



Minutes

Planning Decisions Committee Meeting

6:30 pm, Tuesday 9 December 2025

Fitzroy Town Hall



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1. Acknowledgement of Country

“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.”

2. Attendance, apologies and requests for leave of absence

Attendance

Councillors:

- Cr Sharon Harrison Deputy Mayor
- Cr Evangeline Aston
- Cr Edward Crossland
- Cr Andrew Davies
- Cr Kenneth Gomez
- Cr Meca Ho
- Cr Sophie Wade

Apologies

- Cr Stephen Jolly Mayor
- Cr Sarah McKenzie

Council staff:

- Sue Wilkinson Chief Executive Officer
 - Mary Osman General Manager City Sustainability and Strategy
 - Danielle Connell Manager Statutory Planning (Acting)
 - Ally Huynh Senior Coordinator Statutory Planning
 - John Theodosakis Principal Planner
 - Nish Goonetilleke Principal Statutory Planner
 - Kyle Everett Senior Strategic Planner
- Governance
- Phil De Losa Manager Governance and Integrity
 - Patrick O’Gorman Senior Governance Coordinator
 - Mel Nikou Governance Officer

3. Declarations of Conflict of Interest

Cr Aston, Cr Crossland, Cr Davies, Cr Gomez, Cr Harrison, Cr Ho, Cr Wade declared that they had familiarised themselves with the matters being presented to this meeting and that they do not have a conflict of interest.

4. Confirmation of Minutes

PLANNING DECISIONS COMMITTEE RESOLUTION

Moved: Councillor Crossland

Seconded: Councillor Gomez

That the minutes of the Planning Decisions Committee held on Tuesday 25 November 2025 be confirmed.

CALL FOR A DIVISION

For: Councillor Harrison, Councillor Aston, Councillor Crossland, Councillor Davies, Councillor Gomez, Councillor Ho and Councillor Wade

Against: Nil

CARRIED UNANIMOUSLY

5. Planning Committee Reports

5.1. – PLN25/0361 - 20 Coate Avenue, Alphington

Author	Joshua Broberg – Senior Planner Statutory Planning
Authoriser	General Manager City Sustainability and Strategy

Officer Recommendation

Start time: 6.35pm.

That having considered all objections and relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant Planning Permit PLN25/0361 at 20 Coate Avenue, Alphington for:

Control	Clause	Matter for which the permit has been granted
Neighbourhood Residential Zone	32.09-7	To construct two or more dwellings on a lot
Special Building Overlay	44.05-2	To construct a building or to construct or carry out works
Car Parking	52.06-3	To reduce the number of car parking spaces required under Clause 52.06-5

subject to the following conditions:

Amended Plans

- 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 and dated August 2025, but modified to show:
 - All permeable paving clearly noted on plans;
 - The proposed front fence alignment amended to allow for the retention of tree 3;
 - Dimension the headroom clearances of the garage doorways;
 - Nominate the location of external lighting to the internal accessways;
 - All fencing within the area of subject land located within the Special Building Overlay area to be timber paling;
 - All boundary fencing to have a maximum visual transparency of 25%;
 - A notation of all reuse connections on each rainwater tank;
 - Materials palette to ensure the render finishes are not too reflective;
 - Any changes in accordance with Conditions 5-9 (Melbourne Water);

- (j) Any changes in accordance with Condition 10 (Water Sensitive Urban Design Report);
- (k) Any changes in accordance with, Condition 12 (Landscape Plan);
- (l) Any changes in accordance with Condition 14 (Tree Management Plan); and
- (m) Any changes in accordance with Condition 17 (Waste Management Plan).

Development Conditions

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

Melbourne Water Conditions (Conditions 5-9)

- 5. Prior to the endorsement of plans under this permit, amended plans to the satisfaction of Melbourne Water and Council must be submitted to and approved by Melbourne Water and Council. The plans must be generally in accordance with the plans submitted with the application but modified to include:
 - (a) The deletion or relocation of the proposed retaining wall outside of the Special Building Overlay.
- 6. The dwellings must be constructed with finished floor levels set no lower than 21.66 metres to Australian Height Datum (AHD), which is 300mm above the applicable flood level of 21.36 metres to AHD.
- 7. The garages must be constructed with finished floor levels set no lower than the applicable flood level of 21.36 metres to Australian Height Datum (AHD).
- 8. The layout of buildings and works as shown on the plans must not be altered without prior written consent from Melbourne Water.
- 9. Any new fencing or gates must be of an open/permeable style (minimum 50% permeable) or of a timber paling construction to allow for the passage of floodwater.

Water Sensitive Urban Design Report

- 10. Concurrent with the submission of Condition 1 Plans, an amended Water Sensitive Urban Design Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Water Sensitive Urban Design Report will be endorsed and will form part of this permit. The amended Water Sensitive Urban Design Report must be generally in accordance with the Water Sensitive Urban Design Report prepared by Melbourne Sustainability Consultants and dated 12 May 2025 but modified to include:
 - (a) Any changes required under Condition 1.

11. The provisions, recommendations and requirements of the endorsed Water Sensitive Urban Design Report must be implemented and complied with to the satisfaction of the Responsible Authority.

Landscape Plan

12. Concurrent with the submission of Condition 1 Plans, 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 John Patrick Landscape Architects and dated 21 July 2025 but modified to include:
- (a) Any changes required under Condition 1;
 - (b) The proposed canopy cover calculations to exclude any canopy areas beneath a cantilevered or overhanging built form or structure;
 - (c) Deep soil area calculations to exclude hard-paved surfaces; and
 - (d) More detailed information on maintenance and irrigation.
13. 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

14. Concurrent with the submission of Condition 1 Plans, 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 be prepared in accordance with the recommendations within the Arboricultural Assessment and Report by Stem Arboriculture, dated 21 July 2025, and include recommendations for:
- (a) Any changes required under Condition 1;
 - (b) the protection of all neighbouring trees and street trees (except tree 4):
 - (i) pre-construction;
 - (ii) during construction; and
 - (iii) post construction;
 - (c) protection measures in relation to the proposed footpath upgrade.
 - (d) the provision of any barriers;

- (e) any pruning necessary; and
 - (f) watering and maintenance regimes,
- To the satisfaction of the Responsible Authority.

15. The provisions, recommendations and requirements of the endorsed Tree Management Plan must be complied with and implemented to the satisfaction of the Responsible Authority.
16. Before the development commences, the permit holder must make a one-off contribution of \$5,366 (inclusive of GST and subject to annual CPI increase) to the Responsible Authority to be used for replacement street tree plantings that are required as a result of the development.

Waste Management Plan

17. Concurrent with the submission of Condition 1 Plans, 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 Traffix Group and dated July 2025, but modified to include:
 - (a) Any changes required under Condition 1.
18. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Engineering and Infrastructure

19. Before the buildings are occupied or by such later date as approved in writing by the Responsible Authority, the footpath along the property's Coate Avenue frontage must be reconstructed in concrete:
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
 20. 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. Refer to Notes (below) for lodgement details.
 21. Before the buildings are 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.
 22. Before the buildings 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 footpath, verge (if applicable), and kerb and channel:
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
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23. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.
24. Within 2 months of the completion 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) In accordance with Yarra Standard Drawings | Yarra City Council;
 - (b) At the permit holder's cost; and
 - (c) To the satisfaction of the Responsible Authority.

Construction Management Required

25. 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; and
- (o) the provision of a traffic management plan to comply with provisions of AS 1742.3-2002 Manual of uniform traffic control devices - Part 3: Traffic control devices for works on roads.

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.

General Conditions

- 26. 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.
 - 27. 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.
 - 28. Any new dwelling development allowed by this permit must not be connected to a reticulated gas service (within the meaning of Clause 53.03 of the relevant planning scheme). This condition continues to have force and effect after the development authorised by this permit has been completed.
 - 29. The 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.
 - 30. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating internal accessways and dwelling entrances must be provided within the property boundary. Lighting must be:
 - (a) Located;
 - (b) Directed;
 - (c) Shielded; and
 - (d) Of limited intensity,To the satisfaction of the Responsible Authority.
 - 31. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
 - (a) Monday-Friday (excluding public holidays) before 7 am or after 6 pm,;
 - (b) Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday) before 9 am or after 3 pm; or
 - (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.
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Permit Expiry

32. This permit will expire if:

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

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

Notes:

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.

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

Legal duties and obligations to protect human health and the environment from pollution and waste are set out in the *Environment Protection Act 2017*. Please refer to the Environment Protection Authority Victoria website www.epa.vic.gov.au/meeting-your-obligations for more information on identifying potential contamination and complying with your duty to manage contaminated land under the *Environment Protection Act 2017*.

All property owners or occupiers and all future businesses (whether as owners, lessees/tenants, occupiers) within a development approved under this planning permit, will not be eligible for residential, business or visitor parking permits unless the development has heritage controls where parking would adversely affect the integrity of the heritage place, or if there's no increase in occupancies and the development does not reduce existing on-site parking. For more information refer to www.yarracity.vic.gov.au/residents/transport/parking/parking-permits.

In accordance with the Yarra Planning Scheme, an 8.65% public open space contribution will apply in the event of the subdivision of the land.

Engineering Notes

The site stormwater must be directed to the nominated legal point of discharge (LPD) and shall be limited to equivalent pre-development levels or 70% impervious coverage, whichever is lowest, for a 20% AEP rainfall event.

The development must detain onsite, at a minimum, the 10% AEP storm event. For cases where a safe overland flow path cannot be provided or where flows exceeding pipe capacity may impact the development or adjacent, upstream, or downstream properties, the requirement will be to detain the 1% AEP storm event.

For the submission of plans pursuant to Condition 20, please submit these to info@yarracity.vic.gov.au marked attention to Engineering Services.

All redundant property drain outlets are to be demolished and reinstated to Council's satisfaction and at the Permit Holder's cost.

Any service poles, structures or pits located within the public realm areas that interfere with the proposal, must be adjusted accordingly:

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

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

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

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

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

Public Submissions

The following people addressed the Committee:

Sue Zhang, Zen Planning Solutions (Applicant); and

Ann Boyapati.

PLANNING DECISIONS COMMITTEE RESOLUTION**Moved:** Councillor Wade**Seconded:** Councillor Crossland

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 - (f) All boundary fencing to have a maximum visual transparency of 25%;
 - (g) A notation of all reuse connections on each rainwater tank;
 - (h) Materials palette to ensure the render finishes are not too reflective;
 - (i) **A minimum of one at grade bicycle parking space (i.e. horizontal with two wheels on the ground) to be accommodated per dwelling;**
 - (j) Any changes in accordance with Conditions 5-9 (Melbourne Water);
 - (k) Any changes in accordance with Condition 10 (Water Sensitive Urban Design Report);
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 - (iii) post construction;
 - (c) protection measures in relation to the proposed footpath upgrade.
 - (d) the provision of any barriers;
 - (e) any pruning necessary; and
 - (f) watering and maintenance regimes,
- To the satisfaction of the Responsible Authority.
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15. The provisions, recommendations and requirements of the endorsed Tree Management Plan must be complied with and implemented to the satisfaction of the Responsible Authority.
16. Before the development commences, the permit holder must make a one-off contribution of \$5,366 (inclusive of GST and subject to annual CPI increase) to the Responsible Authority to be used for replacement street tree plantings that are required as a result of the development.

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 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
23. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.

24. Within 2 months of the completion 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) In accordance with Yarra Standard Drawings | Yarra City Council;
- (b) At the permit holder's cost; and
- (c) To the satisfaction of the Responsible Authority.

Construction Management Required

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 - (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;
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 - (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;
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- (n) an emergency contact that is available for 24 hours per day for residents and the Responsible Authority in the event of relevant queries or problems experienced; and
- (o) the provision of a traffic management plan to comply with provisions of AS 1742.3-2002 Manual of uniform traffic control devices - Part 3: Traffic control devices for works on roads.

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.

General Conditions

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- 27. 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.
- 28. Any new dwelling development allowed by this permit must not be connected to a reticulated gas service (within the meaning of Clause 53.03 of the relevant planning scheme). This condition continues to have force and effect after the development authorised by this permit has been completed.
- 29. The 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.
- 30. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating internal accessways and dwelling entrances must be provided within the property boundary. Lighting must be:
 - (a) Located;
 - (b) Directed;
 - (c) Shielded; and
 - (d) Of limited intensity,To the satisfaction of the Responsible Authority.
- 31. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
 - (a) Monday-Friday (excluding public holidays) before 7 am or after 6 pm,;
 - (b) Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday) before 9 am or after 3 pm; or
 - (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.

Permit Expiry

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

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

Notes:

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.

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

Legal duties and obligations to protect human health and the environment from pollution and waste are set out in the *Environment Protection Act 2017*. Please refer to the Environment Protection Authority Victoria website www.epa.vic.gov.au/meeting-your-obligations for more information on identifying potential contamination and complying with your duty to manage contaminated land under the *Environment Protection Act 2017*.

