface) of Oxford Place, from the western boundary of the site to Little Oxford Street must be profile and re-sheeted and the central bluestone channel is to be reset:

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

44. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, 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.

45. 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.

46. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.

47. 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.

48. 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.

49. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, two bicycle hoops (four spaces) must be installed on Peel 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

50. 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

51. Before the use and/or 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.

52. 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.

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

54. 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

55. 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:**

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

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

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.

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.

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.

### **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.

Cr Landes withdrew the motion.

The Chair offered the motion to the meeting, and it was moved by Cr de Vietri and seconded by Cr O'Brien.

## **PLANNING DECISIONS COMMITTEE RESOLUTION**

**Moved:** Councillor de Vietri

**Seconded:** Councillor O'Brien

1. Before the use and/or 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 Warren and Mahoney, Sheets: A2.00, A3.00, A3.01, A3.08, A5.02, A5.03, A8.00 (All Revision 'E' dated 9/11/2020), A3.07, A4.01, A7.01 (All Revision 'D' dated 9/11/2020), A2.01 (Revision 'C' dated 25/05/2020), A7.02 (All Revision 'C' dated 9/11/2020), A3.09, A7.00 (All Revision 'C' dated 21/10/2020), A3.02, A3.03, A3.04, A3.05, A3.06 (All Revision 'D' dated 21/10/2020), A5.00, A5.01 (All Revision 'E' dated 21/10/2020), A3.10, A4.00 (All Revision A dated 20/05/2020), A7.03 (Revision 'A' dated 21/10/2020) and A4.03, A4.04 (All Revision B dated 15/06/2020) but modified to show:

#### Layout

- (a) All proposed demolition as shown in blue on A2.00 and A2.01 to be shown in red.
- (b) All new works on the ground floor to be contained within the title boundaries of the site.
- (c) Location of building services to be shown and integrated into the overall design of the building.

#### Built Form and Materials

- (d) Deletion of one level (Level 5).
- (e) Levels 03 and above be setback 1 metre from the northern boundary, with the setback area at Level 03 to be non-trafficable.
- (f) Levels 03 and above be setback 2.55 metres from the western boundary, with the setback area at Level 03 to be non-trafficable.
- (g) The relocated internal stairwell to be redesigned to include glazed or unenclosed stairwell doors and walls to internal and or external areas, where possible.
- (h) The southern elevation of the lift core to be clad in TL:01, or an architectural treatment that integrates with the overall building.
- (i) The northern elevation of the meeting room/theatrette modified to incorporate obscure, patterned glazing to provide visual interest in lieu of GA:01.
- (j) The Level 03 terrace on the northern side of the built form to be non-trafficable where the parapet of the retained heritage building does not extend above the finished floor level by 1.7 metres in height.
- (k) The Level 04 west-facing windows north of the lift core to be obscure glazed to a height of 1.7 metres.

#### Car Parking and Services

- (l) The two bike hoops on the Peel Street footpath must be offset from the kerb by 0.6m and must maintain a minimum 1.5m clear path of travel from the adjacent building line, in accordance with Council's Street Furniture Details 01: Bicycle Hoops.

#### Reports and Plans

- (m) Any changes required by the amended Conservation Management Plan at Condition 5;
  - (n) Any changes required by the amended Sustainable Management Plan at Condition 10;
  - (o) Any changes required by the amended Acoustic Report at Condition 12;
  - (p) Any changes required by the amended Wind Impact Assessment at Condition 16;
  - (q) Any changes required by the amended Waste Management Plan at Condition 18; and
  - (r) Any changes required by the Landscape Plan at Condition 21.
2. The use and development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
3. In conjunction with the submission of development plans under Condition 1, a Façade Strategy and Materials and Finishes Plan to the satisfaction of the Responsible Authority must be submitted to and be approved by the Responsible Authority. When approved, the Façade Strategy and Materials and Finishes Plan will be endorsed and will then form part of this permit. This must detail:
- (a) elevations at a scale of 1:20 illustrating typical podium details, entries and doors, and utilities and typical tower facade details (in particular the detailing of 'TL:01');
  - (b) section drawings to demonstrate façade systems, including fixing details and joints between materials or changes in form;
  - (c) information about how the façade will be maintained, including any vegetation; and
  - (d) a sample board and coloured drawings outlining colours, materials and finishes.

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

#### Conservation Management Plan

5. In conjunction with the submission of development plans under Condition 1, a Conservation Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Conservation Management Plan will be endorsed and will form part of this permit. The Conservation Management Plan is to be generally in accordance with the Heritage Impact Statement prepared by Bryce Raworth, dated June 2020 and the '6-10 Peel Street, Collingwood - List of conservation and refurbishment works proposed to the existing facades' two page document and must include, but not be limited to, the following:
  - (a) Fully dimensioned and accurately measured plans at a scale of no less than 1:50 prepared by a suitably qualified heritage practitioner/ architect, detailing:
    - (i) The existing façades, roof and return walls, including sections demonstrating the thickness of architectural elements;
    - (ii) The proposed restoration and conservation works to the existing façade, roof and return walls, with notations clearly outlining any changes from existing conditions or use of new materials; and
    - (iv) Any specific requirements.
  - (b) A written description of the demolition and construction methods to be used.
6. The provisions, recommendations and requirements of the endorsed Conservation Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

#### Archival Record

7. Before demolition commences, a detailed and annotated photographic record of the existing building at No. 6 Peel Street in its context must be submitted to and approved by the Responsible Authority as a record of the building. The photographs must:
  - (a) include the interior and each external elevation of the building;
  - (b) be submitted in black and white format; and
  - (c) be taken by a suitably qualified heritage photographer.

