



Minutes

Planning Decisions Committee

6.30pm, Tuesday 23 April 2024

Richmond Town Hall

1. Appointment of Chair

Councillor Landes nominated Councillor Wade as chair.

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

Councillor Wade assumed the chair.

2. Statement of recognition of Wurundjeri Woi-wurrung Land

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

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

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

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

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

3. Attendance and apologies

Attendance

Councillors

- Cr Stephen Jolly Councillor
- Cr Herschel Landes Councillor
- Cr Sophie Wade Councillor

Council officers

- Kathryn Pound Manager Statutory Planning
- Lara Fiscalini Acting Coordinator Statutory Planner
- Corey Woolridge Senior Planner
- Rhys Thomas Senior Governance Advisor
- Mel Nikou Governance Officer

4. Declarations of conflict of interest

No declarations were made.

5. Confirmation of Minutes

PLANNING DECISIONS COMMITTEE RESOLUTION

Moved: Councillor Jolly

Seconded: Councillor Landes

1. That the minutes of the meeting of the Planning Decisions Committee held on Tuesday 27 February 2024 be confirmed.

CARRIED UNANIMOUSLY

6 PLANNING DECISIONS COMMITTEE

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6.1 **PLN22/0069.01 - 276 Lennox Street, Richmond**

Reference	D24/98754
Author	Erryn Megennis - Senior Statutory Planner
Authoriser	Coordinator Statutory Planning
Disclosure	The authoriser, having made enquiries with members of staff involved in the preparation of this report, asserts that they are not aware of any general or material conflicts of interest in relation to the matters presented.

RECOMMENDATION

That having considered all objectives and relevant planning policies, the Committee resolved to issue a Notice of Decision to Grant an Amended Planning Permit PLN22/0069 for the use of the land for a medical centre (chiropractic clinic) and a reduction in car parking at 276 Lennox Street, Richmond VIC 3121 subject to the following conditions (changes in **bold**):

1. Before the use commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions, and must be generally in accordance with the decision plans prepared by Elevation 7 and dated November 2021 but modified to show:
 - (a) The ground floor plan updated to correctly reflect the true location of the crossover, roller door and angled car parking space provided. The dimensions of the car parking space must be in accordance with Design Standard 2 at Clause 52.06 of the Yarra Planning Scheme or otherwise to the satisfaction of the Responsible Authority;
 - (b) The business identification sign deleted; and
 - (c) Notation to show provision of internal sound insulation to the southern wall of the reception/waiting area.
 2. The use as shown on the endorsed plans must not be altered unless the Yarra Planning Scheme specifies that a permit is not required without the prior written consent of the Responsible Authority.
 3. No more than **three (3)** practitioners are permitted to operate from the land at any one time.
 4. Except with the prior written consent of the Responsible Authority, no more than **45** appointments can be carried out per day.
 5. Except with the prior written consent of the Responsible Authority, the use authorised by this permit may only operate between the following hours:
 - (a) Monday to Friday: 8:00am - **7:00pm**; and
 - (b) Saturdays: **9:00am – 4:00pm**
 6. Before the use commences, or by such later date as approved in writing by the Responsible Authority, the bike racks must be installed and maintained to the satisfaction of the Responsible Authority.
 7. The use must at all times comply with the noise limits specified in the Environment Protection Regulations under the Environment Protection Act 2017 and the incorporated Noise Protocol (Publication 1826.4, Environment Protection Authority, May 2021), as may be amended from time to time.
 8. The collection of waste from the site must be by private collection, unless with the prior written consent of the Responsible Authority.
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9. Delivery and collection of goods to and from the land may only occur between 7am and 10pm Monday to Saturday, or after 9am on a Sunday or public holiday except for those allowed under any relevant local law.
10. This permit will expire if:
 - (a) The use is not commenced within two years from the date of this permit; or
 - (b) The use is discontinued for a period of two years; or

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

NOTES

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

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

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

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

Public Submissions

The following people addressed the committee:

Michael Henderson, Contour Consultants (for the applicant); and

Michael Philips on behalf of Sharryn Carey-Nicholls.

PLANNING DECISIONS COMMITTEE RESOLUTION

Moved: Councillor Landes

Seconded: Councillor Jolly

That having considered all objectives and relevant planning policies, the Committee resolved to issue a Notice of Decision to Grant an Amended Planning Permit PLN22/0069 for the use of the land for a medical centre (chiropractic clinic) and a reduction in car parking at 276 Lennox Street, Richmond VIC 3121 subject to the following conditions (changes in **bold**):

1. **Before the increased hours of operation, increased practitioner numbers and increased number of appointments as approved by the amended permit 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 generally in accordance with the previously endorsed plans but modified to show:**
 - (a) **Notation to show the provision of sound insulation along the southern internal wall, abutting Consulting Room No. 3.**
2. The use as shown on the endorsed plans must not be altered unless the Yarra Planning Scheme specifies that a permit is not required without the prior written consent of the Responsible Authority.
3. No more than **three (3)** practitioners are permitted to operate from the land at any one time.

4. Except with the prior written consent of the Responsible Authority, no more than **45** appointments can be carried out per day.
5. Except with the prior written consent of the Responsible Authority, the use authorised by this permit may only operate between the following hours:
 - (a) Monday to Friday: 8:00am - **7:00pm**; and
 - (b) Saturdays: **9:00am – 2:00pm**
6. Before the use commences, or by such later date as approved in writing by the Responsible Authority, the bike racks must be installed and maintained to the satisfaction of the Responsible Authority.
7. The use must at all times comply with the noise limits specified in the Environment Protection Regulations under the Environment Protection Act 2017 and the incorporated Noise Protocol (Publication 1826.4, Environment Protection Authority, May 2021), as may be amended from time to time.
8. The collection of waste from the site must be by private collection, unless with the prior written consent of the Responsible Authority.
9. Delivery and collection of goods to and from the land may only occur between 7am and 10pm Monday to Saturday, or after 9am on a Sunday or public holiday except for those allowed under any relevant local law.
10. This permit will expire if:
 - (a) The use is not commenced within two years from the date of this permit; or
 - (b) The use is discontinued for a period of two years; orThe Responsible Authority may extend the period referred to if a request is made in writing before the permit expires or within six months afterwards for commencement.