All property owners or occupiers and all future businesses (whether as owners, lessees/tenants, occupiers) within a development approved under this planning permit, will not be eligible for residential, business or visitor parking permits unless the development has heritage controls where parking would adversely affect the integrity of the heritage place, or if there's no increase in occupancies and the development does not reduce existing on-site parking. For more information refer to www.yarracity.vic.gov.au/residents/transport/parking/parking-permits.

In accordance with the Yarra Planning Scheme, an 8.65% public open space contribution will apply in the event of the subdivision of the land.

Engineering Notes

The site stormwater must be directed to the nominated legal point of discharge (LPD) and shall be limited to equivalent pre-development levels or 70% impervious coverage, whichever is lowest, for a 20% AEP rainfall event.

The development must detain onsite, at a minimum, the 10% AEP storm event. For cases where a safe overland flow path cannot be provided or where flows exceeding pipe capacity may impact the development or adjacent, upstream, or downstream properties, the requirement will be to detain the 1% AEP storm event.

For the submission of plans pursuant to Condition 20, please submit these to info@yarracity.vic.gov.au marked attention to Engineering Services.

All redundant property drain outlets are to be demolished and reinstated to Council's satisfaction and at the Permit Holder's cost.

Any service poles, structures or pits located within the public realm areas that interfere with the proposal, must be adjusted accordingly:

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

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

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

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

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

CALL FOR A DIVISION

For: Councillor Harrison, Councillor Aston, Councillor Crossland, Councillor Davies, Councillor Gomez, Councillor Ho and Councillor Wade

Against: Nil

CARRIED UNANIMOUSLY

6. DTP Applications

6.1. – PPE25/0455 - 433 Smith Street, Fitzroy North

Author	Erryn Megennis – Senior Statutory Planner
Authoriser	General Manager City Sustainability and Strategy

Officer Recommendation

Start time: 6.54pm

That Council:

1. Note the officer report and the application material.
2. Write to the DTP outlining the following concerns with the proposed development of Parcels B and C – Fitzroy Gasworks required to be addressed prior to any approval being granted:
 - (a) The proposed building heights and setbacks are not generally in accordance with the Development Plan and will have unreasonable amenity impacts on the existing and future public realm;
 - (b) The sheer design of the buildings and inappropriate massing will result in unacceptable overshadowing and visual bulk impacts on the surrounding and proposed public realm;
 - (c) There are unresolved vehicle access and safety issues as detailed in the Traffic Engineering referral comments;
 - (d) The current proposed public ownership of Gore Street extension is not supported given the extensive issues raised with its current design. The Gore Street extension road reserve must be redesigned in accordance with Council's standards. If not, Gore Street extension to be privately owned and managed;
 - (e) The public realm response is deficient and requires further improvement, in accordance with the recommended public realm plan conditions;
 - (f) There are unresolved drainage issues as detailed in the Engineering referral comments which will need to be addressed prior to the submission of Condition 1 Plans;
 - (g) Wind Impacts – The wind report should be independently reviewed and should confirm acceptable wind conditions (i.e. standing comfort at minimum) to Wurundjeri Biik and other areas of the public realm);
 - (h) A detailed assessment against Clause 58 – Apartment Developments is required to ensure satisfactory amenity for future occupants; and
 - (i) Noise impacts – The acoustic reports should be independently reviewed to ensure compliance with the Environment Protection Regulations under the Environment Protection Act 2017 and the incorporated Noise Protocol (Publication 1826.4, Environment Protection Authority, May 2021 for proposed dwellings as well as existing dwellings.

3. Notwithstanding the above, if the Department of Transport and Planning is of the mind to issue a permit, then the following conditions should be included:

ConditionsDevelopment 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 and generally in accordance with the decision plans prepared by Fieldwork, Revision D dated 7 November 2025 (Parcel B) and Architectus (in collaboration with Studio Bright, Fieldwork, Kennedy Nolan, Breathe, Woods Bagot and Freadman White), Revision TP01 dated 1 July 2025 (Parcel C):
 - (a) Provide a copy of the survey plan, including a features and levels survey and title reestablishment surveys;
 - (b) Maximum building heights for Parcel B, Buildings SE and SW and Parcel C, Buildings A, B, E and F reduced to achieve full compliance with the endorsed Development Plan (DP);
 - (c) Maximum building heights, from natural ground level dimensioned on all elevations;
 - (d) All buildings provided with upper level setbacks and podium heights in accordance with the DP;
 - (e) Amended building heights and envelopes for Parcel B, Building NE and Parcel C, Buildings A, B, E and F to achieve the following:
 - (i) No overshadowing from the development of Parcels B & C on the eastern footpath of Smith Street from the kerb before 2pm at the September 22 Equinox; and
 - (ii) No additional overshadowing from the development of Parcels B & C on the western interfacing Wurundjeri Biik Parklands over that contemplated by the endorsed Development Plan after 10am at the September 22 Equinox.
 - (f) Remove basements from underneath all future, Council-owned land;
 - (g) For Parcel B buildings:
Smith Street frontage:
 - (i) Provide a 2700mm wide continuous unobstructed pedestrian path along Smith Street, between the edge of footpath tree cut outs and edge of planted areas and bike hoop (clearance space);
 - (ii) Provide a minimum 5m long clear pedestrian circulation/waiting space (north/south) along the building line to Smith Street back of kerb, at the southern section of Smith Street (by the corner to Alexandra Parade); and
 - (iii) Provide a splay to the northeast corner of 'NE building' providing a minimum 3000mm wide clear pedestrian connection between Smith Street to Borat Street;
 - (h) For Parcel C buildings:
Smith Street frontage:

- (i) Provide a 2000mm wide continuous unobstructed pedestrian path along the Smith Street interface, between the edge of footpath tree cut outs and edge of planted areas, bike hoop (clearance space) and feature stone edges within the subject site;

Queens Parade frontage:

- (i) Provide a continuous ground floor set back minimum 500mm from the title boundary;
- (ii) Modify columns (ground floor only) to accommodate 500mm setback from title boundary;
- (iii) Setback features within Angpohora Courtyard (central courtyard fronting Queens Pde) minimum 500mm from the title boundary; and
- (iv) Modify columns (ground floor only) to accommodate 500mm setback from title boundary;

Wurundjeri Biik frontage:

- (i) Ground floor terraces (POT) of Building D and Building C (where no north south path within title is provided) to be flush with the title boundary and have no private entry directly onto public open space; and
- (ii) The north south path connection abutting the public open space to have solid surface of unit paving (no individual unit paving set with intermitted ground cover planting) up to the title boundary;

East-west link between Wurundjeri Biik & Borat Street:

- (i) Provide a continuous, straight, 2.5m wide unobstructed pedestrian link in an east-west direction between Wurundjeri Biik and Borat Street; and
 - (ii) Relocate the CP air intake away and clear of the pedestrian link
- (i) Clear delineation (through surface treatments) of public and private land;
 - (j) Visitor bicycle parking spaces increased to 275;
 - (k) Parcel B residential bicycle parking on lower Basement 2 level relocated to ground level;
 - (l) Further details on bicycle parking spaces as follows:
 - (i) All visitor bicycle parking spaces clearly identified on the plans, with dimensions;
 - (ii) Annotate type of bicycle parking space for each of the employee, resident and visitor space, ensuring appropriate mechanisms having regard to AS2890.3;
 - (iii) Dimension the width of access paths to all bicycle parking areas;
 - (iv) Justify the 400mm spacing of two-tier bicycle racks in accordance with Clause 3.3 of AS2890.3;
 - (v) Dimensions of each bicycle storage area including ground level (bicycle store containing 7 floor-mounted bike racks);
 - (vi) Identify security measures for each bicycle storage area confirming they are lockable compounds; and
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- (vii) All dimensions to ensure compliance with AS2890.3;
 - (m) Sightline triangles to the three vehicle access points on Smith Street (Parcel B site access, Borat Street, Parcel C site access), in accordance with the relevant Australian Standards and Guidelines;
 - (n) Any changes as a result of the Façade Strategy and Materials and Finishes Plan (Condition 4);
 - (o) Any changes as a result of the amended Public Realm Function Layout Plan (Conditions 5 and 6);
 - (p) Any changes as a result of the amended Sustainable Management Plan (Conditions 12 and 13);
 - (q) Any changes as a result of the amended Landscape Plans (Condition 18);
 - (r) Any changes as a result of the amended Wind Report (Condition 20); and
 - (s) Any changes a result of the Traffic Engineering Assessment (Condition 39).
2. The uses and development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
3. As part of the ongoing progress and development of the site, Fieldwork (Parcel B & Parcel C, Building B); Studio Bright Architects (Parcel C, Building A); Kennedy Nolan (Parcel C, Building C); Breathe (Parcel C, Building D); Woods Bagot (Parcel C, Building E) & Freadman White (Parcel C, Building F) or another architectural firm to the satisfaction of the Responsible Authority must be engaged to:
- (a) Oversee the design and construction of the development; and
 - (b) Ensure the design quality and appearance of the development is realised as shown in the endorsed plans or otherwise to the satisfaction of the Responsible Authority.

Façade Strategy and Materials and Finishes Plan

4. Concurrent with the submission of Condition 1 Plans, a Façade Strategy and Materials and Finishes 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 document. This must detail:
- (a) Section drawings to demonstrate façade systems, including fixing details and joints between materials or changes in form;
 - (b) Elevations at a scale of 1:20 or 1:50 illustrating typical podium and tower details, entries and doors, bike parking areas, service areas of all buildings;
 - (c) Details of all services and design treatment of these to be incorporated into the overall design composition of the building; and
 - (d) Provide separate renders for each building, outlining colours, materials and finishes and graffiti proofing of walls to the street, including doors, perforations and upper levels (where necessary) with information about how each façade will be maintained.