#### Structural Report

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

### Sustainable Management Plan

10. Before the use and/or 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 WRAP Engineering Pty Ltd dated 12 October 2020, but modified to include or show:
  - (a) Clarify provision of outdoor air to office spaces on all levels, and mark plans (including elevations).
  - (b) Provide details in Section J Analysis and aim for a minimum 10% improvement on 2019 NCC requirements.
  - (c) Clarify depth between articulated façade and recessed glass.
  - (d) Provide Landscape Plan articulating details of planting schedule and maintenance.
  - (e) Provide a statement as to how building design mitigates urban heat.
11. 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

12. Before the use and/or 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 Marshall Day Acoustics and dated 12 May 2020, but modified to include or show:
  - (a) Assess the proposal as referenced and amended pursuant to Condition 1.
  - (b) SEPP N-2 limits identified and applied to music and amplified voice from the meeting space/theatrette.
  - (c) An assessment and acoustic specifications for the meeting space/theatrette façade wall and external door so as to achieve the SEPP N-2 limits.
  - (d) Management strategies for minimising noise impacts from users of the meeting space/theatrette to occupants of the overlooking apartments. Including:
    - (i) Use of the door to Oxford Place for emergencies only; and
    - (ii) Limitations to the times that the space can be used.
13. The provisions, recommendations and requirements of the endorsed Acoustic Report, must be implemented and complied with to the satisfaction of the Responsible Authority.
14. Following completion of the development, and prior to the occupation of the building, 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 compliance of the mechanical plant with both State Environment Protection Policy (Noise from Commerce, Industry and Trade) No. N-1 and sleep disturbance targets at existing dwellings. When approved, the Acoustic Report will be endorsed and will then form part of this permit.
15. 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.



### Wind Impact Assessment

16. Before the use and/or development commences, an amended Wind Impact Assessment to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Wind Impact Assessment will be endorsed and will form part of this permit. The amended Wind Impact Assessment must be generally in accordance with the assessment prepared by Windtech Consultants Pty Ltd dated May 21, 2020, but modified to include or show:
- (a) Assess the proposal as referenced and amended pursuant to Condition 1.
  - (b) An explicit reference to the expected criteria satisfied for the ground level streetscapes.
  - (c) Standing criterion to be achieved for:
    - (i) The ground floor building entrances; and
    - (ii) The Level 03 and Level 06 terraces.
  - (d) Vegetation is not to be used as a wind mitigation measure.
17. The provisions, recommendations and requirements of the endorsed Wind Impact Assessment must be implemented and complied with to the satisfaction of the Responsible Authority.

### Waste Management Plan

18. Before the use and/or 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 4 August 2020, but modified to include or show:
- (a) A separate waste stream and bin/s for glass.
19. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
20. The collection of commercial waste from the site must be by private collection, unless with the prior written consent of the Responsible Authority.

### Landscape Plan

21. In conjunction with the submission of development plans under Condition 1, a Landscape Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Landscape Plan will be endorsed and will form part of this permit. The Landscape Plan must:
- (a) show the type, location, quantity, height at maturity and botanical names of all proposed plants;
  - (b) indicate the location of all areas to be covered by lawn or other surface materials;
  - (c) Details of any raised planters and rain gardens including height, width, soil depths and materiality;
  - (d) provide a specification of works to be undertaken prior to planting; and
  - (e) details of the maintenance of the vegetation, to ensure the planting is kept below the heritage façade line.

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 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.

### Street Trees

23. Before the use and 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 the protection of the two street trees located on the Peel Street frontage, including:
- (a) pre-construction;
  - (b) during construction; and
  - (c) post construction
  - (d) the provision of any barriers;
  - (e) any pruning necessary; and
  - (f) watering and maintenance regimes,
- to the satisfaction of the Responsible Authority.
24. The provisions, recommendations and requirements of the endorsed Tree Management Plan must be complied with and implemented to the satisfaction of the Responsible Authority
25. Before the use and development commences, the permit holder must provide a security bond of \$50,000 for the retained street trees 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.

### Green Travel Plan

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

### Use

27. 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 – 8:00pm.

28. Except with the prior written consent of the Responsible Authority, the use of the office terraces are restricted to the hours referenced within Condition 27.

29. 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.

30. 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

31. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating pedestrian entrances must be provided within the property boundary. Lighting must be:

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

to the satisfaction of the Responsible Authority.

#### General

32. Finished floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.

33. Before the building is occupied, any wall located on a boundary facing public property must be treated with a graffiti proof finish to the satisfaction of the Responsible Authority.

34. 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.

35. 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.

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

37. 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.
38. The development must comply at all times with the State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N-1).
39. The development must comply at all times with the State Environment Protection Policy – Control of Music Noise from Public Premises (SEPP N-2).

#### Infrastructure Works (Streetscape Plan)

40. Before the development commences, detailed design drawings to the satisfaction of the Responsible Authority of Oxford Place, to be reconstructed as part of this proposal, and all infrastructure works in Peel Street and Little Oxford Street, must be submitted to and approved by the Responsible Authority.

The detailed design drawings must be prepared by an independent and suitably qualified engineering professional to the satisfaction of the Responsible Authority and in consultation with the Responsible Authority.

The detailed design drawings must also detail the following

- (a) pavement widths,
- (b) on-street parking bays,
- (c) reinstated surface treatment,
- (d) existing and proposed street fixtures,
- (e) street trees,
- (f) road infrastructure items,
- (g) landscaping (where applicable),
- (h) Dimensions of openings and offsets,
- (i) complete levels and grading resolution around the perimeter of the subject site,
- (j) drainage including the installation of any additional drainage pits and associated connecting drainage, and
- (k) the finished floor levels inside the entry lobby to neatly match and transition to the new design levels of the reconstructed footpath.

to the satisfaction of the Responsible Authority.

41. Before the building is occupied, all works to the public realm required by condition 40 must be fully constructed and completed by the owner:

- (a) at the full cost of the owner; and
- (b) in accordance with the detailed design drawings approved under condition 40.

to the satisfaction of the Responsible Authority.

#### Road Infrastructure

42. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the kerb and channel and footpath along the frontages to Peel Street and Little Oxford Street must be reconstructed:

- (a) With a cross-fall of 1 in 33 unless otherwise specified by Council;
- (b) at the permit holder's cost; and
- (c) to the satisfaction of the Responsible Authority.

43. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the asphalt flanks (pavement surface) of Oxford Place, from the western boundary of the site to Little Oxford Street must be profile and re-sheeted and the central bluestone channel is to be reset:
- (a) at the permit holder's cost; and
  - (b) to the satisfaction of the Responsible Authority.
44. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, 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.
45. 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.
46. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.
47. 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.
48. 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.
49. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, two bicycle hoops (four spaces) must be installed on Peel 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

50. 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

51. Before the use and/or 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.

52. 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.

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

54. 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

55. 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:**

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

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

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.

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.

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.