NOTES

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

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

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

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

CARRIED

6.2 PLN23/0685 - 4 - 6 Derby Street Collingwood

Reference	D24/122288
Author	Jessica Sutherland - Principal Planner
Authoriser	Senior Coordinator Statutory Planning
Disclosure	The authoriser, having made enquiries with members of staff involved in the preparation of this report, asserts that they are not aware of any general or material conflicts of interest in relation to the matters presented.

RECOMMENDATION

That a Notice of Decision to Grant a Planning Permit PLN23/0685 be issued for buildings and works to construct a multi-storey, mixed-use building for Restricted retail premises (showroom) and dwellings (the latter of which is as-of-right) and a reduction to the car parking requirements at 4 – 6 Derby Street Collingwood generally in accordance with the “decision plans” and subject to the following conditions:

1. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions, and must be generally in accordance with the decision plans prepared by Bright Studio, Plan no. TP01-TP44 and dated 9 November 2023 but modified to show:
 - (a) The overall building height reduced to a maximum of 20 metres;
 - (b) The open living and kitchen area of apartment 4.01 set back a minimum of 1.5 metres from the north and west title boundaries, reducing the podium on the north-west corner to four storeys;
 - (c) The balcony of apartment 5.01 set back a minimum of 1.5 metres from the northern title boundary;
 - (d) Communal open space in accordance with Standard D7 (Communal open space) and designed to comply with the requirements of Standard D8 (Solar access to communal open space) of Clause 58;
 - (e) The materiality of the service cupboards, ensuring it is well integrated into the façade;
 - (f) Articulation through vertical panelling, or similar, in tilt garage door material confirmed in the materials schedule, ensuring it is well integrated into the façade;
 - (g) Sensor lighting to all pedestrian and vehicular entries;
 - (h) The height of the fixed obscure glazing and the depth of the mullion dimensioned on Sectional Overlooking diagrams on TP23 and TP24;
 - (i) The tree locations, identification numbers, TPZs and SRZs for all street trees adjacent to the site and a notation to confirm the trees are retained;
 - (j) A Sectional drawing of the interface of Apt G.02 and the adjacent car lift, ensuring the bedroom window is completely above the roof line and clear to sky;
 - (k) The bedroom window of apartment G.02 as operable;
 - (l) Compliance with the Standard D15 (internal views) of Clause 58:
 - (i) from the terrace of apartment 4.02 to the terrace of apartment 3.02;
 - (ii) from the terrace of apartment 5.02 to the terrace of apartment 4.02;

- (iii) from apartments 5.01, 6.01 and 7.01 to the terrace of apartment 4.01;
 - (iv) from apartments 6.01 and 7.01 to the terrace of apartment 5.01;
 - (v) with sectional diagrams submitted to demonstrate compliance with the standard and any additional screening required to comply shown in plans; and
 - (vi) to account for any built form modifications resulting from Condition 1(a), (b), (c) and (d);
- (m) In accordance with the objective of Standard D18 (Accessibility objective) of Clause 58:
- (i) notations confirming that the showers are hobless, and where Desing Option B at Table D7 is relied upon, have a removable shower screen; and
 - (ii) any other design changes to account for the built form modifications resulting from Condition 1(a), (b), (c) and (d), ensuring that a minimum of 50% of dwellings comply with Standard D18, or are to the satisfaction of the responsible authority.
- (n) The west-facing windows of the upper-level lobby/corridors with operability.;
- (o) The services located along the frontages of G.01 and G.02 identified as common property;
- (p) A minimum of 20% of resident and employee parking to be provided as floor mounted horizontal racks;
- (q) Four (4) bicycle racks to be allocated to commercial employees;
- (r) All car parking spaces electrically wired to be 'EV ready';
- (s) Clear glazing to the commercial tenancy;
- (t) The chamfer on the north-east corner at ground floor enclosed with glazing, sliding doors, or similar;
- (u) A South and East Elevation without No. 8 Derby Street shown in the foreground;
- (v) Any changes required to comply with the Condition 15 (Façade Strategy);
- (w) Any changes required to comply with The Condition 17 (Acoustic Report);
- (x) Any changes required to comply with The Condition 20 (Sustainable Management Plan);
- (y) Any changes required to comply with The Condition 23 (Landscaping Plan);
- (z) Any changes required to comply with The Condition 25 (Tree Management Plan);
- (aa) Any changes required to comply with The Condition 27 (Wind Assessment); and
- (bb) Any changes required to comply with The Condition 29 (Waste Management Plan).
2. The development and use as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
3. As part of the ongoing consultant team, Bright Studio 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.
4. Finished floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.
5. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
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- (a) Monday to Friday (excluding public holidays) before 7 am or after 6 pm;
 - (b) Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday) before 9 am or after 3 pm; or
 - (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.
6. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating vehicular access and all pedestrian entries (commercial and residential) 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.
7. 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.
8. 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.
9. 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.

Development Infrastructure Levy

10. Prior to the commencement of the development the Development Infrastructure Levy must be paid to Yarra City Council in accordance with the approved Development Contributions Plan.

Community Infrastructure Levy

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

Use (Restricted Retail premises)

12. Except with the prior written consent of the Responsible Authority, the use of the land for a Restricted Retail Premises authorised by this permit may only operate between the hours of 7am to 10pm, everyday of the week.
13. 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.

14. 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.

Facade Strategy

15. 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 or coloured drawings outlining colours, materials and finishes.
16. The provisions, recommendations and requirements of the endorsed Façade Strategy must be implemented and complied with to the satisfaction of the Responsible Authority.