Public Realm

5. Concurrent with the submission of Condition 1 plans, or by such later date as approved in writing by Yarra City Council, a Public Realm Function Layout Plan for Parcel B must be prepared, submitted and approved by Yarra City Council. When approved, the plan will be endorsed and will then form part of the permit. The Public Realm Functional Layout Plan must show, but not be limited to, the following:
- (a) Consistency with the Condition 1 Plans and Landscape Plans;
 - (b) Re-sheet and demonstrate DDA compliance for all footpaths along all street frontages;
 - (c) Wayfinding and signage strategy to be provided and implemented;
 - (d) Security gates to be located to ensure all publicly accessible areas have unobstructed view-lines and maximum passive surveillance;
 - (e) For the Smith Street frontage:
 - (i) Provide ten (10) street trees planted in footpath cut outs along Smith Street back of kerb;
 - (ii) Street trees to be planted in footpath cut outs 1000mm wide (from back of kerb) and 1200mm long as per Council Standard Detail YSD803(b);
 - (iii) Street tree cut outs to have bonded resin ('bonded aggregate') surfacing;
 - (iv) Street tree species to be *Tristaniopsis laurina* 'Luscious';
 - (v) Building awnings at the intersection of Smith Street and Alexandra Parade to have no gaps (awning infill to articulate the architectural intent whilst providing continuous overhead pedestrian weather protection);
 - (vi) Ten (10) visitor bike hoops to be relocated from along the building line within title, to be parallel with the kerb and aligned with the street trees. Any clear spaces created along the building line to be kept clear of fixtures or garden beds. No additional bike hoops to be added along the Smith Street interface;
 - (vii) Cargo bike parking to be located at the main entrance thresholds where space allows and without obstructing pedestrian paths;
 - (viii) Integrate two (2) timber bench seats (Council standard public domain seats) along the Smith Street frontage, aligned with the street trees;
 - (ix) Provide a splay to the northeast corner of 'NE building' providing a minimum 3000mm wide clear pedestrian connection between Smith Street to Borat Street;
 - (x) Borat Street vehicle crossing to be raised and flush with the footpath and have sawn bluestone paving threshold, a clear visual delineation with bluestone, and continue the footpath paving treatment (vehicle grade) across the crossover;
 - (xi) Vehicle crossover to the basement car park to be designed with pedestrian priority, have clear visual delineation with sawn bluestone paving, and continue the footpath paving treatment (vehicle grade) across the crossover; and
 - (xii) Clear delineation to be provided between public and private land;
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- (f) For the Alexandra Parade frontage:
 - (i) Remove the three western building awnings (along the supermarket street wall).
 - (ii) Building awnings at the intersection Smith Street to Alexandra Parade to have no gaps (awning infill can articulate the architectural intent whilst providing continuous overhead pedestrian weather protection).
 - (iii) Paving within setback spaces along the street frontage to be unit paving to create a clear delineation between public and private land.
 - (iv) Integrate planters along minimum 50% of the length of the street interface.
 - (g) For the Gore Street extension frontage:
 - (i) Combine all assumed vehicles swept paths in one consolidated diagram describing all expected vehicle movements along the street including from Parcel A, and provide detailed description of safety measures to mitigate any risk for conflict including but not limited between; vehicles, cyclists and pedestrians;
 - (ii) The crossovers to the loading dock and basement car park to be combined, providing measures to ensure safe operation between loading vehicles and passenger vehicles;
 - (iii) Vehicle crossover to the basement car park / loading dock to be designed with pedestrian priority, have clear visual delineation with bluestone, and continue the footpath paving treatment (vehicle grade) across the crossover;
 - (iv) If vehicle crossover is not raised, provide pram ramps for pedestrians moving across this access point;
 - (v) Security gates to vehicle entry points to be in line with the title boundary;
 - (vi) Provide additional planters (with vertical greenery) integrated with built form along the building line within title; and
 - (vii) Substation doors to open 180 Degrees and have latches to not obstructing footpath;
 - (h) For the Borat Street frontage:
 - (i) Redistribute minimum 30% of the proposed visitor bike parking (hoops) from Borat Street to key entrance thresholds within the building (not Smith Street frontage);
 - (ii) Position bike hoops along Borat Street to ensure parked bikes do not obstruct the minimum 1500mm clear pedestrian path along the building line;
 - (iii) Remove the narrow angles of garden beds abutting Smith Street and square off corner the corners;
 - (iv) Set back any fixed features (within title) or planting along 'Gasworks Commons' interface to Borat Street minimum 600mm from the title boundary;
 - (v) Reconfigure the northwest building setback space, to be open to Borat Street, remove the freestanding seat located along the title boundary and relocate the booster away from this space and integrated the booster within built form, provide door openings from the adjacent F&B tenancy; and
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- (vi) If the Borat Street interface to Smith Street has a raised threshold, review and adjust accordingly the line marking to avoid having it on the ramp component of the threshold and not on any bluestone or brick pavement material. If not providing a raised threshold, then appropriate pram ramps are to be shown for pedestrians crossing at this intersection;
 - (i) Bespoke materials must not be used along any of the Council road reserves, existing or proposed, and all materials should be in accordance with Council's standard materials policy;
 - (j) Provide cross-sectional diagrams every pedestrian entrance interfacing a Public Highway (to include profiles and levels of DDA designed footpaths superimposed with existing footpath profiles); and
 - (k) Proposed pedestrian and vehicle access points from the public land must be at grade with the existing/proposed public realm finished surface levels.
- 6. Concurrent with the submission of Condition 1 plans, or by such later date as approved in writing by the Yarra City Council, a Public Realm Function Layout Plan for Parcel C of all public infrastructure improvements must be prepared, submitted and approved by the Yarra City Council. When approved, the plan will be endorsed and will then form part of the permit. The Public Realm Functional Layout Plan must show, but not be limited to, the following:
 - (a) Consistency with the Condition 1 Plans and Landscape Plans;
 - (b) Re-sheet and demonstrate DDA compliance for all footpaths along all street frontages;
 - (c) External visitor bike parking (hoops) layouts and quantities shown on landscape plans take precedence over other documentations;
 - (d) Wayfinding and signage strategy to be provided and implemented;
 - (e) Security gates to be located to ensure all publicly accessible areas have unobstructed view-lines and maximum passive surveillance;
 - (f) Review and coordinate visitor bike parking (hoops) numbers with hoops external to the site, show quantity of visitor bike parking (hoops) on plan to demonstrate coordination;
 - (g) For the Smith Street frontage:
 - (i) Provide eight (8) street trees planted in foot path cut outs along Smith Street back of kerb (indicatively; five south of the proposed vehicle crossover and three to the north), coordinated with existing and proposed trees within the subject site street frontage;
 - (ii) Street tree footpath cut outs to be 1000mm wide and 1200mm long as per Council Standard Detail YSD803(b);
 - (iii) Street tree cut outs to have bonded resin ('bonded aggregate') surfacing;
 - (iv) Street tree species to be *Tristaniopsis laurina* 'Luscious';
 - (v) Ten (10) visitor bike hoops located in the internal courtyard areas within the title to be relocated to the Smith Street frontage, parallel with the kerb and

- aligned with the street trees. Any clear space created within the site should be landscaped or paved accordingly;
- (vi) Integrate two (2) timber bench seats (Council standard public domain seats) along the frontage, aligned with the street trees;
 - (vii) Borat Street vehicle threshold to be raised and flush with the footpath and have sawn bluestone pitchers, and have clear visual delineation with bluestone, and continue the footpath paving treatment (vehicle grade) across the crossover;
 - (viii) Vehicle crossover to the basement car park to be designed with pedestrian priority, have clear visual delineation with bluestone, and continue the footpath paving treatment (vehicle grade) across the crossover;
 - (ix) Clear delineation between public and private land at the threshold between Smith Street and Borat Street;
 - (x) Integrate additional raised edges and additional bluestone logs (FN01) at all corner garden beds for protection;
 - (xi) Remove any awning that is not directly protecting any pedestrian;
 - (xii) Integrate seating elements with back and armrests in the southeast corner threshold within the site; and
 - (xiii) Re-sheet and make DDA compliant the full extent of the subject site Smith Street footpath frontage;
- (h) For the Queens Parade frontage:
- (i) Relocate bike hoops at the northeast corner interfacing to Smith Street in lieu of feature element(s) such as an artwork;
- (i) For the Wurundjeri Biik frontage:
- (i) Any planted area abutting the public open space to have raised edges (no timber edges) and clearly define the title boundary alignment;
 - (ii) Any planted area abutting the public open space must have maintenance access from within the private title;
 - (iii) Ground floor terraces (POT) directly abutting the public open space must have integrated planter boxes with vegetation screening to buffer to the public open space; and
 - (iv) The south-west corner landscape area to have raised edges (not timber) around any planted areas and provide pedestrian connections into and through the public open space linking with the as-built public space layout;
- (j) For the Borat Street frontage:
- (i) Reconfigure and reduce by 1/3 the length of bike storage wall abutting the street;
 - (ii) Remove any features protruding into the public footpath, unobstructed width to be minimum 1500mm; and
 - (iii) Set any landscape fixtures clear a minimum 500mm from edge of footpath within title to prevent overhang and footpath obstructions;
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- (k) For the east-west link between Wurundjeri Biik & Borat Street:
 - (i) Reconfigure and reconstruct (at the cost of the applicant) the public space path alignment outside title within the public open space (Wurundjeri Biik) to form clear pedestrian path connections to the sport centre and the school, to ultimate responsible authority satisfaction; alternatively reconfigure building footprints to locate the pedestrian link further north aligning with the built open space east-west pedestrian path connection.
 - (l) Bespoke materials must not be used along any of the Council road reserves, existing or proposed, and all materials should be in accordance with Council's standard materials policy;
 - (m) Provide cross-sectional diagrams every pedestrian entrance interfacing a Public Highway (to include profiles and levels of DDA designed footpaths superimposed with existing footpath profiles); and
 - (n) Proposed pedestrian and vehicle access points from the public land must be at grade with the existing/proposed public realm finished surface levels.
- 7. Before the development commences (excluding site preparations, demolition and bulk excavation), or by such later date as approved in writing by the Responsible Authority, detailed design drawings of the works approved under the Public Realm Functional Layout Plans (as required by Conditions 5 and 6) addressing all civil and landscape / streetscape works must be submitted to and approved by Council's Civil Engineering and Strategic Project, Parks and Open Space Departments. Once approved, the detailed design drawings will be endorsed and will then form part of the permit.
- 8. Before the last building of either Parcels B or C (whichever occurs last) is occupied, all associated works shown on the endorsed detailed design plans for the public realm (as required by Condition 7 must be fully constructed and completed to the satisfaction of the Council's Civil Engineering Department and at no cost to the Responsible Authority.
- 9. Before the buildings are occupied or by such later date as approved in writing by the Responsible Authority, the footpath along the property's Smith Street, Queens Pde and Alexander Pde frontages must be reconstructed in /asphalt:
 - (a) At the permit holder's cost; and
 - (b) To the satisfaction of the Responsible Authority.
- 10. Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, the kerb and channel along the property's Smith Street, Queens Pde and Alexander Pde frontages must be reconstructed:
 - (a) At the permit holder's cost; and
 - (b) To the satisfaction of the Responsible Authority.
- 11. Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, the road pavement along the property's Smith Street, Queens Pde and Alexander Pde frontages must be reconstructed:
 - (a) At the permit holder's cost; and
 - (b) To the satisfaction of the Responsible Authority.

Sustainable Management Plan

12. Concurrent with the submission of Condition 1 Plans, 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 (Parcel B) prepared by Hip V Hype and dated 16 October 2025 but modified to show:
 - (a) Consistency with the Condition 1 Plans, as relevant;
 - (b) Consistent catchment areas between the Sustainable Management Plan and Stormwater Management Plan, demonstrating best practice in stormwater management;
 - (c) Inclusion of a STORM, MUSIC or Blue Factor Report, ensuring catchment areas are consistent with the Stormwater Management Report and demonstrating best practice in stormwater management;
 - (d) Volume of rainwater tanks notated on the basement plans and confirmation they will be connected to toilets and irrigation. Ensure volumes of water for toilet flushing and irrigation are consistent with the SMP and Stormwater Management Report; and
 - (e) Commitment that prior to development commencing, DTP and Yarra City Council will be provided with written confirmation that the project is on track to achieve a 5 Star Green Certified Rating.
13. In conjunction with the submission of development plans under Condition 1, 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 (Parcel C) prepared by Hip V Hype and dated 2 July 2025 but modified to show:
 - (a) Consistency with the Condition 1 plans, as relevant;
 - (b) Bedrooms in Building D which fail to meet BESS daylight standards to have increased window size, or other design improvements, and demonstrate BESS daylight standards are met;
 - (c) Fresh air delivery rates for all mechanical fresh air supply systems to be at least 50% above the minimum AS1668 rates; and
 - (d) Inclusion of a STORM, MUSIC or Blue Factor Report, ensuring catchment areas are consistent with the Stormwater Management Report and demonstrating best practice in stormwater management.
14. Before the last building of each Parcels B and C is occupied, 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 plans have been implemented in accordance with the approved plan, including Green Star certification.

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

Green Travel Plan

16. Before the buildings are occupied, a Green Travel Plan for Parcel B 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 and resident 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) Locations and provision of EV charging for cars and bicycles throughout the development; and
 - (m) Provisions for the Green Travel Plan to be updated not less than every 5 years.
17. The provisions, recommendations and requirements of the endorsed Green Travel Plans for both Parcels B and C must be implemented and complied with to the satisfaction of the Responsible Authority.

Landscape Plans

18. Concurrent with the submission of Condition 1 Plans amended Landscape Plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Landscape Plans will be endorsed and will form part of this permit. The amended Landscape Plans must be generally in accordance with the Landscape Plans for Parcel B dated 2 October 2025 and Parcel C dated 3 November 2025 prepared by Oculus but modified to include (or show):
- (a) Consistency with the Condition 1 Plans and Public Realm Functional Layout Plans; and
 - (b) Drawn to scale and with details that address Yarra City Council's Landscape Plan Requirements – Checklist.
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19. Before the last building of each Parcels B and C 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.

Wind Report

20. Concurrent with the submission of Condition 1 Plans, an amended Wind Assessment Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Wind Assessment Report will be endorsed and will form part of this permit. The amended Wind Assessment Report must be generally in accordance with the Wind Assessment Report prepared by VIPAC and dated 21 October 2025 but modified to include (or show):
- (a) Consistency with the Condition 1 Plans, as relevant;
 - (b) The façade treatments of Parcel C buildings do not result in negative wind speed impacts (to the satisfaction of the Responsible Authority) on the adjoining Wurundjeri Biik Parklands, Queens Parade and Smith Street interfaces; and
 - (c) Wind amenity is achieved at the south west, north west, and south east interfaces of Parcel B with Alexandra Parade, Wurundjeri Biik Parklands, and Smith Street is suitable for standing.
21. The provisions, recommendations and requirements of the endorsed Wind Assessment Report must be implemented and complied with to the satisfaction of the Responsible Authority.