### **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**



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**6.3**      **PLN20/0322 - 350 - 356 Johnston Street & 2 Rich Street**  
**Abbotsford - Construction of a multi-storey building containing**  
**office, food and drink premises and retail premises (no permit**  
**required for uses) and a reduction in the car parking and visitor**  
**bicycle space requirements**

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**Reference**      D21/14313  
**Author**        Chris Stathis - Senior Statutory Planner  
**Authoriser**    Senior Coordinator Statutory Planning

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**RECOMMENDATION**

That having considered all objections and relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant Planning Permit PLN20/0322 for the construction of a multi-storey building for office, retail and food and drinks premises (no permit required for uses) and a reduction in the car parking and visitor bicycle space requirements at 350 – 356 Johnston Street & 2 Rich Street, Abbotsford, subject to the following conditions:

1. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the architectural plans prepared by Matt Goodman Architecture Office dated 10 December 2020 but modified to show:
  - (a) façade patterning (including façade rebates) provided to the eastern boundary wall to minimise visual bulk when viewed from the public realm;
  - (b) increased extent of window operability across the development;
  - (c) plan and elevation notations to confirm that the screening at the northern facades of Levels 1 and 2 are fixed with a maximum visual transparency of 25% to a height of 1.7m above finished floor level;
  - (d) dimension the height and depth of the northern planter box at the Level 3 terrace;
  - (e) sectional diagrams to demonstrate mitigation of downward views into the secluded private open space of No. 51 Turner Street from the northern facades of levels 3 – 7;
  - (f) retractable awnings provided to the Rich Street façade at ground floor;
  - (g) cross section drawing (ground clearance check) of the vehicle entrance (for the first 7m inside the property) using the B99 design vehicle. The ground clearance check must provide (or show) the following:
    - (i) spot levels of the southern spoon drain and road pavement (including the northern edge of the Little Turner Street pavement) to be depicted correctly;
    - (ii) no vehicle scraping or ‘bottoming out’ of a B99 vehicle as it accesses the subject site via Little Turner Street.
  - (h) A minimum of 36 employee bicycle spaces located within the ground floor bicycle compound;
  - (i) any requirement of the endorsed Sustainable Management Plan (condition 5) (where relevant to show on plans);
  - (j) any requirement of the endorsed Tree Management Plan (condition 13) (where relevant to show on plans)
  - (k) any requirement of the endorsed Wind Report (condition 15) (where relevant to show on plans);
  - (l) any requirement of the endorsed Public Realm Plan (condition 17) (where relevant to show on plans).
  - (m) any requirement of the endorsed Detailed Civil and Drainage Design Plan (condition 21) (where relevant to show on plans).

2. The use and development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
3. In conjunction with the submission of development plans under Condition 1, a Façade Strategy and Materials and Finishes Plan to the satisfaction of the Responsible Authority must be submitted to and be approved by the Responsible Authority. When approved, the Façade Strategy and Materials and Finishes Plan will be endorsed and will then form part of this permit. This must detail:
  - (a) elevation drawings at a scale of 1:20 illustrating typical podium details, entries and doors, and utilities and typical tower facade details;
  - (b) section drawings to demonstrate façade systems, including fixing details and joints between materials or changes in form;
  - (c) information about how the façade will be maintained, including any vegetation; and
  - (d) a sample board and coloured drawings outlining colours, materials and finishes.
4. As part of the ongoing consultant team, Matt Goodman Architecture Office or an architectural firm to the satisfaction of the Responsible Authority must be engaged to:
  - (a) oversee the design and construction of the development; and
  - (b) ensure the design quality and appearance of the development is realised as shown in the endorsed plans or otherwise to the satisfaction of the Responsible Authority.

#### **Sustainable Management Plan**

5. Before the development commences, an amended Sustainable Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Sustainable Management Plan will be endorsed and will form part of this permit. The amended Sustainable Management Plan must be generally in accordance with the Sustainable Management Plan prepared by Wrap Consulting Engineering, dated 11 December 2020, but modified to include or show:
  - (a) Operability to a selection of windows.
  - (b) Provision of a Section J Assessment to support claims of meeting and/or exceeding NCC 2019 energy efficiency requirements, including thermal performance, GHG emissions, hot water, HVAC and peak demand reduction.
  - (c) clarify rooftop PV system size, generation and associated reduction in GHG (within Section J Assessment or memo-style response).
  - (d) Further clarification on how the nominated innovations credits will be achieved and implemented.
6. The provisions, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

#### **Waste Management Plan**

7. The provisions, recommendations and requirements of the endorsed Waste Management Plan generally in accordance with the Waste Management Plan prepared by Waste Tech Services Pty Ltd and dated 11 December 2020, must be implemented and complied with to the satisfaction of the Responsible Authority.
8. The collection of waste from the site must be by private collection, unless with the prior written consent of the Responsible Authority.

### **Landscape Plan (internal to subject site)**

9. Before the development commences, an amended Landscape Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Landscape Plan will be endorsed and will form part of this permit. The amended Landscape Plan must be generally in accordance with the Landscape Plan prepared by Jack Merlo and dated 11 December 2020, but modified to include (or show):

(a) Deletion of the landscaping proposed outside of title boundaries of the subject site.

to the satisfaction of the Responsible Authority.

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

### **Street Trees**

11. Before the development commences, the permit holder must provide an Asset Protection Bond of \$77,424 (ex GST), being \$29,625 for the northern tree on Rich Street, \$16,825 for the central tree on Rich Street, \$30,490 for the southern tree on Rich Street and \$484 for the Johnston Street tree, unless otherwise advised by the Responsible Authority. The security bond:
- (a) must be provided to the Responsible Authority in the form of a bank cheque or guarantee;
  - (b) may be held by the Responsible Authority until the works are completed to the satisfaction of the Responsible Authority; and
  - (c) must be in accordance with the requirements of this permit.
12. Any pruning required to be undertaken for the four street trees along the subject site's Rich Street and Johnston Street frontages must be completed by an approved tree maintenance contractor (to the satisfaction of the Responsible Authority) with all associated costs to be borne by the permit holder.

### **Tree Management Plan**

13. Before the development commences, an amended Tree Management Plan to the satisfaction of the Responsible Authority and by a suitably qualified Arborist must be submitted to and approved by the Responsible Authority. When approved the amended Tree Management Plan will be endorsed and will form part of the permit. The amended Tree Management Plan must be generally in accordance with the Tree Management Plan prepared by Simon Howe, dated July 2020, but modified to include (or show):
- (a) Commitment that any pruning to the street trees will be undertaken by an approved tree maintenance contractor with all costs borne by the permit holder;
  - (b) A detailed description of all proposed works (including construction methodology) associated with the kerb extension works as shown on the endorsed Detailed Civil and Drainage Plan (condition 21);
  - (c) A tree impact assessment of the proposed works described as part of condition 14(b) above, including an assessment against AS4970.

all to the satisfaction of the Responsible Authority.