Acoustic Report

17. Before the development commences, an amended Acoustic Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Acoustic Report will be endorsed and will form part of this permit. The amended Acoustic Report must be generally in accordance with the Acoustic Report prepared by Acoustic Logic and 14 September 2023, but modified to include (or show, or address):
- (a) The commercial use as Restricted Retail with the recommendations updated accordingly;
 - (b) The operating hours of Restricted Retail premises in accordance with Condition 12;
 - (c) The adopted traffic source spectra (daytime Leq,16h and Leq,1h, plus night-time Leq,8h and Leq,1h), along with descriptions of how these have been determined from the measurement results;
 - (d) The predicted traffic noise levels (daytime Leq,1h, daytime Leq,16h, night-time Leq,1h and Leq,8h) inside the worst-case apartment;
 - (e) The nearest sensitive receivers to the subject site be identified;
 - (f) A formal Noise Protocol and sleep disturbance assessment for the car lift and carpark entry door. The maximum source level (as a sound pressure level at a distance) for the car lift, and other requirements (vibration isolation etc.) specified; and
 - (g) Any changes required to comply with Condition 1.
18. The provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.
19. The use and development must at all times comply with the noise limits specified in the Environment Protection Regulations under the Environment Protection Act 2017 and the incorporated Noise Protocol (Publication 1826.4, Environment Protection Authority, May 2021), as may be amended from time to time.

Sustainable Management

20. 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 GIW and dated 22 September 2023, but modified to include or show:
 - (a) Confirmation that building services will undertake fine tuning each quarter for the first 12 months of occupation;
 - (b) Confirmation that Head Contractor will be ISO 14001 accredited;
 - (c) Confirmation that an environmental management plan to be implemented to council guidelines; and
 - (d) Any changes required to comply with Condition 1.
21. Prior to the occupation of the development approved under this permit, a report from the author of the sustainable management plan, approved pursuant to this permit, or similarly qualified person or company, must be submitted to the Responsible Authority. The report must be to the satisfaction of the Responsible Authority and must confirm that all measures specified in the sustainable management plan have been implemented in accordance with the approved plan.
22. The provisions, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Landscaping Plan

23. 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 Etched and dated September 2023, but modified to include (or show):
 - (a) Consistency with the architectural drawings (namely the Level 3 planted area) and the design changes required by Condition 1;
 - (b) A full plant schedule and planting plan;
 - (c) Dimensions and soil depths for planters (though noted in the architectural plans, they should also be detailed in the Landscape Plan); and
 - (d) Confirmation of who is responsible for the maintenance and upkeep of the podium raised planters.
24. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the landscaping works shown on the endorsed Landscape Plan must be carried out and completed to the satisfaction of the Responsible Authority. The landscaping shown on the endorsed Landscape Plan must be maintained by:
 - (a) implementing and complying with the provisions, recommendations and requirements of the endorsed Landscape Plan;
 - (b) not using the areas set aside on the endorsed Landscape Plan for landscaping for any other purpose; and
 - (c) replacing any dead, diseased, dying or damaged plants, to the satisfaction of the Responsible Authority.

Tree Management Plan

25. Before the development commences, a Tree Management Plan to the satisfaction of the Responsible Authority must be prepared by a suitably qualified Arborist and must be submitted to and approved by the Responsible Authority. When approved the Tree Management Plan will be endorsed and will form part of this permit. The Tree Management Plan must make recommendations for:
- (a) the protection of the street trees along the Derby Street and Langridge Street frontages;
 - (b) pre-construction;
 - (c) during construction; and
 - (d) post construction
 - (e) the provision of any barriers;
 - (f) any pruning necessary; and
 - (g) watering and maintenance regimes,
- to the satisfaction of the Responsible Authority.
26. The provisions, recommendations and requirements of the endorsed Tree Management Plan must be complied with and implemented to the satisfaction of the Responsible Authority.

Wind Assessment

27. Before the development commences, an amended Wind Assessment Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Wind Assessment Report will be endorsed and will form part of this permit. The amended Wind Assessment Report must be generally in accordance with the Wind Assessment Report prepared by MEL Consultants and dated 28 September 2023, but modified to include (or show):
- (a) Any changes required to comply with Condition 1; and
 - (b) That the relevant target criteria be met for the commercial entrance on the north-east corner.
28. The provisions, recommendations and requirements of the endorsed Wind Assessment Report must be implemented and complied with to the satisfaction of the Responsible Authority.

Waste Management Plan

29. 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 21 September 2023, but modified to include:
- (a) Who will be responsible for the collection of hard waste and where it will be collected from;
 - (b) The size of the bin storage area in M2; and
 - (c) Any changes required to comply with Condition 1.
30. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

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

Green Travel Plan

32. Before the development commences, 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) sustainable transport goals linked to measurable targets, performance indicators and monitoring timeframes;
 - (d) a designated 'manager' or 'champion' responsible for coordination and implementation;
 - (e) details of bicycle parking and bicycle routes;
 - (f) details of GTP funding and management responsibilities;
 - (g) the specific design of bicycle storage devices proposed to be used for employee;
 - (h) spaces, including demonstration of their suitability for parking cargo bikes, electric bikes and recumbent bikes;
 - (i) the types of lockers proposed within the change-room facilities, with at least 50% of lockers providing hanging storage space;
 - (j) security arrangements to access the employee bicycle storage spaces;
 - (k) signage and wayfinding information for bicycle facilities and pedestrians pursuant to Australian Standard AS2890.3;
 - (l) Reference to a minimum 40A single phase electrical sub circuit should be installed to the car park areas for 'EV readiness'; and
 - (m) provisions for the Green Travel Plan to be updated not less than every 5 years.
33. The provisions, recommendations and requirements of the endorsed Green Travel Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Public realm conditions

34. Before the building is occupied or by such later date as approved in writing by the Responsible Authority, the footpath, kerb and channel along the property's Langridge Street and Little Oxford Street frontages must be reconstructed:
- (a) at the permit holder's cost,
to the satisfaction of the Responsible Authority.
35. Concurrent with the submission of Condition 1 plans or by such later date as approved in writing by the Responsible Authority, a vehicle crossing design must be submitted to Council's Civil Engineering Department for approval. The submitted design must demonstrate compliance with City of Yarra's, Vehicle Crossing Information Sheet.
36. 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) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.