Acoustics

22. The provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.
23. Before the last building of each Parcels B and C is occupied, Acoustic Reports to the satisfaction of the Responsible Authority must be prepared by a suitably qualified acoustic engineer and must be submitted to and approved by the Responsible Authority. The Acoustic Report must demonstrate compliance of the development (via acoustic tests) with the Environment Protection Regulations under the Environment Protection Act 2017 and the incorporated Noise Protocol (Publication 1826.4, Environment Protection Authority, May 2021) or any other requirement to the satisfaction of the Responsible Authority, as may be amended from time to time.
24. The uses 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.
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Social and Affordable Housing

25. Concurrent with the submission of Condition 1 Plans, an amended Affordable Housing Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Affordable Housing Report will be endorsed and will form part of this permit. The amended Affordable Housing Report must be generally in accordance with the Affordable Housing Report prepared and authored by Assemble (Parcel B), dated July 2025 and Milieu (Parcel C) dated July 2025 but modified to:
- (a) Clarify where the remaining 3.5% of the minimum 20% affordable housing provision will be accommodated in the overall development;
 - (b) Outline the procedures and policies to manage eligibility for the social and affordable housing, ensuring that they do not impose burdensome or invasive requirements to validate ongoing eligibility of a resident;
 - (c) Details on how increases in household incomes will be managed (i.e. consideration for one-off increases in income that may not be maintained in the following year);
 - (d) A long-term commitment that the affordable housing dwellings offered will be provided for a minimum period of 40 years;
 - (e) Provide evidence of grant funding or an agreement being entered into for the delivery of social housing;
 - (f) Confirm the typology diversity targets of the approved Fitzroy Gasworks Development Plan be clearly met including reducing the provision of studio apartments to more than 25% of the housing offer; and
 - (g) A commitment to the provision of an annual report on the build to rent pilot program delivered to the City of Yarra that demonstrates the effectiveness of management policies and procedures, the approach to annual monitoring of resident eligibility and where improvements to these procedures have been identified.
26. Before the Parcel B development and Parcel C, Building C development are occupied or prior to the issue of a Statement of Compliance under the Subdivision Act 1988 for any subdivision or stage of subdivision whichever occurs first, the owner must enter into an Agreement with the Responsible Authority pursuant to section 173 of the Planning and Environment Act 1987 (unless the Owner is legally unable to enter into a Section 173 Agreement in which case the agreement must be a deed) which sets out the terms on which the landowner is required to make a contribution towards affordable housing in accordance with Condition 25 of this permit, to the satisfaction of the Responsible Authority. This may include a staged contribution, subject to the satisfaction of the Responsible Authority. Unless otherwise agreed in writing with the Responsible Authority, the Agreement must provide for an affordable housing contribution as follows:
- (a) The nominated dwellings are to be made available by the owner for purchase or rent by a housing agency which is registered as either a housing association or housing provider under the Housing Act 1983 (Housing Agency) or the like to the satisfaction of the Responsible Authority. The price at which the nominated dwellings are to be made available to the Housing Agency must not exceed an amount that is 25% less than the market value as determined by a report from a valuer;
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- (b) The nominated dwellings must comprise the mix of dwellings as detailed within the Fitzroy Gasworks Development Plan;
- (c) Parcels B and C must deliver a minimum 16.5% of the required 20% social and affordable housing as detailed within the Fitzroy Gasworks Development Plan;
- (d) If the nominated dwellings are provided on a lease or rent basis, a minimum commitment of 40 years must be provided;
- (e) If the Owner is unable to source a Housing Agency to accept the nominated dwellings, the Owner must make a financial contribution to Yarra City Council equal to the value of the requirement under this provision which is to be applied by Yarra City Council to the provision of affordable housing; and
- (f) All costs associated with the preparation, execution and if the agreement is a section 173 agreement, the recording of the Agreement must be borne by the Owner. The Agreement must if it is a section 173 Agreement be recorded on the title to the land under the Planning and Environment Act 1987.

Waste Management, Loading and Deliveries

- 27. Concurrent with the Submission of Condition 1 Plans, a Loading Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Loading Management Plan will be endorsed and will form part of this permit. The Loading Management Plan must address, but not be limited to, the following:
 - (a) Consistency with the Condition 1 Plans, as relevant;
 - (b) Locations of where all loading, deliveries and waste collections will take place;
 - (c) Nominate the largest vehicles to perform deliveries and waste collections; and
 - (d) Provide swept path assessments of the largest nominated vehicles.
- 28. The provisions, recommendations and requirements of the endorsed Waste Management Plans must be implemented and complied with to the satisfaction of the Responsible Authority.
- 29. The provisions, recommendations and requirements of the endorsed Loading Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
- 30. The collection of waste from the site must be by private collection, unless with the prior written consent of the Responsible Authority.
- 31. 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.

Access Management Plan

- 32. Prior to the occupation of the development, an Access Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority in consultation with Yarra City Council. When approved, the Access Management Plan will be endorsed and will form part of this permit. Unless otherwise agreed by the Responsible Authority, the Access Management Plan should include or provide for:

- (a) Free and unimpeded public access over the pedestrian paths on private property and within the areas of communal open space (Public Spaces collectively) between sunrise and sunset at a minimum, 7 days a week, unless access is required to be restricted for maintenance, events or other matters from time to time, at the Owner's cost;
 - (b) Responsibility for all security and risk in the Public Spaces;
 - (c) The Public Spaces being kept and maintained at all times in a structurally sound and safe condition to the reasonable satisfaction of Yarra City Council;
 - (d) Regular cleaning of Public Spaces;
 - (e) The Public Spaces complying with all applicable laws and legal requirements;
 - (f) Indemnify Yarra City Council for any damage to the development by reason of, or in connection with, the use of Public Spaces by the public;
 - (g) Not making any claim for damages or loss of any kind against Council for any damage or injury caused to the Public Spaces or to any person using the Public Spaces;
 - (h) Maintenance of public liability insurance for the use of Public Spaces; and
 - (i) Maintenance of the Public Spaces in accordance with the endorsed plans and to a standard that is safe and fit for public access to the satisfaction of the Responsible Authority.
33. The provisions, recommendations and requirements of the endorsed Access Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Public Lighting

34. Before the development commences (excluding demotion, bulk excavation and site preparation work), or by such later date as approved in writing by the Responsible Authority, a Public Lighting Plan must be submitted to and approved by Council's Civil Engineering Department. When approved, the Public Lighting Plan will be endorsed and will form part of this permit. The Public Lighting Plan must be designed:
- (a) Address lighting along Smith Street, Alexandra Parade, Gore Street, Borat Street, entrances to the approved buildings in Parcels B and C, as well as other internal laneways / pedestrian pathways within Parcel C;
 - (b) To comply with uniformity, access and maintenance requirements as per standard AS1158.3.1;
 - (c) To control light spillage in accordance with the requirements of AS 4282 – 2019, "Control of the obtrusive effects of outdoor lighting"; and
 - (d) To the satisfaction of the Responsible Authority.
35. The provisions, recommendations and requirements of the endorsed Public Lighting Plan must be implemented and complied with at no cost to Council and to the satisfaction of the Responsible Authority.
36. Before any existing public lighting is removed a temporary lighting plan to the satisfaction of the Responsible Authority must be submitted and approved by Council's Civil Engineering Department. The temporary lighting plan is to be installed at the permit
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holder's cost and must remain operational until a new permanent lighting scheme is installed and operational to the satisfaction of the Responsible Authority.

37. Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating the development and surrounding public realm 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.

Car Parking & Vehicle Access

38. Concurrent with submission of Condition 1 plans the or by such later date as approved in writing by the Responsible Authority, vehicle crossing designs for the access points on Gore Street and Smith Street, 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*.
39. Prior to submission of Condition 1 Plans, a Traffic Engineering Assessment to the satisfaction of the Responsible Authority must be submitted to and approved by Yarra City Council's Traffic Engineering Department. Once approved, these will form part of the plans to be endorsed by Condition 1 of the permit. The Traffic Engineering Assessment must address / include:
- (a) Clarify if the median opening on Alexandra Parade opposite the Gore Street extension is to remain open or closed, in relation to restricting right-in and right-out movements to and from Alexandra Parade:
 - (i) If the median is to remain open or closed at a later period after the Gore Street extension is in operation, then at a minimum, physical measures such as splitter islands/kerbs, signage, and line-marking are to be provided to restrict the right-in and right-out movements to and from the Gore Street extension. Physical measures and signs should not block or impede pedestrian/cyclist activity and infrastructure;
 - (b) Restriction of right-out vehicle movements from Parcel B and Parcel C to Smith Street:
 - (i) At a minimum, physical measures such as splitter islands/kerbs, signage, and line-marking are to be provided. Physical measures and signs should not block or impede pedestrian/cyclist activity and infrastructure. The current physical island is too small and will not be effective. Additional barriers on Smith Street should also be considered;
 - (c) Restriction of access into Borat Street via Smith Street, including no right-in and right-out movements to/ from Smith Street:
 - (i) At a minimum, physical measures such as splitter islands/kerbs, signage, and line-marking are to be provided. Physical measures and signs should not block or impede pedestrian and cyclist activity and infrastructure;
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- (d) Details on how rat-running between Smith Street and Alexandra Parade, along Borat Street and Gore Street will be managed, including details of any traffic calming measures;
 - (e) Demonstrate the effectiveness, including the provision of swept path diagrams of the roundabout design on Gore Street having regard to vehicle movements of loading, waste collection and passenger vehicles;
 - (f) Amended swept path diagrams showing a B99 vehicle and 6.4m long waste truck moving from Gore Street into Borat Street. The loading zone may be relocated or re-adjusted to facilitate vehicle access;
 - (g) Amended swept path diagrams of a mini rear loading waste collection vehicle turning left into the Parcel B site access from Smith Street, avoiding the kerb and bicycle lane;
 - (h) Left-in and left-out swept path diagrams for Parcel B and Parcel C access via Smith Street must show the turning movements from the traffic lane and avoid excessive overlap with the future bicycle lane;
 - (i) Amended swept path diagram for Basement 1 in Parcel C, ensuring no encroachment into car spaces;
 - (j) Address visibility concerns relating to a car reversing out of the end car space and approaching vehicles from the ramps for Basement 1 in Parcel C;
 - (k) Clarify if Borat Street and Gore Street are to be a formal shared zone and provide a copy of approval from DTP;
 - (l) Further clarification on the entry system into Parcel B and Parcel C parking areas and an assessment of the system's impacts to queue lengths on Smith Street and tram services, and how these will be managed;
 - (m) Address concerns relating to the proximity of the merge taper and right turn lane to Parcel B via Smith Street and potential for unsafe vehicle movements;
 - (n) Clarify if another vehicle access point is proposed north of the Parcel C car park access, and address concerns relating to intervisibility between vehicles when approaching the exit to turn onto Smith Street, and visibility to pedestrians. If vehicles are not allowed in this laneway, physical barriers such as bollards are to be provided; and
 - (o) Include the following drawings:
 - (i) Cross-sections of main ramped accessways (dimensioned and labelled with grades);
 - (ii) All columns in car parking levels to be dimensioned (depths and offsets from aisles);
 - (iii) Clearances to walls for adjacent spaces; and
 - (iv) Existing on-street parking restriction signs to be drawn or identified in a schedule of signs.
40. 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
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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 use;
- (b) The number of parking spaces allocated to each dwelling type;
- (c) Any tandem parking spaces allocated to a single tenancy/dwelling;
- (d) The number and location of car spaces for shared use, including time of shared use;
- (e) The management of visitor car parking spaces and security arrangements for occupants of the development, including details on how residential visitors are to access car parking;
- (f) Details of way-finding, cleaning and security of end of trip bicycle facilities;
- (g) The number and allocation of storage spaces;
- (h) Policing arrangements and formal agreements;
- (i) 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.; and
- (j) 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 28.

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

42. Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, the area(s) 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 buildings are occupied or by such later date as approved in writing by the Responsible Authority, a notice showing the location of car parking must be placed in a clearly visible position near the entry to the land. The notice must be maintained thereafter to the satisfaction of the Responsible Authority.

44. Before the buildings are 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.

45. Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, any redundant vehicular crossing must be demolished and reinstated as footpath, verge (if applicable), and kerb and channel:
- (a) At the permit holder's cost; and
 - (b) To the satisfaction of the Responsible Authority.

Engineering and Infrastructure

46. Concurrent with the submission of Condition 1 plans, a Stormwater Management Report must be submitted and approved by Council's Civil Engineering Department. When approved, the Stormwater Management Report will be endorsed and will form part of this permit. The Stormwater Management Report must include / address:
- (a) Compliance with the overall Gasworks development Stormwater Management Plan (SWMP);
 - (b) Discharge of the internal drainage system to the legal point of discharge (LPD) stub provided at the southwestern corner of the property, maintaining a maximum permissible sit discharge (PSD) of 50L / s;
 - (c) Details of onsite detention options to achieve allocated PSD;
 - (d) Incorporation of any sustainability design requirements under the planning permit; and
 - (e) Management of the 1% EAP rain event ensuring the captured water and overland flow is contained within the property boundary and dissipated to the LPD.
47. The provisions, recommendations and requirements of the endorsed Stormwater Management Report must be implemented and complied with at no cost to Council and to the satisfaction of the Responsible Authority.
48. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated:
- (a) In accordance with Yarra Standard Drawings | Yarra City Council;
 - (b) At the permit holder's cost; and
 - (c) To the satisfaction of the Responsible Authority.