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

### **Wind**

15. Before the development commences, an amended Wind Assessment Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Wind Assessment Report will be endorsed and will form part of this permit. The amended Wind Assessment Report must be generally in accordance with the Wind Impact Statement prepared by Vipac and dated 22 July 2020, but modified to include (or show):

- (a) Further assessment undertaken for the ground floor seating area associated with the food and drinks premises (northwest corner of site);
- (b) Further details of the wind assessment at the level 3 communal terrace seating area.

to the satisfaction of the Responsible Authority.

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

### **Public Realm Plan**

17. Before the development commences, or by such later date as approved in writing by the Responsible Authority, a Public Realm Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The Public Realm Plan must be generally in accordance with the curb extension details shown on Drawing No. TP01 of the landscape plan prepared by Jack Merlo, dated 11 December 2020, but modified to include the following:

- (a) High level details and dimensions of the proposed bench seats, with provision of back and arm rests;
- (b) Materials schedule of all proposed materials, including surface materials and street furniture materials (with all materials to comply with the Yarra Standard Drawings and Road Materials Policy).
- (c) Deletion of the proposed street tree from Johnston Street footpath;
- (d) Deletion of the notation referring to footpath trading;
- (e) Any detail required to be shown from the endorsed Detailed Civil and Drainage Plan (condition 21),

All to the satisfaction of the Responsible Authority.

18. Before the building is occupied, all works associated with the Public Realm Plan as shown on the endorsed plans and Public Realm Plan (referred to in Condition 17) must be fully constructed and completed by the permit holder, with all costs borne by the permit holder, to the satisfaction of the Responsible Authority.

### **Road Infrastructure**

19. 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 no cost to the Responsible Authority (inclusive of the cost of modifying any parking signs or road markings for parking bays (where required)); and
  - (b) to the satisfaction of the Responsible Authority.

20. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any roads, footpaths and other road related infrastructure adjacent to the development site damaged as a result of the construction works (including trenching and excavation for utility service connections) must be reinstated (including by the re-sheeting of the entire Johnston and Rich Street footpath for the width of the property frontage if required by the Responsible Authority):
- (a) at no cost to the Responsible Authority; and
  - (b) to the satisfaction of the Responsible Authority.

#### **Detailed Civil and Drainage Design Plan**

21. Before the development commences, a Detailed Civil and Drainage Design Plan prepared to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. Once the plan is approved, it will be endorsed and will then form part of the permit. The plan must include. The Detailed Civil and Drainage Design Plan must provide:
- (a) provisions for all civil and drainage works that are required to the abutting road frontages, as part of the development.
  - (b) Surface material finishes shown and specified;
  - (c) Drainage scheme to ensure no 'ponding' or retention of water in the roadways (i.e. including curb extension);
  - (d) Integration of curb extension with the intersection of Rich Street and Little Turner Street and surrounding road network, including transitioning of the road pavement from the kerb extension back to existing surface levels beyond the Rich street frontage of the development;
  - (e) roadworks to provide road pavement crossfalls as determined by Council;
  - (f) All proposed works to maintain the health and stability of the existing street trees on Rich Street in accordance with the Tree Management Plan (condition 13) and to the satisfaction of Council's Arborist
  - (g) design in accordance with Council's engineering standards and requirements.
22. Before the development is completed or at a later date as agreed in writing by the Responsible Authority, all associated works shown on the endorsed Detailed Civil and Drainage Plan must be fully constructed and completed by the permit holder, all to the satisfaction of the Responsible Authority.

#### **Car Parking**

23. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the area set aside on the endorsed plans for the car parking spaces, access lanes, driveways and associated works must be:
- (a) constructed and available for use in accordance with the endorsed plans;
  - (b) formed to such levels and drained so that they can be used in accordance with the endorsed plans;
  - (c) treated with an all-weather seal or some other durable surface; and
  - (d) line-marked or provided with some adequate means of showing the car parking spaces,
- all to the satisfaction of the Responsible Authority.
24. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, a notice showing the location of car parking must be placed in a clearly visible position near the entry to the land. The notice must be maintained thereafter to the satisfaction of the Responsible Authority.

#### **Green Travel Plan**

25. Before the development is occupied, a Green Travel Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Green Travel plan will be endorsed and will form part of this permit. The Green Travel Plan must include, but not be limited to the following:

- (a) a description of the location in the context of alternative modes of transport;
  - (b) employee welcome packs (e.g. provision of Myki/transport ticketing);
  - (c) the provision of real time passenger information displays for nearby stops within each lobby;
  - (d) sustainable transport goals linked to measurable targets, performance indicators and monitoring timeframes;
  - (e) a designated 'manager' or 'champion' responsible for coordination and implementation;
  - (f) details of bicycle parking and bicycle routes;
  - (g) details of GTP funding and management responsibilities;
  - (h) the types of lockers proposed within the change-room facilities, with at least 50% of lockers providing hanging storage space;
  - (i) security arrangements to access the employee bicycle storage spaces; and
  - (j) signage and wayfinding information for bicycle facilities and pedestrians pursuant to Australian Standard AS2890.3;
  - (k) Reference to a minimum 40A single phase electrical sub circuit should be installed to the basement levels for 'EV readiness'; and
  - (l) provisions for the Green Travel Plan to be updated not less than every 5 years.
26. The provisions, recommendations and requirements of the endorsed Green Travel Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

### **Lighting**

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

### **General**

28. Finished floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.
29. The amenity of the area must not be detrimentally affected by the construction, including through:
- (a) the transport of materials, goods or commodities to or from land;
  - (b) the appearance of any buildings, works or materials;
  - (c) the emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil; or
  - (d) the presence of vermin.
30. The use, operation of the car stacker and development must comply at all times with the State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N-1).
31. 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.
32. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
33. All pipes, fixtures, fittings and vents servicing any building on the land must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.

### **Development Contributions**

34. 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**

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

(vi) any site-specific requirements.

During the construction:

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

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

- (a) Monday–Friday (excluding public holidays) before 7 am or after 6 pm;
- (b) Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday) before 9am or after 3pm; or
- (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.

#### **Time expiry**

37. This permit will expire if:

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

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

#### **NOTES**

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

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

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

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

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

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

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

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



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

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

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

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

The removal of any kerbside parking sensors and any reinstatement of parking sensors will require the Permit Holder to pay Council the cost of each parking sensor taken out from the kerb/footpath.