37. Within 2 months of the completion of the development/Before the building/s is/are 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.
38. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.
39. Within 2 months of the completion of the development, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated:
- (a) At the permit holder's cost; and
 - (b) To the satisfaction of the Responsible Authority.
40. 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.
41. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the areas set aside on the endorsed plans for the car parking spaces, access lanes, driveways and associated works must be:
- (a) constructed and available for use in accordance with the endorsed plans;
 - (b) formed to such levels and drained so that they can be used in accordance with the endorsed plans;
 - (c) treated with an all-weather seal or some other durable surface; and
 - (d) line-marked or provided with some adequate means of showing the car parking spaces,
- to the satisfaction of the Responsible Authority.
42. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the car lift must be installed in accordance with the manufacturer's specifications by a suitably qualified person. The car lift must be maintained thereafter to the satisfaction of the Responsible Authority.

Car Park Management Plan

43. Before the development commences (excluding demotion, bulk excavation and site preparation work), a Car Park Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Car Park Management Plan will be endorsed and will form part of this permit. The Car Park Management Plan must address, but not be limited to, the following:
- (a) the number and location of car parking spaces allocated to each tenancy;
 - (b) any tandem parking spaces allocated to a single tenancy;
 - (c) the number and location of car spaces for shared use, including time of shared use;
 - (d) the number and allocation of storage spaces;
 - (e) policing arrangements and formal agreements;
 - (f) a schedule of all proposed signage including directional arrows and signage, informative signs indicating location of disabled bays and bicycle parking, exits, restrictions, pay parking system etc;

- (g) the collection of waste and garbage including the separate collection of organic waste and recyclables, which must be in accordance with the Waste Management Plan required by Condition 29; and
 - (h) details regarding the management of loading and unloading of goods and materials.
44. The provisions, recommendations and requirements of the endorsed Car Park Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Construction Management Plan

45. 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; and
 - (v) other relevant considerations,

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

46. 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.

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

Time expiry conditions

48. 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
- (c) The use is not commenced within two years from the date of this permit; or
- (d) The use is discontinued for a period of two years.

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.

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

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

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

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 the development permitted under the permit.

The person in management or control of the site must also provide a copy of any Environmental Audit Statement to any person who proposes to become the person in management or control of the site, such as a potential purchaser.

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

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

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.

Public Submission

Michael McCormack, Milieu and Simon Gilbertson, Contour Consultants (the applicant) addressed the committee.

PLANNING DECISIONS COMMITTEE RESOLUTION

Moved: Councillor Jolly

Seconded: Councillor Wade

That a Notice of Decision to Grant a Planning Permit PLN23/0685 be issued for buildings and works to construct a multi-storey, mixed-use building for Restricted retail premises (showroom) and dwellings (the latter of which is as-of-right) and a reduction to the car parking requirements at 4 – 6 Derby Street Collingwood generally in accordance with the “decision plans” and subject to the following conditions:

1. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions, and must be generally in accordance with the decision plans prepared by Bright Studio, Plan no. TP01-TP44 and dated 9 November 2023 but modified to show:
 - (a) The overall building height reduced to a maximum of 20 metres;

- (b) The open living and kitchen area of apartment 4.01 set back a minimum of 1.5 metres from the north and west title boundaries, reducing the podium on the north-west corner to four storeys;
- (c) The balcony of apartment 5.01 set back a minimum of 1.5 metres from the northern title boundary;
- (d) Communal open space in accordance with Standard D7 (Communal open space) and designed to comply with the requirements of Standard D8 (Solar access to communal open space) of Clause 58;
- (e) The materiality of the service cupboards, ensuring it is well integrated into the façade;
- (f) Articulation through vertical panelling, or similar, in tilt garage door material confirmed in the materials schedule, ensuring it is well integrated into the façade;
- (g) Sensor lighting to all pedestrian and vehicular entries;
- (h) The height of the fixed obscure glazing and the depth of the mullion dimensioned on Sectional Overlooking diagrams on TP23 and TP24;
- (i) The tree locations, identification numbers, TPZs and SRZs for all street trees adjacent to the site and a notation to confirm the trees are retained;
- (j) A Sectional drawing of the interface of Apt G.02 and the adjacent car lift, ensuring the bedroom window is completely above the roof line and clear to sky;
- (k) The bedroom window of apartment G.02 as operable;
- (l) Compliance with the Standard D15 (internal views) of Clause 58:
 - (i) from the terrace of apartment 4.02 to the terrace of apartment 3.02;
 - (ii) from the terrace of apartment 5.02 to the terrace of apartment 4.02;
 - (iii) from apartments 5.01, 6.01 and 7.01 to the terrace of apartment 4.01;
 - (iv) from apartments 6.01 and 7.01 to the terrace of apartment 5.01;
 - (v) with sectional diagrams submitted to demonstrate compliance with the standard and any additional screening required to comply shown in plans; and
 - (vi) to account for any built form modifications resulting from Condition 1(a), (b), (c) and (d);
- (m) In accordance with the objective of Standard D18 (Accessibility objective) of Clause 58:
 - (i) notations confirming that the showers are hobless, and where Desing Option B at Table D7 is relied upon, have a removable shower screen; and
 - (ii) any other design changes to account for the built form modifications resulting from Condition 1(a), (b), (c) and (d), ensuring that a minimum of 50% of dwellings comply with Standard D18, or are to the satisfaction of the responsible authority.
- (n) The west-facing windows of the upper-level lobby/corridors with operability.;
- (o) The services located along the frontages of G.01 and G.02 identified as common property;
- (p) A minimum of **50%** of resident and employee parking to be provided as floor mounted horizontal racks, **with a minimum of one space provided for a cargo bike;**
- (q) Four (4) bicycle racks to be allocated to commercial employees;
- (r) All car parking spaces electrically wired to be 'EV ready';
- (s) Clear glazing to the commercial tenancy;