Section 173 Agreements

Gore Street Extension

49. Unless otherwise agreed by the Responsible Authority, prior to the commencement of the development authorised by this permit (excluding retention, bulk excavation and early works), the owner (or another person in anticipation of becoming the owner) must enter into an agreement with the Responsible Authority under section 173 of the Planning and Environment Act 1987, which provides for the following:
- (a) Before the occupation of the developments approved by this permit, or at a later date to the satisfaction of the Responsible Authority, the Gore Street extension must be substantially completed to the satisfaction of Yarra City Council;

- (b) The cost of any incomplete works (including any associated labour and maintenance) at time of occupation of the development to be reserved as bonds, bank guarantees or similar to the satisfaction of the responsible authority;
- (c) Prior to the occupation of the development approved by this permit, or at a later date to the satisfaction of the Responsible Authority, the Gore Street extension is to be vested with Yarra City Council. The time and cost associated with the change of title process through the relevant statutory bodies is to be borne by the Owner;
- (d) Clear delineation of the public / private interface, with no private infrastructure encroaching into the public areas, above and below (including any basements) the surface;
- (e) Any testing / inspections / plan assessments required as part of the structural evaluation of the infrastructure required by Council is to be borne by the permit holder; and
- (f) The cost of the design and construction of the Gore Street extension, including all landscape works, any park furniture/equipment and drainage is to be borne by the permit applicant.

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

Borat Street

50. Unless otherwise agreed by the Responsible Authority, prior to the commencement of the development authorised by this permit (excluding retention, bulk excavation and early works), the owner (or another person in anticipation of becoming the owner) must enter into an agreement with the Responsible Authority under section 173 of the Planning and Environment Act 1987, which provides for the following:

- (a) Prior to the occupation of the first completed building in Parcel B or Parcel C (whichever comes first) or a later date as agreed in writing with the Responsible Authority, Borat Street must be delivered, in consultation with the City of Yarra, to the satisfaction of the Responsible Authority and at the permit holder's cost;
- (b) The cost of the design and construction of the Borat Street including all landscape works, any park furniture/equipment and drainage is to be borne by the permit applicant;
- (c) Provide unimpeded public access to Borat Street 24 hours a day, 7 days a week; and
- (d) Address liability for public safety and potential damage to private infrastructure

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

Land Use Conditions

51. Except with the prior written consent of the Responsible Authority, the XXX use / premises authorised by this permit may only operate between the following hours:

(a) To be confirmed by DTP.

52. No more than (#) patrons are permitted in the XXX use (DTP to confirm).

53. Emptying of bottles and cans into bins may only occur between 7am and 10pm on Monday to Saturday or between 9am and 10pm on a Sunday or public holiday.

Construction Management

54. 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;
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- (o) The provision of a traffic management plan to comply with provisions of AS 1742.3-2002 Manual of uniform traffic control devices - Part 3: Traffic control devices for works on roads;
- (p) A Noise and Vibration Management Plan showing methods to minimise noise and vibration impacts on nearby properties and to demonstrate compliance with Noise Control Guideline 12 for Construction (Publication 1254) as issued by the Environment Protection Authority in October 2008. The Noise and Vibration Management Plan must be prepared to the satisfaction of the Responsible Authority. In preparing the Noise and Vibration Management Plan, consideration must be given to:
 - (i) Using lower noise work practice and equipment;
 - (ii) The suitability of the land for the use of an electric crane;
 - (iii) Silencing all mechanical plant by the best practical means using current technology;
 - (iv) Fitting pneumatic tools with an effective silencer;
 - (v) Other relevant considerations; and
 - (vi) Any site-specific requirements.

During the construction:

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

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.

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

General Conditions

56. Any new apartment development allowed by this permit must not be connected to a reticulated gas service (within the meaning of clause 53.03 of the relevant planning scheme). This condition continues to have force and effect after the development authorised by this permit has been completed.
57. Finished floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.

58. 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.
59. 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.
60. Before the buildings are occupied, any wall located on a boundary facing public property must be treated with a graffiti proof finish to the satisfaction of the Responsible Authority.
61. Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated (including by the re-sheeting of the entire Smith Street and Alexandra Parade footpaths for the width of the property frontage
 - (a) At the permit holder's cost; and
 - (b) To the satisfaction of the Responsible Authority.
62. 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.
63. 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.
64. This permit will expire if:
 - (a) The development is not commenced within three years of the date of this permit; or
 - (b) The development is not completed within five years of the date of this permit.
 - (c) The uses are not commenced within six 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

For the submission of plans and reports pursuant to Conditions 7, 35, 39, 40 and 48 please submit these to info@yarracity.vic.gov.au marked attention to Engineering Services.

These Food and Drinks Premises will be required to comply with the Food Act 1984. The use must not commence until registration, or other approval, has been granted by Council's Health Protection Unit.

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 development permitted under the permit.

All property owners or occupiers within a development approved under this planning permit, will not be eligible for residential or visitor parking permits unless the development has heritage controls where parking would adversely affect the integrity of the heritage place, or if there's no increase in occupancies and the development does not reduce existing on-site parking. For more information refer to www.yarracity.vic.gov.au/residents/transport/parking/parking-permits.

All future business (whether as owners, lessees/tenants, occupiers) within a development approved under this planning permit, will not be eligible for business parking permits unless the development has heritage controls where parking would adversely affect the integrity of the heritage place, or if there's no increase in separate occupancies and the development does not reduce existing on-site parking. For more information refer to www.yarracity.vic.gov.au/residents/transport/parking/parking-permits.

In accordance with the Yarra Planning Scheme, an 8.65% public open space contribution will apply in the event of the subdivision of the land.

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

Engineering Notes

The site stormwater must be directed to the nominated legal point of discharge (LPD) and shall be limited to equivalent predevelopment levels or 70% impervious coverage, whichever is lowest, for a 20% AEP rainfall event.

The development must detain onsite, at a minimum, the 10% AEP storm event. For cases where a safe overland flow path cannot be provided or where flows exceeding pipe capacity may impact the development or adjacent, upstream, or downstream properties, the requirement will be to detain the 1% AEP storm event.

All redundant property drain outlets are to be demolished and reinstated to Council's satisfaction and at the Permit Holder's cost.

Any service poles, structures or pits located within the public realm areas that interfere with the proposal, must be adjusted accordingly:

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

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

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

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

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

Public Submissions

The following people addressed the Committee:

Virginia Noonan;

Simon Evans; and

Rachel Versteegen.

PLANNING DECISIONS COMMITTEE RESOLUTION**Moved:** Councillor Gomez**Seconded:** Councillor Crossland

That Council:

1. Note the officer report and the application material.
2. Write to the DTP outlining the following concerns with the proposed development of Parcels B and C – Fitzroy Gasworks required to be addressed prior to any approval being granted:
 - (a) The proposed building heights and setbacks are not generally in accordance with the Development Plan and will have unreasonable amenity impacts on the existing and future public realm;
 - (b) The sheer design of the buildings and inappropriate massing will result in unacceptable overshadowing and visual bulk impacts on the surrounding and proposed public realm;
 - (c) There are unresolved vehicle access and safety issues as detailed in the Traffic Engineering referral comments;
 - (d) The current proposed public ownership of Gore Street extension is not supported given the extensive issues raised with its current design. The Gore Street extension road reserve must be redesigned in accordance with Council's standards. If not, Gore Street extension to be privately owned and managed;
 - (e) The public realm response is deficient and requires further improvement, in accordance with the recommended public realm plan conditions;
 - (f) There are unresolved drainage issues as detailed in the Engineering referral comments which will need to be addressed prior to the submission of Condition 1 Plans;
 - (g) Wind Impacts – The wind report should be independently reviewed and should confirm acceptable wind conditions (i.e. standing comfort at minimum) to Wurundjeri Biik and other areas of the public realm);
 - (h) A detailed assessment against Clause 58 – Apartment Developments is required to ensure satisfactory amenity for future occupants; and
 - (i) Noise impacts – The acoustic reports should be independently reviewed to ensure compliance with the Environment Protection Regulations under the Environment Protection Act 2017 and the incorporated Noise Protocol (Publication 1826.4, Environment Protection Authority, May 2021 for proposed dwellings as well as existing dwellings.
3. **Clarify with DTP as to the naming of Borat Street.**
4. **Notes that no public housing has been included, despite promises made by the relevant Minister in 2018 and the former Premier in 2022.**
5. Notwithstanding the above, if the Department of Transport and Planning is of the mind to issue a permit, then the following conditions should be included:

Conditions

Development 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 and generally in accordance with the decision plans prepared by Fieldwork, Revision D dated 7 November 2025 (Parcel B) and Architectus (in collaboration with Studio Bright, Fieldwork, Kennedy Nolan, Breathe, Woods Bagot and Freadman White), Revision TP01 dated 1 July 2025 (Parcel C):
 - (a) Provide a copy of the survey plan, including a features and levels survey and title reestablishment surveys;
 - (b) Maximum building heights for Parcel B, Buildings SE and SW and Parcel C, Buildings A, B, E and F reduced to achieve full compliance with the endorsed Development Plan (DP) **with no less than 1052 dwellings to be provided across parcels B and C;**
 - (c) Maximum building heights, from natural ground level dimensioned on all elevations;
 - (d) All buildings provided with upper level setbacks and podium heights in accordance with the DP;
 - (e) Amended building heights and envelopes for Parcel B, Building NE and Parcel C, Buildings A, B, E and F to achieve the following:
 - (i) No overshadowing from the development of Parcels B & C on the eastern footpath of Smith Street from the kerb before 2pm at the September 22 Equinox; and
 - (ii) No additional overshadowing from the development of Parcels B & C on the western interfacing Wurundjeri Biik Parklands over that contemplated by the endorsed Development Plan after 10am at the September 22 Equinox.
 - (f) Remove basements from underneath all future, Council-owned land;
 - (g) Internal stairwells with exterior boundaries to have external glazing;**
 - (h) Stairwells to be unenclosed to common areas (no stairwell doors to common areas). If this is not possible, stairwell walls and doors to common areas are to be glazed, if possible;**
 - (i) Provision of two allocated bicycle spaces per dwelling;**
 - (j) Provision of resident bicycle parking spaces for cargo bicycles and bicycles with trailers;**
 - (k) For Parcel B buildings:
Smith Street frontage:
 - (i) Provide a 2700mm wide continuous unobstructed pedestrian path along Smith Street, between the edge of footpath tree cut outs and edge of planted areas and bike hoop (clearance space);

- (ii) Provide a minimum 5m long **unobstructed** pedestrian circulation/waiting space (north/south) along the building line to Smith Street back of kerb, at the southern section of Smith Street (by the corner to Alexandra Parade); and
 - (iii) Provide a splay to the northeast corner of 'NE building' providing a minimum 3000mm wide clear pedestrian connection between Smith Street to Borat Street;
 - (l) For Parcel C buildings:
 - Smith Street frontage:
 - (i) Provide a 2000mm wide continuous unobstructed pedestrian path along the Smith Street interface, between the edge of footpath tree cut outs and edge of planted areas, bike hoop (clearance space) and feature stone edges within the subject site;
 - Queens Parade frontage:
 - (i) Provide a continuous **unobstructed** ground floor set back minimum 500mm from the title boundary;
 - (ii) Modify columns (ground floor only) to accommodate 500mm setback from title boundary **with no projections into the set back area;**
 - (iii) Setback features within Angpohora Courtyard (central courtyard fronting Queens Pde) minimum 500mm from the title boundary **with no projections into the set back area;** and
 - (iv) Modify columns (ground floor only) to accommodate 500mm setback from title boundary **with no projections into the set back area;**
 - Wurundjeri Biik frontage:
 - (i) Ground floor terraces (POT) of Building D and Building C (where no north south path within title is provided) to be flush with the title boundary and have no private entry directly onto public open space; and
 - (ii) The north south path connection abutting the public open space to have solid surface of unit paving (no individual unit paving set with intermitted ground cover planting) up to the title boundary;
 - East-west link between Wurundjeri Biik & Borat Street:
 - (i) Provide a continuous, straight, 2.5m wide unobstructed pedestrian link in an east-west direction between Wurundjeri Biik and Borat Street; and
 - (ii) Relocate the CP air intake away and clear of the pedestrian link **to ensure is it unobstructed;**
 - (m) Clear delineation (through surface treatments) of public and private land;
 - (n) Visitor bicycle parking spaces increased to 275;
 - (o) Parcel B residential bicycle parking on lower Basement 2 level relocated to ground level;
 - (p) Further details on bicycle parking spaces as follows:
 - (i) All visitor bicycle parking spaces clearly identified on the plans, with dimensions;
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- (ii) Annotate type of bicycle parking space for each of the employee, resident and visitor space, ensuring appropriate mechanisms having regard to AS2890.3;
 - (iii) Dimension the width of access paths to all bicycle parking areas;
 - (iv) Justify the 400mm spacing of two-tier bicycle racks in accordance with Clause 3.3 of AS2890.3;
 - (v) Dimensions of each bicycle storage area including ground level (bicycle store containing 7 floor-mounted bike racks);
 - (vi) Identify security measures for each bicycle storage area confirming they are lockable compounds; and
 - (vii) All dimensions to ensure compliance with AS2890.3;
 - (q) Sightline triangles to the three vehicle access points on Smith Street (Parcel B site access, Borat Street, Parcel C site access), in accordance with the relevant Australian Standards and Guidelines;
 - (r) Any changes as a result of the Façade Strategy and Materials and Finishes Plan (Condition 4);
 - (s) Any changes as a result of the amended Public Realm Function Layout Plan (Conditions 5 and 6);
 - (t) Any changes as a result of the amended Sustainable Management Plan (Conditions 12 and 13);
 - (u) Any changes as a result of the amended Landscape Plans (Condition 18);
 - (v) Any changes as a result of the amended Wind Report (Condition 20); and
 - (w) Any changes a result of the Traffic Engineering Assessment (Condition 39).
2. The uses and development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
3. As part of the ongoing progress and development of the site, Fieldwork (Parcel B & Parcel C, Building B); Studio Bright Architects (Parcel C, Building A); Kennedy Nolan (Parcel C, Building C); Breathe (Parcel C, Building D); Woods Bagot (Parcel C, Building E) & Freadman White (Parcel C, Building F) or another architectural firm to the satisfaction of the Responsible Authority must be engaged to:
- (a) Oversee the design and construction of the development; and
 - (b) Ensure the design quality and appearance of the development is realised as shown in the endorsed plans or otherwise to the satisfaction of the Responsible Authority.