#### Submissions made online during the meeting

Tim Ryder, proUrban Advisory Planning and Management (for the applicant)  
Raymond Endean

### **MOTION**

**Moved:** Cr Landes

That having considered all objections and relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant Planning Permit PLN20/0322 for the construction of a multi-storey building for office, retail and food and drinks premises (no permit required for uses) and a reduction in the car parking and visitor bicycle space requirements at 350 – 356 Johnston Street & 2 Rich Street, Abbotsford, subject to the following conditions:

1. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the architectural plans prepared by Matt Goodman Architecture Office dated 10 December 2020 but modified to show:
  - (a) façade patterning (including façade rebates) provided to the eastern boundary wall to minimise visual bulk when viewed from the public realm;
  - (b) increased extent of window operability across the development;
  - (c) plan and elevation notations to confirm that the screening at the northern facades of Levels 1 and 2 are fixed with a maximum visual transparency of 25% to a height of 1.7m above finished floor level;
  - (d) dimension the height and depth of the northern planter box at the Level 3 terrace;
  - (e) sectional diagrams to demonstrate mitigation of downward views into the secluded private open space of No. 51 Turner Street from the northern facades of levels 3 – 7;
  - (f) retractable awnings provided to the Rich Street façade at ground floor;
  - (g) cross section drawing (ground clearance check) of the vehicle entrance (for the first 7m inside the property) using the B99 design vehicle. The ground clearance check must provide (or show) the following:
    - (i) spot levels of the southern spoon drain and road pavement (including the northern edge of the Little Turner Street pavement) to be depicted correctly;

- (ii) no vehicle scraping or 'bottoming out' of a B99 vehicle as it accesses the subject site via Little Turner Street.
  - (h) A minimum of 36 employee bicycle spaces located within the ground floor bicycle compound;
  - (i) any requirement of the endorsed Sustainable Management Plan (condition 5) (where relevant to show on plans);
  - (j) any requirement of the endorsed Tree Management Plan (condition 13) (where relevant to show on plans)
  - (k) any requirement of the endorsed Wind Report (condition 15) (where relevant to show on plans);
  - (l) any requirement of the endorsed Public Realm Plan (condition 17) (where relevant to show on plans).
  - (m) any requirement of the endorsed Detailed Civil and Drainage Design Plan (condition 21) (where relevant to show on plans).
2. The use and development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
  3. In conjunction with the submission of development plans under Condition 1, a Façade Strategy and Materials and Finishes Plan to the satisfaction of the Responsible Authority must be submitted to and be approved by the Responsible Authority. When approved, the Façade Strategy and Materials and Finishes Plan will be endorsed and will then form part of this permit. This must detail:
    - (a) elevation drawings at a scale of 1:20 illustrating typical podium details, entries and doors, and utilities and typical tower facade details;
    - (b) section drawings to demonstrate façade systems, including fixing details and joints between materials or changes in form;
    - (c) information about how the façade will be maintained, including any vegetation; and
    - (d) a sample board and coloured drawings outlining colours, materials and finishes.
  4. As part of the ongoing consultant team, Matt Goodman Architecture Office or an architectural firm to the satisfaction of the Responsible Authority must be engaged to:
    - (a) oversee the design and construction of the development; and
    - (b) ensure the design quality and appearance of the development is realised as shown in the endorsed plans or otherwise to the satisfaction of the Responsible Authority.

### **Sustainable Management Plan**

5. Before the development commences, an amended Sustainable Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Sustainable Management Plan will be endorsed and will form part of this permit. The amended Sustainable Management Plan must be generally in accordance with the Sustainable Management Plan prepared by Wrap Consulting Engineering, dated 11 December 2020, but modified to include or show:
  - (a) Operability to a selection of windows.
  - (b) Provision of a Section J Assessment to support claims of meeting and/or exceeding NCC 2019 energy efficiency requirements, including thermal performance, GHG emissions, hot water, HVAC and peak demand reduction.
  - (c) clarify rooftop PV system size, generation and associated reduction in GHG (within Section J Assessment or memo-style response).
  - (d) Further clarification on how the nominated innovations credits will be achieved and implemented.
6. The provisions, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

### **Waste Management Plan**

7. The provisions, recommendations and requirements of the endorsed Waste Management Plan generally in accordance with the Waste Management Plan prepared by Waste Tech Services Pty Ltd and dated 11 December 2020, must be implemented and complied with to the satisfaction of the Responsible Authority.
8. The collection of waste from the site must be by private collection, unless with the prior written consent of the Responsible Authority.

### **Landscape Plan (internal to subject site)**

9. Before the development commences, an amended Landscape Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Landscape Plan will be endorsed and will form part of this permit. The amended Landscape Plan must be generally in accordance with the Landscape Plan prepared by Jack Merlo and dated 11 December 2020, but modified to include (or show):
  - (a) Deletion of the landscaping proposed outside of title boundaries of the subject site.to the satisfaction of the Responsible Authority.
10. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the landscaping works shown on the endorsed Landscape Plan must be carried out and completed to the satisfaction of the Responsible Authority. The landscaping shown on the endorsed Landscape Plan must be maintained by:
  - (a) implementing and complying with the provisions, recommendations and requirements of the endorsed Landscape Plan;
  - (b) not using the areas set aside on the endorsed Landscape Plan for landscaping for any other purpose; and
  - (c) replacing any dead, diseased, dying or damaged plants,all to the satisfaction of the Responsible Authority.

### **Street Trees**

11. Before the development commences, the permit holder must provide an Asset Protection Bond of \$77,424 (ex GST), being \$29,625 for the northern tree on Rich Street, \$16,825 for the central tree on Rich Street, \$30,490 for the southern tree on Rich Street and \$484 for the Johnston Street tree, unless otherwise advised by the Responsible Authority. The security bond:
  - (a) must be provided to the Responsible Authority in the form of a bank cheque or guarantee;
  - (b) may be held by the Responsible Authority until the works are completed to the satisfaction of the Responsible Authority; and
  - (c) must be in accordance with the requirements of this permit.
12. Any pruning required to be undertaken for the four street trees along the subject site's Rich Street and Johnston Street frontages must be completed by an approved tree maintenance contractor (to the satisfaction of the Responsible Authority) with all associated costs to be borne by the permit holder.