- (t) The chamfer on the north-east corner at ground floor enclosed with glazing, sliding doors, or similar;
 - (u) A South and East Elevation without No. 8 Derby Street shown in the foreground;
 - (v) **The common stairwell to be open or have glazed walls and doors (or similar) where it interfaces with the communal areas and the boundary wall, if possible;**
 - (w) Any changes required to comply with the Condition 15 (Façade Strategy);
 - (x) Any changes required to comply with The Condition 17 (Acoustic Report);
 - (y) Any changes required to comply with The Condition 20 (Sustainable Management Plan);
 - (z) Any changes required to comply with The Condition 23 (Landscaping Plan);
 - (aa) Any changes required to comply with The Condition 25 (Tree Management Plan);
 - (bb) Any changes required to comply with The Condition 27 (Wind Assessment); and
 - (cc) Any changes required to comply with The Condition 29 (Waste Management Plan).
2. The development and use as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
3. As part of the ongoing consultant team, Bright Studio 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.
4. Finished floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.
5. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
- (a) Monday to Friday (excluding public holidays) before 7 am or after 6 pm;
 - (b) Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday) before 9 am or after 3 pm; or
 - (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.
6. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating vehicular access and all pedestrian entries (commercial and residential) 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.
7. 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.

8. 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.
9. 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.

Development Infrastructure Levy

10. Prior to the commencement of the development the Development Infrastructure Levy must be paid to Yarra City Council in accordance with the approved Development Contributions Plan.

Community Infrastructure Levy

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

Use (Restricted Retail premises)

12. Except with the prior written consent of the Responsible Authority, the use of the land for a Restricted Retail Premises authorised by this permit may only operate between the hours of 7am to 10pm, everyday of the week.
13. 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.
14. 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.

Facade Strategy

15. 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 or coloured drawings outlining colours, materials and finishes.
16. The provisions, recommendations and requirements of the endorsed Façade Strategy must be implemented and complied with to the satisfaction of the Responsible Authority.

Acoustic Report

17. Before the development commences, an amended Acoustic Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Acoustic Report will be endorsed and will form part of this permit. The amended Acoustic Report must be generally in accordance with the Acoustic Report prepared by Acoustic Logic and 14 September 2023, but modified to include (or show, or address):
 - (a) The commercial use as Restricted Retail with the recommendations updated accordingly;
 - (b) The operating hours of Restricted Retail premises in accordance with Condition 12;
 - (c) The adopted traffic source spectra (daytime Leq,16h and Leq,1h, plus night-time Leq,8h and Leq,1h), along with descriptions of how these have been determined from the measurement results;
 - (d) The predicted traffic noise levels (daytime Leq,1h, daytime Leq,16h, night-time Leq,1h and Leq,8h) inside the worst-case apartment;
 - (e) The nearest sensitive receivers to the subject site be identified;
 - (f) A formal Noise Protocol and sleep disturbance assessment for the car lift and carpark entry door. The maximum source level (as a sound pressure level at a distance) for the car lift, and other requirements (vibration isolation etc.) specified; and
 - (g) Any changes required to comply with Condition 1.
18. The provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.
19. The use and development must at all times comply with the noise limits specified in the Environment Protection Regulations under the Environment Protection Act 2017 and the incorporated Noise Protocol (Publication 1826.4, Environment Protection Authority, May 2021), as may be amended from time to time.

Sustainable Management

20. 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 GIW and dated 22 September 2023, but modified to include or show:
 - (a) Confirmation that building services will undertake fine tuning each quarter for the first 12 months of occupation;
 - (b) Confirmation that Head Contractor will be ISO 14001 accredited;
 - (c) Confirmation that an environmental management plan to be implemented to council guidelines; and
 - (d) Any changes required to comply with Condition 1.
21. Prior to the occupation of the development approved under this permit, a report from the author of the sustainable management plan, approved pursuant to this permit, or similarly qualified person or company, must be submitted to the Responsible Authority. The report must be to the satisfaction of the Responsible Authority and must confirm that all measures specified in the sustainable management plan have been implemented in accordance with the approved plan.

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

Landscaping Plan

23. 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 Etched and dated September 2023, but modified to include (or show):
- (a) Consistency with the architectural drawings (namely the Level 3 planted area) and the design changes required by Condition 1;
 - (b) A full plant schedule and planting plan;
 - (c) Dimensions and soil depths for planters (though noted in the architectural plans, they should also be detailed in the Landscape Plan); and
 - (d) Confirmation of who is responsible for the maintenance and upkeep of the podium raised planters.
24. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the landscaping works shown on the endorsed Landscape Plan must be carried out and completed to the satisfaction of the Responsible Authority. The landscaping shown on the endorsed Landscape Plan must be maintained by:
- (a) implementing and complying with the provisions, recommendations and requirements of the endorsed Landscape Plan;
 - (b) not using the areas set aside on the endorsed Landscape Plan for landscaping for any other purpose; and
 - (c) replacing any dead, diseased, dying or damaged plants,
- to the satisfaction of the Responsible Authority.

Tree Management Plan

25. Before the development commences, a Tree Management Plan to the satisfaction of the Responsible Authority must be prepared by a suitably qualified Arborist and must be submitted to and approved by the Responsible Authority. When approved the Tree Management Plan will be endorsed and will form part of this permit. The Tree Management Plan must make recommendations for:
- (a) the protection of the street trees along the Derby Street and Langridge Street frontages;
 - (b) pre-construction;
 - (c) during construction; and
 - (d) post construction
 - (e) the provision of any barriers;
 - (f) any pruning necessary; and
 - (g) watering and maintenance regimes,
- to the satisfaction of the Responsible Authority.
26. The provisions, recommendations and requirements of the endorsed Tree Management Plan must be complied with and implemented to the satisfaction of the Responsible Authority.