Façade Strategy and Materials and Finishes Plan

4. Concurrent with the submission of Condition 1 Plans, a Façade Strategy and Materials and Finishes 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 document. This must detail:
- (a) Section drawings to demonstrate façade systems, including fixing details and joints between materials or changes in form;

- (b) Elevations at a scale of 1:20 or 1:50 illustrating typical podium and tower details, entries and doors, bike parking areas, service areas of all buildings;
- (c) Details of all services and design treatment of these to be incorporated into the overall design composition of the building; and
- (d) Provide separate renders for each building, outlining colours, materials and finishes and graffiti proofing of walls to the street, including doors, perforations and upper levels (where necessary) with information about how each façade will be maintained.

Public Realm

5. Concurrent with the submission of Condition 1 plans, or by such later date as approved in writing by Yarra City Council, a Public Realm Function Layout Plan for Parcel B must be prepared, submitted and approved by Yarra City Council. When approved, the plan will be endorsed and will then form part of the permit. The Public Realm Functional Layout Plan must show, but not be limited to, the following:
- (a) Consistency with the Condition 1 Plans and Landscape Plans;
 - (b) Re-sheet and demonstrate DDA compliance for all footpaths along all street frontages;
 - (c) Wayfinding and signage strategy to be provided and implemented;
 - (d) Security gates to be located to ensure all publicly accessible areas have unobstructed view-lines and maximum passive surveillance;
 - (e) For the Smith Street frontage:
 - (i) Provide ten (10) street trees planted in footpath cut outs along Smith Street back of kerb;
 - (ii) Street trees to be planted in footpath cut outs 1000mm wide (from back of kerb) and 1200mm long as per Council Standard Detail YSD803(b);
 - (iii) Street tree cut outs to have bonded resin ('bonded aggregate') surfacing;
 - (iv) Street tree species to be *Tristaniopsis laurina* 'Luscious';
 - (v) Building awnings at the intersection of Smith Street and Alexandra Parade to have no gaps (awning infill to articulate the architectural intent whilst providing continuous overhead pedestrian weather protection);
 - (vi) Ten (10) **additional** visitor bike hoops to be **located within the title boundary without obstructing ground floor pedestrian clearance areas adjacent to Smith Street;**
 - (vii) Cargo bike parking to be located at the main entrance thresholds where space allows and without obstructing pedestrian paths/**pedestrian clearance areas;**
 - (viii) Integrate two (2) timber bench seats (Council standard public domain seats) along the Smith Street frontage, aligned with the street trees;
 - (ix) Provide a splay to the northeast corner of 'NE building' providing a minimum 3000mm wide clear pedestrian connection between Smith Street to Borat Street;

- (x) Borat Street vehicle crossing to be raised and flush with the footpath and have sawn bluestone paving threshold, a clear visual delineation with bluestone, and continue the footpath paving treatment (vehicle grade) across the crossover;
 - (xi) Vehicle crossover to the basement car park to be designed with pedestrian priority, have clear visual delineation with sawn bluestone paving, and continue the footpath paving treatment (vehicle grade) across the crossover; and
 - (xii) Clear delineation to be provided between public and private land;
- (f) For the Alexandra Parade frontage:
- (i) Remove the three western building awnings (along the supermarket street wall).
 - (ii) Building awnings at the intersection Smith Street to Alexandra Parade to have no gaps (awning infill can articulate the architectural intent whilst providing continuous overhead pedestrian weather protection).
 - (iii) Paving within setback spaces along the street frontage to be unit paving to create a clear delineation between public and private land.
 - (iv) Integrate planters along minimum 50% of the length of the street interface.
- (g) For the Gore Street extension frontage:
- (i) Combine all assumed vehicles swept paths in one consolidated diagram describing all expected vehicle movements along the street including from Parcel A, and provide detailed description of safety measures to mitigate any risk for conflict including but not limited between; vehicles, cyclists and pedestrians;
 - (ii) The crossovers to the loading dock and basement car park to be combined, providing measures to ensure safe operation between loading vehicles and passenger vehicles;
 - (iii) Vehicle crossover to the basement car park / loading dock to be designed with pedestrian priority, have clear visual delineation with bluestone, and continue the footpath paving treatment (vehicle grade) across the crossover;
 - (iv) If vehicle crossover is not raised, provide pram ramps for pedestrians moving across this access point;
 - (v) Security gates to vehicle entry points to be in line with the title boundary;
 - (vi) Provide additional planters (with vertical greenery) integrated with built form along the building line within title; and
 - (vii) Substation doors to open 180 Degrees and have latches to not obstructing footpath;
- (h) For the Borat Street frontage:
- (i) Redistribute minimum 30% of the proposed visitor bike parking (hoops) from Borat Street to key entrance thresholds within the building (not Smith Street frontage);

- (ii) Position bike hoops along Borat Street to ensure parked bikes do not obstruct the minimum **2000mm** clear pedestrian path along the building line;
 - (iii) Remove the narrow angles of garden beds abutting Smith Street and square off corner the corners;
 - (iv) Set back any fixed features (within title) or planting along 'Gasworks Commons' interface to Borat Street minimum 600mm **unobstructed clearance** from the title boundary;
 - (v) Reconfigure the northwest building setback space, to be open to Borat Street, remove the freestanding seat located along the title boundary and relocate the booster away from this space and integrated the booster within built form, provide door openings from the adjacent F&B tenancy; and
 - (vi) If the Borat Street interface to Smith Street has a raised threshold, review and adjust accordingly the line marking to avoid having it on the ramp component of the threshold and not on any bluestone or brick pavement material. If not providing a raised threshold, then appropriate pram ramps are to be shown for pedestrians crossing at this intersection;
- (i) Bespoke materials must not be used along any of the Council road reserves, existing or proposed, and all materials should be in accordance with Council's standard materials policy;
 - (j) Provide cross-sectional diagrams every pedestrian entrance interfacing a Public Highway (to include profiles and levels of DDA designed footpaths superimposed with existing footpath profiles); and
 - (k) Proposed pedestrian and vehicle access points from the public land must be at grade with the existing/proposed public realm finished surface levels.
6. Concurrent with the submission of Condition 1 plans, or by such later date as approved in writing by the Yarra City Council, a Public Realm Function Layout Plan for Parcel C of all public infrastructure improvements must be prepared, submitted and approved by the Yarra City Council. When approved, the plan will be endorsed and will then form part of the permit. The Public Realm Functional Layout Plan must show, but not be limited to, the following:
- (a) Consistency with the Condition 1 Plans and Landscape Plans;
 - (b) Re-sheet and demonstrate DDA compliance for all footpaths along all street frontages;
 - (c) External visitor bike parking (hoops) layouts and quantities shown on landscape plans take precedence over other documentations;
 - (d) Wayfinding and signage strategy to be provided and implemented;
 - (e) Security gates to be located to ensure all publicly accessible areas have unobstructed view-lines and maximum passive surveillance;
 - (f) Review and coordinate visitor bike parking (hoops) numbers with hoops external to the site, show quantity of visitor bike parking (hoops) on plan to demonstrate coordination;
 - (g) For the Smith Street frontage:
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- (i) Provide eight (8) street trees planted in foot path cut outs along Smith Street back of kerb (indicatively; five south of the proposed vehicle crossover and three to the north), coordinated with existing and proposed trees within the subject site street frontage;
- (ii) Street tree footpath cut outs to be 1000mm wide and 1200mm long as per Council Standard Detail YSD803(b);
- (iii) Street tree cut outs to have bonded resin ('bonded aggregate') surfacing;
- (iv) Street tree species to be *Tristania laurina* 'Luscious';
- (v) Integrate two (2) timber bench seats (Council standard public domain seats) along the frontage, aligned with the street trees;
- (vi) Borat Street vehicle threshold to be raised and flush with the footpath and have sawn bluestone pitchers, and have clear visual delineation with bluestone, and continue the footpath paving treatment (vehicle grade) across the crossover;
- (vii) Vehicle crossover to the basement car park to be designed with pedestrian priority, have clear visual delineation with bluestone, and continue the footpath paving treatment (vehicle grade) across the crossover;
- (viii) Clear delineation between public and private land at the threshold between Smith Street and Borat Street;
- (ix) Integrate additional raised edges and additional bluestone logs (FN01) at all corner garden beds for protection;
- (x) Remove any awning that is not directly protecting any pedestrian;
- (xi) Integrate seating elements with back and armrests in the southeast corner threshold within the site; and
- (xii) Re-sheet and make DDA compliant the full extent of the subject site Smith Street footpath frontage;
- (h) For the Queens Parade frontage:
 - (i) Relocate bike hoops at the northeast corner interfacing to Smith Street in lieu of feature element(s) such as an artwork;
- (i) For the Wurundjeri Biik frontage:
 - (i) Any planted area abutting the public open space to have raised edges (no timber edges) and clearly define the title boundary alignment;
 - (ii) Any planted area abutting the public open space must have maintenance access from within the private title;
 - (iii) Ground floor terraces (POT) directly abutting the public open space must have integrated planter boxes with vegetation screening to buffer to the public open space; and
 - (iv) The south-west corner landscape area to have raised edges (not timber) around any planted areas and provide pedestrian connections into and through the public open space linking with the as-built public space layout;
- (j) For the Borat Street frontage:

- (i) Reconfigure and reduce by 1/3 the length of bike storage wall abutting the street;
 - (ii) Remove any features protruding into the public footpath, unobstructed width to be minimum **2000mm**; and
 - (iii) Set any landscape fixtures clear a minimum 500mm from edge of footpath within title to prevent overhang and footpath obstructions;
 - (k) For the east-west link between Wurundjeri Biik & Borat Street:
 - (i) Reconfigure and reconstruct (at the cost of the applicant) the public space path alignment outside title within the public open space (Wurundjeri Biik) to form **unobstructed** pedestrian path connections to the sport centre and the school, to ultimate responsible authority satisfaction; alternatively reconfigure building footprints to locate the pedestrian link further north aligning with the built open space east-west pedestrian path connection.
 - (l) Bespoke materials must not be used along any of the Council road reserves, existing or proposed, and all materials should be in accordance with Council's standard materials policy;
 - (m) Provide cross-sectional diagrams every pedestrian entrance interfacing a Public Highway (to include profiles and levels of DDA designed footpaths superimposed with existing footpath profiles); and
 - (n) Proposed pedestrian and vehicle access points from the public land must be at grade with the existing/proposed public realm finished surface levels.
7. Before the development commences (excluding site preparations, demolition and bulk excavation), or by such later date as approved in writing by the Responsible Authority, detailed design drawings of the works approved under the Public Realm Functional Layout Plans (as required by Conditions 5 and 6) addressing all civil and landscape / streetscape works must be submitted to and approved by Council's Civil Engineering and Strategic Project, Parks and Open Space Departments. Once approved, the detailed design drawings will be endorsed and will then form part of the permit.
8. Before the last building of either Parcels B or C (whichever occurs last) is occupied, all associated works shown on the endorsed detailed design plans for the public realm (as required by Condition 7 must be fully constructed and completed to the satisfaction of the Council's Civil Engineering Department and at no cost to the Responsible Authority.
9. Before the buildings are occupied or by such later date as approved in writing by the Responsible Authority, the footpath along the property's Smith Street, Queens Pde and Alexander Pde frontages must be reconstructed in /asphalt:
- (a) At the permit holder's cost; and
 - (b) To the satisfaction of the Responsible Authority.
10. Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, the kerb and channel along the property's Smith Street, Queens Pde and Alexander Pde frontages must be reconstructed:
- (a) At the permit holder's cost; and
 - (b) To the satisfaction of the Responsible Authority.
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11. Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, the road pavement along the property's Smith Street, Queens Pde and Alexander Pde frontages must be reconstructed:
- (a) At the permit holder's cost; and
 - (b) To the satisfaction of the Responsible Authority.