### **Tree Management Plan**

13. Before the development commences, an amended Tree Management Plan to the satisfaction of the Responsible Authority and by a suitably qualified Arborist must be submitted to and approved by the Responsible Authority. When approved the amended Tree Management Plan will be endorsed and will form part of the permit. The amended Tree Management Plan must be generally in accordance with the Tree Management Plan prepared by Simon Howe, dated July 2020, but modified to include (or show):

- (a) Commitment that any pruning to the street trees will be undertaken by an approved tree maintenance contractor with all costs borne by the permit holder;
- (b) A detailed description of all proposed works (including construction methodology) associated with the kerb extension works as shown on the endorsed Detailed Civil and Drainage Plan (condition 21);
- (c) A tree impact assessment of the proposed works described as part of condition 14(b) above, including an assessment against AS4970.

all to the satisfaction of the Responsible Authority.

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

#### **Wind**

- 15. Before the development commences, an amended Wind Assessment Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Wind Assessment Report will be endorsed and will form part of this permit. The amended Wind Assessment Report must be generally in accordance with the Wind Impact Statement prepared by Vipac and dated 22 July 2020, but modified to include (or show):

- (a) Further assessment undertaken for the ground floor seating area associated with the food and drinks premises (northwest corner of site);
- (b) Further details of the wind assessment at the level 3 communal terrace seating area.

to the satisfaction of the Responsible Authority.

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

#### **Public Realm Plan**

- 17. Before the development commences, or by such later date as approved in writing by the Responsible Authority, a Public Realm Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The Public Realm Plan must be generally in accordance with the curb extension details shown on Drawing No. TP01 of the landscape plan prepared by Jack Merlo, dated 11 December 2020, but modified to include the following:

- (a) High level details and dimensions of the proposed bench seats, with provision of back and arm rests;
- (b) Materials schedule of all proposed materials, including surface materials and street furniture materials (with all materials to comply with the Yarra Standard Drawings and Road Materials Policy).
- (c) Deletion of the proposed street tree from Johnston Street footpath;
- (d) Deletion of the notation referring to footpath trading;
- (e) Any detail required to be shown from the endorsed Detailed Civil and Drainage Plan (condition 21),

All to the satisfaction of the Responsible Authority.

- 18. Before the building is occupied, all works associated with the Public Realm Plan as shown on the endorsed plans and Public Realm Plan (referred to in Condition 17) must be fully constructed and completed by the permit holder, with all costs borne by the permit holder, to the satisfaction of the Responsible Authority.

### **Road Infrastructure**

19. 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 no cost to the Responsible Authority (inclusive of the cost of modifying any parking signs or road markings for parking bays (where required); and
  - (b) to the satisfaction of the Responsible Authority.
20. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any roads, footpaths and other road related infrastructure adjacent to the development site damaged as a result of the construction works (including trenching and excavation for utility service connections) must be reinstated (including by the re-sheeting of the entire Johnston and Rich Street footpath for the width of the property frontage if required by the Responsible Authority):
  - (a) at no cost to the Responsible Authority; and
  - (b) to the satisfaction of the Responsible Authority.

### **Detailed Civil and Drainage Design Plan**

21. Before the development commences, a Detailed Civil and Drainage Design Plan prepared to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. Once the plan is approved, it will be endorsed and will then form part of the permit. The plan must include. The Detailed Civil and Drainage Design Plan must provide:
  - (a) provisions for all civil and drainage works that are required to the abutting road frontages, as part of the development.
  - (b) Surface material finishes shown and specified;
  - (c) Drainage scheme to ensure no 'ponding' or retention of water in the roadways (i.e. including curb extension);
  - (d) Integration of curb extension with the intersection of Rich Street and Little Turner Street and surrounding road network, including transitioning of the road pavement from the kerb extension back to existing surface levels beyond the Rich street frontage of the development;
  - (e) roadworks to provide road pavement crossfalls as determined by Council;
  - (f) All proposed works to maintain the health and stability of the existing street trees on Rich Street in accordance with the Tree Management Plan (condition 13) and to the satisfaction of Council's Arborist
  - (g) design in accordance with Council's engineering standards and requirements.
22. Before the development is completed or at a later date as agreed in writing by the Responsible Authority, all associated works shown on the endorsed Detailed Civil and Drainage Plan must be fully constructed and completed by the permit holder, all to the satisfaction of the Responsible Authority.

### **Car Parking**

23. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the area set aside on the endorsed plans for the car parking spaces, access lanes, driveways and associated works must be:
  - (a) constructed and available for use in accordance with the endorsed plans;
  - (b) formed to such levels and drained so that they can be used in accordance with the endorsed plans;
  - (c) treated with an all-weather seal or some other durable surface; and
  - (d) line-marked or provided with some adequate means of showing the car parking spaces,all to the satisfaction of the Responsible Authority.

24. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, a notice showing the location of car parking must be placed in a clearly visible position near the entry to the land. The notice must be maintained thereafter to the satisfaction of the Responsible Authority.

### **Green Travel Plan**

25. Before the development is occupied, a Green Travel Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Green Travel plan will be endorsed and will form part of this permit. The Green Travel Plan must include, but not be limited to the following:
- (a) a description of the location in the context of alternative modes of transport;
  - (b) employee welcome packs (e.g. provision of Myki/transport ticketing);
  - (c) the provision of real time passenger information displays for nearby stops within each lobby;
  - (d) sustainable transport goals linked to measurable targets, performance indicators and monitoring timeframes;
  - (e) a designated 'manager' or 'champion' responsible for coordination and implementation;
  - (f) details of bicycle parking and bicycle routes;
  - (g) details of GTP funding and management responsibilities;
  - (h) the types of lockers proposed within the change-room facilities, with at least 50% of lockers providing hanging storage space;
  - (i) security arrangements to access the employee bicycle storage spaces; and
  - (j) signage and wayfinding information for bicycle facilities and pedestrians pursuant to Australian Standard AS2890.3;
  - (k) Reference to a minimum 40A single phase electrical sub circuit should be installed to the basement levels for 'EV readiness'; and
  - (l) provisions for the Green Travel Plan to be updated not less than every 5 years.
26. The provisions, recommendations and requirements of the endorsed Green Travel Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

### **Lighting**

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

### **General**

28. Finished floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.
29. The amenity of the area must not be detrimentally affected by the construction, including through:
- (a) the transport of materials, goods or commodities to or from land;
  - (b) the appearance of any buildings, works or materials;
  - (c) the emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil; or
  - (d) the presence of vermin.
30. The use, operation of the car stacker and development must comply at all times with the State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N-1).