Wind Assessment

27. Before the development commences, an amended Wind Assessment Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Wind Assessment Report will be endorsed and will form part of this permit. The amended Wind Assessment Report must be generally in accordance with the Wind Assessment Report prepared by MEL Consultants and dated 28 September 2023, but modified to include (or show):
- (a) Any changes required to comply with Condition 1; and
 - (b) That the relevant target criteria be met for the commercial entrance on the north-east corner.
28. The provisions, recommendations and requirements of the endorsed Wind Assessment Report must be implemented and complied with to the satisfaction of the Responsible Authority.

Waste Management Plan

29. 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 21 September 2023, but modified to include:
- (a) Who will be responsible for the collection of hard waste and where it will be collected from;
 - (b) The size of the bin storage area in M2; and
 - (c) Any changes required to comply with Condition 1.
30. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
31. The collection of waste from the site must be by private collection, unless with the prior written consent of the Responsible Authority.

Green Travel Plan

32. Before the development commences, 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) sustainable transport goals linked to measurable targets, performance indicators and monitoring timeframes;
 - (d) a designated 'manager' or 'champion' responsible for coordination and implementation;
 - (e) details of bicycle parking and bicycle routes;
 - (f) details of GTP funding and management responsibilities;
 - (g) the specific design of bicycle storage devices proposed to be used for employee;
 - (h) spaces, including demonstration of their suitability for parking cargo bikes, electric bikes and recumbent bikes;

- (i) the types of lockers proposed within the change-room facilities, with at least 50% of lockers providing hanging storage space;
 - (j) security arrangements to access the employee bicycle storage spaces;
 - (k) signage and wayfinding information for bicycle facilities and pedestrians pursuant to Australian Standard AS2890.3;
 - (l) Reference to a minimum 40A single phase electrical sub circuit should be installed to the car park areas for 'EV readiness'; and
 - (m) provisions for the Green Travel Plan to be updated not less than every 5 years.
33. The provisions, recommendations and requirements of the endorsed Green Travel Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Public realm conditions

34. Before the building is occupied or by such later date as approved in writing by the Responsible Authority, the footpath, kerb and channel along the property's Langridge Street and Little Oxford Street frontages must be reconstructed:
- (a) at the permit holder's cost,
- to the satisfaction of the Responsible Authority.
35. Concurrent with the submission of Condition 1 plans or by such later date as approved in writing by the Responsible Authority, a vehicle crossing design must be submitted to Council's Civil Engineering Department for approval. The submitted design must demonstrate compliance with City of Yarra's, Vehicle Crossing Information Sheet.
36. 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) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
37. Within 2 months of the completion of the development/Before the building/s is/are 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.
38. **Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the power line pole and overhead power wires along the Little Oxford Street frontage relocated to allow the wires to be underground, unless it can be demonstrated that it is not possible.**
39. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.
40. Within 2 months of the completion of the development, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated:
- (a) At the permit holder's cost; and
 - (b) To the satisfaction of the Responsible Authority.
41. All pipes, fixtures, 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.

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

Car Park Management Plan

44. Before the development commences (excluding demotion, bulk excavation and site preparation work), a Car Park Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Car Park Management Plan will be endorsed and will form part of this permit. The Car Park Management Plan must address, but not be limited to, the following:
- (a) the number and location of car parking spaces allocated to each tenancy;
 - (b) any tandem parking spaces allocated to a single tenancy;
 - (c) the number and location of car spaces for shared use, including time of shared use;
 - (d) the number and allocation of storage spaces;
 - (e) policing arrangements and formal agreements;
 - (f) a schedule of all proposed signage including directional arrows and signage, informative signs indicating location of disabled bays and bicycle parking, exits, restrictions, pay parking system etc;
 - (g) the collection of waste and garbage including the separate collection of organic waste and recyclables, which must be in accordance with the Waste Management Plan required by Condition 29; and
 - (h) details regarding the management of loading and unloading of goods and materials.
45. The provisions, recommendations and requirements of the endorsed Car Park Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Construction Management Plan

46. 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; and
 - (v) other relevant considerations,

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

47. 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.

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

Time expiry conditions

49. 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
- (c) The use is not commenced within two years from the date of this permit; or
- (d) The use is discontinued for a period of two years.

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.

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

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

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

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 the development permitted under the permit.

The person in management or control of the site must also provide a copy of any Environmental Audit Statement to any person who proposes to become the person in management or control of the site, such as a potential purchaser.

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

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

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.

CARRIED

6.3 PLN23/0661 - 9 Arthur Street, Fairfield

Reference	D24/114461
Author	Corey Wooldridge - Statutory Planner
Authoriser	Senior Coordinator Statutory Planning
Disclosure	The authoriser, having made enquiries with members of staff involved in the preparation of this report, asserts that they are not aware of any general or material conflicts of interest in relation to the matters presented.