Sustainable Management Plan

12. Concurrent with the submission of Condition 1 Plans, 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 (Parcel B) prepared by Hip V Hype and dated 16 October 2025 but modified to show:
- (a) Consistency with the Condition 1 Plans, as relevant;
 - (b) Consistent catchment areas between the Sustainable Management Plan and Stormwater Management Plan, demonstrating best practice in stormwater management;
 - (c) Inclusion of a STORM, MUSIC or Blue Factor Report, ensuring catchment areas are consistent with the Stormwater Management Report and demonstrating best practice in stormwater management;
 - (d) Volume of rainwater tanks notated on the basement plans and confirmation they will be connected to toilets and irrigation. Ensure volumes of water for toilet flushing and irrigation are consistent with the SMP and Stormwater Management Report; and
 - (e) Commitment that prior to development commencing, DTP and Yarra City Council will be provided with written confirmation that the project is on track to achieve a 5 Star Green Certified Rating.
13. In conjunction with the submission of development plans under Condition 1, 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 (Parcel C) prepared by Hip V Hype and dated 2 July 2025 but modified to show:
- (a) Consistency with the Condition 1 plans, as relevant;
 - (b) Bedrooms in Building D which fail to meet BESS daylight standards to have increased window size, or other design improvements, and demonstrate BESS daylight standards are met;
 - (c) Fresh air delivery rates for all mechanical fresh air supply systems to be at least 50% above the minimum AS1668 rates; and
 - (d) Inclusion of a STORM, MUSIC or Blue Factor Report, ensuring catchment areas are consistent with the Stormwater Management Report and demonstrating best practice in stormwater management.

14. Before the last building of each Parcels B and C is occupied, 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 plans have been implemented in accordance with the approved plan, including Green Star certification.
15. The provisions, recommendations and requirements of the endorsed Sustainable Management Plans must be implemented and complied with to the satisfaction of the Responsible Authority.

Green Travel Plan

16. Before the buildings are occupied, a Green Travel Plan for Parcel B 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 and resident 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) Locations and provision of EV charging for cars and bicycles throughout the development; and
 - (m) Provisions for the Green Travel Plan to be updated not less than every 5 years.
17. The provisions, recommendations and requirements of the endorsed Green Travel Plans for both Parcels B and C must be implemented and complied with to the satisfaction of the Responsible Authority.

Landscape Plans

18. Concurrent with the submission of Condition 1 Plans amended Landscape Plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Landscape Plans will be endorsed and will form part of this permit. The amended Landscape Plans must be generally in

accordance with the Landscape Plans for Parcel B dated 2 October 2025 and Parcel C dated 3 November 2025 prepared by Oculus but modified to include (or show):

- (a) Consistency with the Condition 1 Plans and Public Realm Functional Layout Plans; and
 - (b) Drawn to scale and with details that address Yarra City Council's Landscape Plan Requirements – Checklist.
19. Before the last building of each Parcels B and C 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.

Wind Report

20. Concurrent with the submission of Condition 1 Plans, an amended Wind Assessment Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Wind Assessment Report will be endorsed and will form part of this permit. The amended Wind Assessment Report must be generally in accordance with the Wind Assessment Report prepared by VIPAC and dated 21 October 2025 but modified to include (or show):
- (a) Consistency with the Condition 1 Plans, as relevant;
 - (b) The façade treatments of Parcel C buildings do not result in negative wind speed impacts (to the satisfaction of the Responsible Authority) on the adjoining Wurundjeri Biik Parklands, Queens Parade and Smith Street interfaces; and
 - (c) Wind amenity is achieved at the south west, north west, and south east interfaces of Parcel B with Alexandra Parade, Wurundjeri Biik Parklands, and Smith Street is suitable for standing.
21. The provisions, recommendations and requirements of the endorsed Wind Assessment Report must be implemented and complied with to the satisfaction of the Responsible Authority.

Acoustics

22. The provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.
23. Before the last building of each Parcels B and C is occupied, Acoustic Reports to the satisfaction of the Responsible Authority must be prepared by a suitably qualified acoustic engineer and must be submitted to and approved by the Responsible Authority. The Acoustic Report must demonstrate compliance of the development (via acoustic tests) with the Environment Protection Regulations under the Environment Protection Act

2017 and the incorporated Noise Protocol (Publication 1826.4, Environment Protection Authority, May 2021) or any other requirement to the satisfaction of the Responsible Authority, as may be amended from time to time.

24. The uses 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.

Social and Affordable Housing

25. Concurrent with the submission of Condition 1 Plans, an amended Affordable Housing Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Affordable Housing Report will be endorsed and will form part of this permit. The amended Affordable Housing Report must be generally in accordance with the Affordable Housing Report prepared and authored by Assemble (Parcel B), dated July 2025 and Milieu (Parcel C) dated July 2025 but modified to:
- (a) Clarify where the remaining 3.5% of the minimum 20% affordable housing provision will be accommodated in the overall development;
 - (b) Outline the procedures and policies to manage eligibility for the social and affordable housing, **including details of the way in which “affordability” would be calculated, ensuring** that they do not impose burdensome or invasive requirements to validate ongoing eligibility of a resident;
 - (c) **Confirm that affordable dwellings are to be provided are affordable to very low and low income earners;**
 - (d) Details on how increases in household incomes will be managed (i.e. consideration for one-off increases in income that may not be maintained in the following year);
 - (e) **Confirm that the affordable housing dwellings offered will be provided in perpetuity;**
 - (f) Provide evidence of grant funding or an agreement being entered into for the delivery of social housing;
 - (g) **Confirm that social housing dwellings will be provided in perpetuity for the use of tenants from the Victorian Housing Register in order of priority;**
 - (h) Confirm the typology diversity targets of the approved Fitzroy Gasworks Development Plan be clearly met including reducing the provision of studio apartments to more than 25% of the housing offer; and
 - (i) A commitment to the provision of an annual report on the build to rent pilot program delivered to the City of Yarra that demonstrates the effectiveness of management policies and procedures, the approach to annual monitoring of resident eligibility and where improvements to these procedures have been identified.
26. Before the Parcel B development and Parcel C, Building C development are occupied or prior to the issue of a Statement of Compliance under the Subdivision Act 1988 for any subdivision or stage of subdivision whichever occurs first, the owner must enter into an Agreement with the Responsible Authority pursuant to section 173 of the Planning and Environment Act 1987 (unless the Owner is legally unable to enter into a Section 173
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Agreement in which case the agreement must be a deed) which sets out the terms on which the landowner is required to make a contribution towards affordable housing in accordance with Condition 25 of this permit, to the satisfaction of the Responsible Authority. This may include a staged contribution, subject to the satisfaction of the Responsible Authority. Unless otherwise agreed in writing with the Responsible Authority, the Agreement must provide for an affordable housing contribution as follows:

- (a) The nominated dwellings are to be made available by the owner for purchase or rent by a housing agency which is registered as either a housing association or housing provider under the Housing Act 1983 (Housing Agency) or the like to the satisfaction of the Responsible Authority. The price at which the nominated dwellings are to be made available to the Housing Agency must not exceed an amount that is 25% less than the market value as determined by a report from a valuer;
- (b) The nominated dwellings must comprise the mix of dwellings as detailed within the Fitzroy Gasworks Development Plan;
- (c) Parcels B and C must deliver a minimum 16.5% of the required 20% social and affordable housing as detailed within the Fitzroy Gasworks Development Plan;
- (d) Social housing dwellings for both Parcels B and C must be provided in perpetuity for the use of tenants from the Victorian Housing Register in order of priority;**
- (e) Affordable housing dwellings for both Parcels B and C must be provided in perpetuity;**
- (f) If the Owner is unable to source a Housing Agency to accept the nominated dwellings, the Owner must make a financial contribution to Yarra City Council equal to the value of the requirement under this provision which is to be applied by Yarra City Council to the provision of affordable housing; and
- (g) All costs associated with the preparation, execution and if the agreement is a section 173 agreement, the recording of the Agreement must be borne by the Owner. The Agreement must if it is a section 173 Agreement be recorded on the title to the land under the Planning and Environment Act 1987.

Waste Management, Loading and Deliveries

- 27. Concurrent with the Submission of Condition 1 Plans, a Loading Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Loading Management Plan will be endorsed and will form part of this permit. The Loading Management Plan must address, but not be limited to, the following:
 - (a) Consistency with the Condition 1 Plans, as relevant;
 - (b) Locations of where all loading, deliveries and waste collections will take place;
 - (c) Nominate the largest vehicles to perform deliveries and waste collections; and
 - (d) Provide swept path assessments of the largest nominated vehicles.
- 28. The provisions, recommendations and requirements of the endorsed Waste Management Plans must be implemented and complied with to the satisfaction of the Responsible Authority.

29. The provisions, recommendations and requirements of the endorsed Loading Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
30. The collection of waste from the site must be by private collection, unless with the prior written consent of the Responsible Authority.
31. 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.

Access Management Plan

32. Prior to the occupation of the development, an Access Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority in consultation with Yarra City Council. When approved, the Access Management Plan will be endorsed and will form part of this permit. Unless otherwise agreed by the Responsible Authority, the Access Management Plan should include or provide for:
 - (a) Free and unimpeded public access over the pedestrian paths on private property and within the areas of communal open space (Public Spaces collectively) between sunrise and sunset at a minimum, 7 days a week, unless access is required to be restricted for maintenance, events or other matters from time to time, at the Owner's cost;
 - (b) Responsibility for all security and risk in the Public Spaces;
 - (c) The Public Spaces being kept and maintained at all times in a structurally sound and safe condition to the reasonable satisfaction of Yarra City Council;
 - (d) Regular cleaning of Public Spaces;
 - (e) The Public Spaces complying with all applicable laws and legal requirements;
 - (f) Indemnify Yarra City Council for any damage to the development by reason of, or in connection with, the use of Public Spaces by the public;
 - (g) Not making any claim for damages or loss of any kind against Council for any damage or injury caused to the Public Spaces or to any person using the Public Spaces;
 - (h) Maintenance of public liability insurance for the use of Public Spaces; and
 - (i) Maintenance of the Public Spaces in accordance with the endorsed plans and to a standard that is safe and fit for public access to the satisfaction of the Responsible Authority.
33. The provisions, recommendations and requirements of the endorsed Access Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Public Lighting

34. Before the development commences (excluding demotion, bulk excavation and site preparation work), or by such later date as approved in writing by the Responsible Authority, a Public Lighting Plan must be submitted to and approved by Council's Civil

Engineering Department. When approved, the Public Lighting Plan will be endorsed and will form part of this permit. The Public Lighting Plan must be designed:

- (a) Address lighting along Smith Street, Alexandra Parade, Gore Street, Borat Street, entrances to the approved buildings in Parcels B and C, as well as other internal laneways / pedestrian pathways within Parcel C;
 - (b) To comply with uniformity, access and maintenance requirements as per standard AS1158.3.1;
 - (c) To control light spillage in accordance with the requirements of AS 4282 – 2019, "Control of the obtrusive effects of outdoor lighting"; and
 - (d) To the satisfaction of the Responsible Authority.
35. The provisions, recommendations and requirements of the endorsed Public Lighting Plan must be implemented and complied with at no cost to Council and to the satisfaction of the Responsible Authority.
36. Before any existing public lighting is removed a temporary lighting plan to the satisfaction of the Responsible Authority must be submitted and approved by Council's Civil Engineering Department. The temporary lighting plan is to be installed at the permit holder's cost and must remain operational until a new permanent lighting scheme is installed and operational to the satisfaction of the Responsible Authority.
37. Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating the development and surrounding public realm 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.