31. 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.
32. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
33. All pipes, fixtures, fittings and vents servicing any building on the land must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.

#### **Development Contributions**

34. 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**

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

- (p) a Noise and Vibration Management Plan showing methods to minimise noise and vibration impacts on nearby properties and to demonstrate compliance with Noise Control Guideline 12 for Construction (Publication 1254) as issued by the Environment Protection Authority in October 2008. The Noise and Vibration Management Plan must be prepared to the satisfaction of the Responsible Authority.

In preparing the Noise and Vibration Management Plan, consideration must be given to:

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

During the construction:

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

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

- (a) Monday–Friday (excluding public holidays) before 7 am or after 6 pm;
- (b) Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday) before 9am or after 3pm; or
- (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.

### **Time expiry**

37. This permit will expire if:

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

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

### **NOTES**

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

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

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

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



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

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

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

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

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

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

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

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

The removal of any kerbside parking sensors and any reinstatement of parking sensors will require the Permit Holder to pay Council the cost of each parking sensor taken out from the kerb/footpath

**Lapsed for want of a seconder.**

## **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 Planning Permit PLN20/0322 for the construction of a multi-storey building for office, retail and food and drinks premises (no permit required for uses) and a reduction in the car parking and visitor bicycle space requirements at 350 – 356 Johnston Street & 2 Rich Street, Abbotsford, subject to the following conditions:

1. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the architectural plans prepared by Matt Goodman Architecture Office dated 10 December 2020 but modified to show:
  - (a) deletion of level 3 (with the level 3 terrace retained and reconfigured as necessary);
  - (b) maintain the five storey street wall to Johnston Street and reduce the Johnston Street setback of Levels 5 to 6 from 7.5m to 5.0m, while continuing the tapered setback alignment from Rich Street;
  - (c) façade patterning (including façade rebates) provided to the eastern boundary wall to minimise visual bulk when viewed from the public realm;
  - (d) increased extent of window operability across the development;

- (e) plan and elevation notations to confirm that the screening at the northern facades of Levels 1 and 2 are fixed with a maximum visual transparency of 25% to a height of 1.7m above finished floor level;
  - (f) dimension the height and depth of the northern planter box at the Level 3 terrace;
  - (g) sectional diagrams to demonstrate mitigation of downward views into the secluded private open space of No. 51 Turner Street from the northern facades of levels 3 – 7;
  - (h) retractable awnings provided to the Rich Street façade at ground floor;
  - (i) cross section drawing (ground clearance check) of the vehicle entrance (for the first 7m inside the property) using the B99 design vehicle. The ground clearance check must provide (or show) the following:
    - (i) spot levels of the southern spoon drain and road pavement (including the northern edge of the Little Turner Street pavement) to be depicted correctly;
    - (ii) no vehicle scraping or 'bottoming out' of a B99 vehicle as it accesses the subject site via Little Turner Street.
  - (j) A minimum of 36 employee bicycle spaces located within the ground floor bicycle compound;
  - (k) any requirement of the endorsed Sustainable Management Plan (condition 5) (where relevant to show on plans);
  - (l) any requirement of the endorsed Tree Management Plan (condition 13) (where relevant to show on plans)
  - (m) any requirement of the endorsed Wind Report (condition 15) (where relevant to show on plans);
  - (n) any requirement of the endorsed Public Realm Plan (condition 17) (where relevant to show on plans).
  - (o) any requirement of the endorsed Detailed Civil and Drainage Design Plan (condition 21) (where relevant to show on plans).
2. The use and development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
  3. In conjunction with the submission of development plans under Condition 1, a Façade Strategy and Materials and Finishes Plan to the satisfaction of the Responsible Authority must be submitted to and be approved by the Responsible Authority. When approved, the Façade Strategy and Materials and Finishes Plan will be endorsed and will then form part of this permit. This must detail:
    - (a) elevation drawings at a scale of 1:20 illustrating typical podium details, entries and doors, and utilities and typical tower facade details;
    - (b) section drawings to demonstrate façade systems, including fixing details and joints between materials or changes in form;
    - (c) information about how the façade will be maintained, including any vegetation; and
    - (d) a sample board and coloured drawings outlining colours, materials and finishes.
  4. As part of the ongoing consultant team, Matt Goodman Architecture Office or an architectural firm to the satisfaction of the Responsible Authority must be engaged to:
    - (a) oversee the design and construction of the development; and
    - (b) ensure the design quality and appearance of the development is realised as shown in the endorsed plans or otherwise to the satisfaction of the Responsible Authority.

### **Sustainable Management Plan**

5. Before the development commences, an amended Sustainable Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Sustainable Management Plan will be endorsed and will form part of this permit. The amended Sustainable Management Plan must be generally in accordance with the Sustainable Management Plan prepared by Wrap Consulting Engineering, dated 11 December 2020, but modified to include or show:
  - (a) Operability to a selection of windows.

- (b) Provision of a Section J Assessment to support claims of meeting and/or exceeding NCC 2019 energy efficiency requirements, including thermal performance, GHG emissions, hot water, HVAC and peak demand reduction.
  - (c) clarify rooftop PV system size, generation and associated reduction in GHG (within Section J Assessment or memo-style response).
  - (d) Further clarification on how the nominated innovations credits will be achieved and implemented.
6. The provisions, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

#### **Waste Management Plan**

7. The provisions, recommendations and requirements of the endorsed Waste Management Plan generally in accordance with the Waste Management Plan prepared by Waste Tech Services Pty Ltd and dated 11 December 2020, must be implemented and complied with to the satisfaction of the Responsible Authority.
8. The collection of waste from the site must be by private collection, unless with the prior written consent of the Responsible Authority.

#### **Landscape Plan (internal to subject site)**

9. Before the development commences, an amended Landscape Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Landscape Plan will be endorsed and will form part of this permit. The amended Landscape Plan must be generally in accordance with the Landscape Plan prepared by Jack Merlo and dated 11 December 2020, but modified to include (or show):
- (a) Deletion of the landscaping proposed outside of title boundaries of the subject site.
- to the satisfaction of the Responsible Authority.
10. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the landscaping works shown on the endorsed Landscape Plan must be carried out and completed to the satisfaction of the Responsible Authority. The landscaping shown on the endorsed Landscape Plan must be maintained by:
- (a) implementing and complying with the provisions, recommendations and requirements of the endorsed Landscape Plan;
  - (b) not using the areas set aside on the endorsed Landscape Plan for landscaping for any other purpose; and
  - (c) replacing any dead, diseased, dying or damaged plants,
- all to the satisfaction of the Responsible Authority.