RECOMMENDATION

That the Planning Decisions Committee resolves to issue a Notice of Decision to Grant a Planning Permit PLN23/0661 for construction of two dwellings on a lot at 9 Arthur Street, Fairfield VIC 3078 generally in accordance with the plans and reports noted previously as the “decision plans” and subject to the following conditions:

1. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions, and must be generally in accordance with the decision plans prepared by Taouk Architects, TP_02 – TP_09, dated November 2023 but modified to show:
 - (a) internal elevations of the dwellings (i.e. northern elevation of Dwelling 1 and southern elevation of Dwelling 2);
 - (b) details of screening to the retreat windows with views to internal courtyards or demonstrate compliance with Clause 55.04-7;
 - (c) south elevation of Dwelling 1 and north elevation of Dwelling 2 labelled accordingly;
 - (d) annotation for all habitable room windows to be fixed obscured glazing or further details to be provided as to restricted operability and demonstrate how this achieves compliance with Clause 55.04-6;
 - (e) dimension the width of both garages;
 - (f) the cross-sectional diagram of the vehicle crossing amended to correct the depiction of the kerb and channel and include the level 1m from the edge of the kerb;
 - (g) the materials and finishes schedule updated to include the following:
 - (i) the colour and material of the roof with the colour to be a light grey similar;
 - (ii) clarify whether natural timber or timber look material is proposed, and if timber-look, details of the specific material/product to demonstrate near identical appearance to natural timber and;
 - (iii) imagery of all materials and finishes.
 - (h) the rainwater reuse connections clarified and to be consistent with the Endorsed Sustainable Design Assessment;
 - (i) the permeability of paving within the private open space clarified to address inconsistencies between annotations on plans and the WSUD plan;
 - (j) any changes required by Condition 11 (Endorsed Sustainable Design Assessment);
 - (k) any changes required by Condition 13 (Endorsed Landscape Plan); and
 - (l) any changes required by Condition 15 (Endorsed Tree Management Plan).

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. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
 - (a) Monday to Friday (excluding public holidays) before 7 am or after 6 pm;
 - (b) Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday) before 9 am or after 3 pm; or
 - (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.
4. Before the development is occupied, or by such later date as approved in writing by the Responsible Authority, all screening and other measures to 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.
5. Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, all new on-boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.
6. 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.

Developer Infrastructure Levy

7. Prior to the commencement of the development, the Development Infrastructure Levy must be paid to Yarra City Council in accordance with the approved Development Contributions Plan.

Community Infrastructure Levy

8. Prior to the issue of a building permit, the Community Infrastructure Levy must be paid to Yarra City Council in accordance with the approved Development Contributions Plan.
9. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.
10. Within 2 months of the completion of the development, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated:
 - (a) At the permit holder's cost; and
 - (b) To the satisfaction of the Responsible Authority.

Sustainable Design Assessment (SDA)

11. Before the development commences, an amended Sustainable Design Assessment to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Sustainable Design Assessment will be endorsed and will form part of this permit. The amended Sustainable Design Assessment must be generally in accordance with the Sustainable Design Assessment prepared by Archi Sustainability and dated 27 October 2023, but modified to include or show:
 - (a) the STORM assessment updated to include all impervious surfaces on the site (not only roof area), ensuring that a minimum of 100% STORM rating is achieved; and

- (b) all ESD commitment annotations on plans to be consistent with the ESD commitments within the SDA

12. The provisions, recommendations and requirements of the endorsed Sustainable Design Assessment must be implemented and complied with to the satisfaction of the Responsible Authority.

Landscaping Plan

13. 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) 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; and
- (c) provide a specification of works to be undertaken prior to planting,

to the satisfaction of the Responsible Authority.

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

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

to the satisfaction of the Responsible Authority.

Tree Management Plan

15. Before the development commences, a Tree Management Plan to the satisfaction of the Responsible Authority must be prepared by a suitably qualified Arborist and must be submitted to and approved by the Responsible Authority. When approved the Tree Management Plan will be endorsed and will form part of this permit. The Tree Management Plan must make recommendations for:

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

to the satisfaction of the Responsible Authority.

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

Expiry

17. This permit will expire if:

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

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

Notes

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

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

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

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

A local law permit may be required for tree removal. Please contact Council's Compliance Branch on 9205 5555.

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 5555 for further information.

Public Submissions

The following people addressed the committee:

Sue Zhang, Planning & Property Partners (for the applicant);

Jenny Nabben; and

Bronwyn Percy and Paul Healy.

MOTION

Moved: Councillor Jolly

That the Planning Decisions Committee resolves to issue a Notice of Decision to Grant a Planning Permit PLN23/0661 for construction of two dwellings on a lot at 9 Arthur Street, Fairfield VIC 3078 generally in accordance with the plans and reports noted previously as the "decision plans" and subject to the following conditions:

1. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions, and must be generally in accordance with the decision plans prepared by Taouk Architects, TP_02 – TP_09, dated November 2023 but modified to show:
 - (a) internal elevations of the dwellings (i.e. northern elevation of Dwelling 1 and southern elevation of Dwelling 2);

- (b) details of screening to the retreat windows with views to internal courtyards or demonstrate compliance with Clause 55.04-7;
 - (c) south elevation of Dwelling 1 and north elevation of Dwelling 2 labelled accordingly;
 - (d) annotation for all habitable room windows to be fixed obscured glazing or further details to be provided as to restricted operability and demonstrate how this achieves compliance with Clause 55.04-6;
 - (e) dimension the width of both garages;
 - (f) the cross-sectional diagram of the vehicle crossing amended to correct the depiction of the kerb and channel and include the level 1m from the edge of the kerb;
 - (g) the materials and finishes schedule updated to include the following:
 - (i) the colour and material of the roof with the colour to be a light grey similar;
 - (ii) clarify whether natural timber or timber look material is proposed, and if timber-look, details of the specific material/product to demonstrate near identical appearance to natural timber; and
 - (iii) imagery of all materials and finishes;
 - (h) the rainwater reuse connections clarified and to be consistent with the Endorsed Sustainable Design Assessment;
 - (i) the permeability of paving within the private open space clarified to address inconsistencies between annotations on plans and the WSUD plan;
 - (j) **the first-floor wall of Dwelling 1 to be set back a minimum of 4.34m from the southern boundary;**
 - (k) any changes required by Condition 11 (Endorsed Sustainable Design Assessment);
 - (l) any changes required by Condition 13 (Endorsed Landscape Plan); and
 - (m) any changes required by Condition 15 (Endorsed Tree Management Plan).
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. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
- (a) Monday to Friday (excluding public holidays) before 7 am or after 6 pm;
 - (b) Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday) before 9 am or after 3 pm; or
 - (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.
4. Before the development is occupied, or by such later date as approved in writing by the Responsible Authority, all screening and other measures to 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.
5. Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, all new on-boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.
6. 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.

Developer Infrastructure Levy

7. Prior to the commencement of the development, the Development Infrastructure Levy must be paid to Yarra City Council in accordance with the approved Development Contributions Plan.

Community Infrastructure Levy

8. Prior to the issue of a building permit, the Community Infrastructure Levy must be paid to Yarra City Council in accordance with the approved Development Contributions Plan.
9. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.
10. Within 2 months of the completion of the development, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated:
 - (a) At the permit holder's cost; and
 - (b) To the satisfaction of the Responsible Authority.

Sustainable Design Assessment (SDA)

11. Before the development commences, an amended Sustainable Design Assessment to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Sustainable Design Assessment will be endorsed and will form part of this permit. The amended Sustainable Design Assessment must be generally in accordance with the Sustainable Design Assessment prepared by Archi Sustainability and dated 27 October 2023, but modified to include or show:
 - (a) the STORM assessment updated to include all impervious surfaces on the site (not only roof area), ensuring that a minimum of 100% STORM rating is achieved; and
 - (b) all ESD commitment annotations on plans to be consistent with the ESD commitments within the SDA
12. The provisions, recommendations and requirements of the endorsed Sustainable Design Assessment must be implemented and complied with to the satisfaction of the Responsible Authority.

Landscaping Plan

13. 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) 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) provide a specification of works to be undertaken prior to planting; and
 - (d) **provision of minimum of 8 canopy trees across the site including within the front yards, central yards and rear yards of both dwellings,**to the satisfaction of the Responsible Authority.

LAPSED

PLANNING DECISIONS COMMITTEE RESOLUTION

Moved: Councillor Landes

Seconded: Councillor Wade

That the Planning Decisions Committee resolves to issue a Notice of Decision to Grant a Planning Permit PLN23/0661 for construction of two dwellings on a lot at 9 Arthur Street, Fairfield VIC 3078 generally in accordance with the plans and reports noted previously as the “decision plans” and subject to the following conditions:

1. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions, and must be generally in accordance with the decision plans prepared by Taouk Architects, TP_02 – TP_09, dated November 2023 but modified to show:
 - (a) internal elevations of the dwellings (i.e. northern elevation of Dwelling 1 and southern elevation of Dwelling 2);
 - (b) details of screening to the retreat windows with views to internal courtyards or demonstrate compliance with Clause 55.04-7;
 - (c) south elevation of Dwelling 1 and north elevation of Dwelling 2 labelled accordingly;
 - (d) annotation for all habitable room windows to be fixed obscured glazing or further details to be provided as to restricted operability and demonstrate how this achieves compliance with Clause 55.04-6;
 - (e) dimension the width of both garages;
 - (f) the cross-sectional diagram of the vehicle crossing amended to correct the depiction of the kerb and channel and include the level 1m from the edge of the kerb;
 - (g) the materials and finishes schedule updated to include the following:
 - (i) the colour and material of the roof with the colour to be a light grey similar;
 - (ii) clarify whether natural timber or timber look material is proposed, and if timber-look, details of the specific material/product to demonstrate near identical appearance to natural timber and;
 - (iii) imagery of all materials and finishes.
 - (h) the rainwater reuse connections clarified and to be consistent with the Endorsed Sustainable Design Assessment;
 - (i) the permeability of paving within the private open space clarified to address inconsistencies between annotations on plans and the WSUD plan;
 - (j) any changes required by Condition 11 (Endorsed Sustainable Design Assessment);
 - (k) any changes required by Condition 13 (Endorsed Landscape Plan); and
 - (l) any changes required by Condition 15 (Endorsed Tree Management Plan).
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. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
 - (a) Monday to Friday (excluding public holidays) before 7 am or after 6 pm;
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(c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.

4. Before the development is occupied, or by such later date as approved in writing by the Responsible Authority, all screening and other measures to 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.
5. Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, all new on-boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.
6. 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.

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Community Infrastructure Levy

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10. Within 2 months of the completion of the development, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated:
 - (a) At the permit holder's cost; and
 - (b) To the satisfaction of the Responsible Authority.

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- (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) provide a specification of works to be undertaken prior to planting;
 - (d) provision of minimum of 8 canopy trees across the site including within the front yards, central yards and rear yards of both dwellings,**
- to the satisfaction of the Responsible Authority.
14. Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, the landscaping works shown on the endorsed Landscape Plan must be carried out and completed to the satisfaction of the Responsible Authority. The landscaping shown on the endorsed Landscape Plan must be maintained by:
- (a) implementing and complying with the provisions, recommendations and requirements of the endorsed Landscape Plan;
 - (b) not using the areas set aside on the endorsed Landscape Plan for landscaping for any other purpose; and
 - (c) replacing any dead, diseased, dying or damaged plants.
- to the satisfaction of the Responsible Authority.

Tree Management Plan

15. Before the development commences, a Tree Management Plan to the satisfaction of the Responsible Authority must be prepared by a suitably qualified Arborist and must be submitted to and approved by the Responsible Authority. When approved the Tree Management Plan will be endorsed and will form part of this permit. The Tree Management Plan must make recommendations for:
- (a) the protection of (specify which trees) trees;
 - (b) pre-construction;
 - (c) during construction;
 - (d) post construction;
 - (e) the provision of any barriers;
 - (f) any pruning necessary; and
 - (g) watering and maintenance regimes,
- to the satisfaction of the Responsible Authority.
16. The provisions, recommendations and requirements of the endorsed Tree Management Plan must be complied with and implemented to the satisfaction of the Responsible Authority.

Expiry

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

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

Notes

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

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

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

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

A local law permit may be required for tree removal. Please contact Council's Compliance Branch on 9205 5555.

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 5555 for further information.

CARRIED

The meeting closed at 7.53pm

Confirmed at the meeting held on Tuesday 28 May 2024

Chair