#### **Street Trees**

11. Before the development commences, the permit holder must provide an Asset Protection Bond of \$77,424 (ex GST), being \$29,625 for the northern tree on Rich Street, \$16,825 for the central tree on Rich Street, \$30,490 for the southern tree on Rich Street and \$484 for the Johnston Street tree, unless otherwise advised by the Responsible Authority. The security bond:
- (a) must be provided to the Responsible Authority in the form of a bank cheque or guarantee;
  - (b) may be held by the Responsible Authority until the works are completed to the satisfaction of the Responsible Authority; and
  - (c) must be in accordance with the requirements of this permit.

12. Any pruning required to be undertaken for the four street trees along the subject site's Rich Street and Johnston Street frontages must be completed by an approved tree maintenance contractor (to the satisfaction of the Responsible Authority) with all associated costs to be borne by the permit holder.

#### **Tree Management Plan**

13. Before the development commences, an amended Tree Management Plan to the satisfaction of the Responsible Authority and by a suitably qualified Arborist must be submitted to and approved by the Responsible Authority. When approved the amended Tree Management Plan will be endorsed and will form part of the permit. The amended Tree Management Plan must be generally in accordance with the Tree Management Plan prepared by Simon Howe, dated July 2020, but modified to include (or show):
  - (a) Commitment that any pruning to the street trees will be undertaken by an approved tree maintenance contractor with all costs borne by the permit holder;
  - (b) A detailed description of all proposed works (including construction methodology) associated with the kerb extension works as shown on the endorsed Detailed Civil and Drainage Plan (condition 21);
  - (c) A tree impact assessment of the proposed works described as part of condition 14(b) above, including an assessment against AS4970.

all to the satisfaction of the Responsible Authority.

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

#### **Wind**

15. Before the development commences, an amended Wind Assessment Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Wind Assessment Report will be endorsed and will form part of this permit. The amended Wind Assessment Report must be generally in accordance with the Wind Impact Statement prepared by Vipac and dated 22 July 2020, but modified to include (or show):
  - (a) Further assessment undertaken for the ground floor seating area associated with the food and drinks premises (northwest corner of site);
  - (b) Further details of the wind assessment at the level 3 communal terrace seating area.

to the satisfaction of the Responsible Authority.

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

#### **Public Realm Plan**

17. Before the development commences, or by such later date as approved in writing by the Responsible Authority, a Public Realm Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The Public Realm Plan must be generally in accordance with the curb extension details shown on Drawing No. TP01 of the landscape plan prepared by Jack Merlo, dated 11 December 2020, but modified to include the following:
  - (a) High level details and dimensions of the proposed bench seats, with provision of back and arm rests;
  - (b) Materials schedule of all proposed materials, including surface materials and street furniture materials (with all materials to comply with the Yarra Standard Drawings and Road Materials Policy).

- (c) Deletion of the proposed street tree from Johnston Street footpath;
- (d) Deletion of the notation referring to footpath trading;
- (e) Any detail required to be shown from the endorsed Detailed Civil and Drainage Plan (condition 21),

All to the satisfaction of the Responsible Authority.

18. Before the building is occupied, all works associated with the Public Realm Plan as shown on the endorsed plans and Public Realm Plan (referred to in Condition 17) must be fully constructed and completed by the permit holder, with all costs borne by the permit holder, to the satisfaction of the Responsible Authority.

#### **Road Infrastructure**

19. 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 no cost to the Responsible Authority (inclusive of the cost of modifying any parking signs or road markings for parking bays (where required)); and
  - (b) to the satisfaction of the Responsible Authority.
20. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any roads, footpaths and other road related infrastructure adjacent to the development site damaged as a result of the construction works (including trenching and excavation for utility service connections) must be reinstated (including by the re-sheeting of the entire Johnston and Rich Street footpath for the width of the property frontage if required by the Responsible Authority):
- (a) at no cost to the Responsible Authority; and
  - (b) to the satisfaction of the Responsible Authority.

#### **Detailed Civil and Drainage Design Plan**

21. Before the development commences, a Detailed Civil and Drainage Design Plan prepared to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. Once the plan is approved, it will be endorsed and will then form part of the permit. The plan must include. The Detailed Civil and Drainage Design Plan must provide:
- (a) provisions for all civil and drainage works that are required to the abutting road frontages, as part of the development.
  - (b) Surface material finishes shown and specified;
  - (c) Drainage scheme to ensure no 'ponding' or retention of water in the roadways (i.e. including curb extension);
  - (d) Integration of curb extension with the intersection of Rich Street and Little Turner Street and surrounding road network, including transitioning of the road pavement from the kerb extension back to existing surface levels beyond the Rich street frontage of the development;
  - (e) roadworks to provide road pavement crossfalls as determined by Council;
  - (f) All proposed works to maintain the health and stability of the existing street trees on Rich Street in accordance with the Tree Management Plan (condition 13) and to the satisfaction of Council's Arborist
  - (g) design in accordance with Council's engineering standards and requirements.
22. Before the development is completed or at a later date as agreed in writing by the Responsible Authority, all associated works shown on the endorsed Detailed Civil and Drainage Plan must be fully constructed and completed by the permit holder, all to the satisfaction of the Responsible Authority.

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  - (c) treated with an all-weather seal or some other durable surface; and
  - (d) line-marked or provided with some adequate means of showing the car parking spaces,
- all to the satisfaction of the Responsible Authority.
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  - (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;
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    - (vi) washing of concrete trucks and other vehicles and machinery; and
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- (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:
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During the construction:

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

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

- (a) Monday–Friday (excluding public holidays) before 7 am or after 6 pm;
- (b) Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday) before 9am or after 3pm; or
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37. This permit will expire if:

- (a) the development is not commenced within two years of the date of this permit; or
  - (b) the development is not completed within four years of the date of this permit; or
- The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires or within six months afterwards for commencement or within twelve months afterwards for completion.

### **NOTES**

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



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

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

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

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

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

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

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

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

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

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

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

The removal of any kerbside parking sensors and any reinstatement of parking sensors will require the Permit Holder to pay Council the cost of each parking sensor taken out from the kerb/footpath.

**CARRIED**

The meeting closed at 8.41pm.

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

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**Chair**