Car Parking & Vehicle Access

38. Concurrent with submission of Condition 1 plans the or by such later date as approved in writing by the Responsible Authority, vehicle crossing designs for the access points on Gore Street and Smith Street, 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*.
39. Prior to submission of Condition 1 Plans, a Traffic Engineering Assessment to the satisfaction of the Responsible Authority must be submitted to and approved by Yarra City Council's Traffic Engineering Department. Once approved, these will form part of the plans to be endorsed by Condition 1 of the permit. The Traffic Engineering Assessment must address / include:
- (a) Clarify if the median opening on Alexandra Parade opposite the Gore Street extension is to remain open or closed, in relation to restricting right-in and right-out movements to and from Alexandra Parade:

- (i) If the median is to remain open or closed at a later period after the Gore Street extension is in operation, then at a minimum, physical measures such as splitter islands/kerbs, signage, and line-marking are to be provided to restrict the right-in and right-out movements to and from the Gore Street extension. Physical measures and signs should not block or impede pedestrian/cyclist activity and infrastructure;
- (b) Restriction of right-out vehicle movements from Parcel B and Parcel C to Smith Street:
 - (i) At a minimum, physical measures such as splitter islands/kerbs, signage, and line-marking are to be provided. Physical measures and signs should not block or impede pedestrian/cyclist activity and infrastructure. The current physical island is too small and will not be effective. Additional barriers on Smith Street should also be considered;
- (c) Restriction of access into Borat Street via Smith Street, including no right-in and right-out movements to/ from Smith Street:
 - (i) At a minimum, physical measures such as splitter islands/kerbs, signage, and line-marking are to be provided. Physical measures and signs should not block or impede pedestrian and cyclist activity and infrastructure;
- (d) Details on how rat-running between Smith Street and Alexandra Parade, along Borat Street and Gore Street will be managed, including details of any traffic calming measures;
- (e) Demonstrate the effectiveness, including the provision of swept path diagrams of the roundabout design on Gore Street having regard to vehicle movements of loading, waste collection and passenger vehicles;
- (f) Amended swept path diagrams showing a B99 vehicle and 6.4m long waste truck moving from Gore Street into Borat Street. The loading zone may be relocated or re-adjusted to facilitate vehicle access;
- (g) Amended swept path diagrams of a mini rear loading waste collection vehicle turning left into the Parcel B site access from Smith Street, avoiding the kerb and bicycle lane;
- (h) Left-in and left-out swept path diagrams for Parcel B and Parcel C access via Smith Street must show the turning movements from the traffic lane and avoid excessive overlap with the future bicycle lane;
- (i) Amended swept path diagram for Basement 1 in Parcel C, ensuring no encroachment into car spaces;
- (j) Address visibility concerns relating to a car reversing out of the end car space and approaching vehicles from the ramps for Basement 1 in Parcel C;
- (k) Clarify if Borat Street and Gore Street are to be a formal shared zone and provide a copy of approval from DTP;
- (l) Further clarification on the entry system into Parcel B and Parcel C parking areas and an assessment of the system's impacts to queue lengths on Smith Street and tram services, and how these will be managed;

- (m) Address concerns relating to the proximity of the merge taper and right turn lane to Parcel B via Smith Street and potential for unsafe vehicle movements;
 - (n) Clarify if another vehicle access point is proposed north of the Parcel C car park access, and address concerns relating to intervisibility between vehicles when approaching the exit to turn onto Smith Street, and visibility to pedestrians. If vehicles are not allowed in this laneway, physical barriers such as bollards are to be provided; and
 - (o) Include the following drawings:
 - (i) Cross-sections of main ramped accessways (dimensioned and labelled with grades);
 - (ii) All columns in car parking levels to be dimensioned (depths and offsets from aisles);
 - (iii) Clearances to walls for adjacent spaces; and
 - (iv) Existing on-street parking restriction signs to be drawn or identified in a schedule of signs.
40. 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 use;
 - (b) The number of parking spaces allocated to each dwelling type;
 - (c) Any tandem parking spaces allocated to a single tenancy/dwelling;
 - (d) The number and location of car spaces for shared use, including time of shared use;
 - (e) The management of visitor car parking spaces and security arrangements for occupants of the development, including details on how residential visitors are to access car parking;
 - (f) Details of way-finding, cleaning and security of end of trip bicycle facilities;
 - (g) The number and allocation of storage spaces;
 - (h) Policing arrangements and formal agreements;
 - (i) 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.; and
 - (j) 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 28.
41. The provisions, recommendations and requirements of the endorsed Car Park Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
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42. Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, the area(s) 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 buildings are occupied or by such later date as approved in writing by the Responsible Authority, a notice showing the location of car parking must be placed in a clearly visible position near the entry to the land. The notice must be maintained thereafter to the satisfaction of the Responsible Authority.
44. Before the buildings are 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.
45. Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, any redundant vehicular crossing must be demolished and reinstated as footpath, verge (if applicable), and kerb and channel:
- (a) At the permit holder's cost; and
 - (b) To the satisfaction of the Responsible Authority.

Engineering and Infrastructure

46. Concurrent with the submission of Condition 1 plans, a Stormwater Management Report must be submitted and approved by Council's Civil Engineering Department. When approved, the Stormwater Management Report will be endorsed and will form part of this permit. The Stormwater Management Report must include / address:
- (a) Compliance with the overall Gasworks development Stormwater Management Plan (SWMP);
 - (b) Discharge of the internal drainage system to the legal point of discharge (LPD) stub provided at the southwestern corner of the property, maintaining a maximum permissible sit discharge (PSD) of 50L / s;
 - (c) Details of onsite detention options to achieve allocated PSD;
 - (d) Incorporation of any sustainability design requirements under the planning permit; and
 - (e) Management of the 1% EAP rain event ensuring the captured water and overland flow is contained within the property boundary and dissipated to the LPD.
47. The provisions, recommendations and requirements of the endorsed Stormwater Management Report must be implemented and complied with at no cost to Council and to the satisfaction of the Responsible Authority.
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48. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated:

- (a) In accordance with Yarra Standard Drawings | Yarra City Council;
- (b) At the permit holder's cost; and
- (c) To the satisfaction of the Responsible Authority.

Section 173 Agreements

Gore Street Extension

49. Unless otherwise agreed by the Responsible Authority, prior to the commencement of the development authorised by this permit (excluding retention, bulk excavation and early works), the owner (or another person in anticipation of becoming the owner) must enter into an agreement with the Responsible Authority under section 173 of the Planning and Environment Act 1987, which provides for the following:

- (a) Before the occupation of the developments approved by this permit, or at a later date to the satisfaction of the Responsible Authority, the Gore Street extension must be substantially completed to the satisfaction of Yarra City Council;
- (b) The cost of any incomplete works (including any associated labour and maintenance) at time of occupation of the development to be reserved as bonds, bank guarantees or similar to the satisfaction of the responsible authority;
- (c) Prior to the occupation of the development approved by this permit, or at a later date to the satisfaction of the Responsible Authority, the Gore Street extension is to be vested with Yarra City Council. The time and cost associated with the change of title process through the relevant statutory bodies is to be borne by the Owner;
- (d) Clear delineation of the public / private interface, with no private infrastructure encroaching into the public areas, above and below (including any basements) the surface;
- (e) Any testing / inspections / plan assessments required as part of the structural evaluation of the infrastructure required by Council is to be borne by the permit holder; and
- (f) The cost of the design and construction of the Gore Street extension, including all landscape works, any park furniture/equipment and drainage is to be borne by the permit applicant.

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

Borat Street

50. Unless otherwise agreed by the Responsible Authority, prior to the commencement of the development authorised by this permit (excluding retention, bulk excavation and early works), the owner (or another person in anticipation of becoming the owner) must enter

into an agreement with the Responsible Authority under section 173 of the Planning and Environment Act 1987, which provides for the following:

- (a) Prior to the occupation of the first completed building in Parcel B or Parcel C (whichever comes first) or a later date as agreed in writing with the Responsible Authority, Borat Street must be delivered, in consultation with the City of Yarra, to the satisfaction of the Responsible Authority and at the permit holder's cost;
- (b) The cost of the design and construction of the Borat Street including all landscape works, any park furniture/equipment and drainage is to be borne by the permit applicant;
- (c) Provide unimpeded public access to Borat Street 24 hours a day, 7 days a week; and
- (d) Address liability for public safety and potential damage to private infrastructure

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

Land Use Conditions

- 51. Except with the prior written consent of the Responsible Authority, the XXX use / premises authorised by this permit may only operate between the following hours:
 - (a) To be confirmed by DTP.
- 52. No more than (#) patrons are permitted in the XXX use (DTP to confirm).
- 53. Emptying of bottles and cans into bins may only occur between 7am and 10pm on Monday to Saturday or between 9am and 10pm on a Sunday or public holiday.

Construction Management

- 54. Before the development commences, a Construction Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will form part of this permit. The plan must provide for:
 - (a) A pre-conditions survey (dilapidation report) of the land and all adjacent Council roads frontages and nearby road infrastructure;
 - (b) Works necessary to protect road and other infrastructure;
 - (c) Remediation of any damage to road and other infrastructure;
 - (d) Containment of dust, dirt and mud within the land and method and frequency of clean up procedures to prevent the accumulation of dust, dirt and mud outside the land;
 - (e) Facilities for vehicle washing, which must be located on the land;
 - (f) The location of loading zones, site sheds, materials, cranes and crane/hoisting zones, gantries and any other construction related items or equipment to be located in any street;
 - (g) Site security;
 - (h) Management of any environmental hazards including, but not limited to:
-

- (i) Contaminated soil;
- (ii) Materials and waste;
- (iii) Dust;
- (iv) Stormwater contamination from run-off and wash-waters;
- (v) Sediment from the land on roads;
- (vi) Washing of concrete trucks and other vehicles and machinery; and
- (vii) Spillage from refuelling cranes and other vehicles and machinery;
- (i) The construction program;
- (j) Preferred arrangements for trucks delivering to the land, including delivery and unloading points and expected duration and frequency;
- (k) Parking facilities for construction workers;
- (l) Measures to ensure that all work on the land will be carried out in accordance with the Construction Management Plan;
- (m) An outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services;
- (n) An emergency contact that is available for 24 hours per day for residents and the Responsible Authority in the event of relevant queries or problems experienced;
- (o) The provision of a traffic management plan to comply with provisions of AS 1742.3-2002 Manual of uniform traffic control devices - Part 3: Traffic control devices for works on roads;
- (p) A Noise and Vibration Management Plan showing methods to minimise noise and vibration impacts on nearby properties and to demonstrate compliance with Noise Control Guideline 12 for Construction (Publication 1254) as issued by the Environment Protection Authority in October 2008. The Noise and Vibration Management Plan must be prepared to the satisfaction of the Responsible Authority. In preparing the Noise and Vibration Management Plan, consideration must be given to:
 - (i) Using lower noise work practice and equipment;
 - (ii) The suitability of the land for the use of an electric crane;
 - (iii) Silencing all mechanical plant by the best practical means using current technology;
 - (iv) Fitting pneumatic tools with an effective silencer;
 - (v) Other relevant considerations; and
 - (vi) Any site-specific requirements.

During the construction:

- (q) Any stormwater discharged into the stormwater drainage system must be in compliance with Environment Protection Authority guidelines;

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

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.

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

General Conditions

56. Any new apartment development allowed by this permit must not be connected to a reticulated gas service (within the meaning of clause 53.03 of the relevant planning scheme). This condition continues to have force and effect after the development authorised by this permit has been completed.
57. Finished floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.
58. 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.
59. 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.
60. Before the buildings are occupied, any wall located on a boundary facing public property must be treated with a graffiti proof finish to the satisfaction of the Responsible Authority.
61. Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated (including by the re-sheeting of the entire Smith Street and Alexandra Parade footpaths for the width of the property frontage)
- (a) At the permit holder's cost; and
 - (b) To the satisfaction of the Responsible Authority.
62. 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.
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63. 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.
64. This permit will expire if:
- (a) The development is not commenced within three years of the date of this permit; or
 - (b) The development is not completed within five years of the date of this permit.
 - (c) The uses are not commenced within six 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

For the submission of plans and reports pursuant to Conditions 7, 35, 39, 40 and 48 please submit these to info@yarracity.vic.gov.au marked attention to Engineering Services.

These Food and Drinks Premises will be required to comply with the Food Act 1984. The use must not commence until registration, or other approval, has been granted by Council's Health Protection Unit.

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 development permitted under the permit.

All property owners or occupiers within a development approved under this planning permit, will not be eligible for residential or visitor parking permits unless the development has heritage controls where parking would adversely affect the integrity of the heritage place, or if there's no increase in occupancies and the development does not reduce existing on-site parking. For more information refer to www.yarracity.vic.gov.au/residents/transport/parking/parking-permits.

All future business (whether as owners, lessees/tenants, occupiers) within a development approved under this planning permit, will not be eligible for business parking permits unless the development has heritage controls where parking would adversely affect the integrity of the heritage place, or if there's no increase in separate occupancies and the development does not reduce existing on-site parking. For more information refer to www.yarracity.vic.gov.au/residents/transport/parking/parking-permits.

In accordance with the Yarra Planning Scheme, an 8.65% public open space contribution will apply in the event of the subdivision of the land.

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

Engineering Notes

The site stormwater must be directed to the nominated legal point of discharge (LPD) and shall be limited to equivalent predevelopment levels or 70% impervious coverage, whichever is lowest, for a 20% AEP rainfall event.

The development must detain onsite, at a minimum, the 10% AEP storm event. For cases where a safe overland flow path cannot be provided or where flows exceeding pipe capacity may impact the development or adjacent, upstream, or downstream properties, the requirement will be to detain the 1% AEP storm event.

All redundant property drain outlets are to be demolished and reinstated to Council's satisfaction and at the Permit Holder's cost.

Any service poles, structures or pits located within the public realm areas that interfere with the proposal, must be adjusted accordingly:

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

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

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

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

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

CALL FOR A DIVISION

For: Councillor Harrison, Councillor Aston, Councillor Crossland, Councillor Davies, Councillor Gomez, Councillor Ho and Councillor Wade

Against: Nil

CARRIED UNANIMOUSLY

6.2. – PPE25/0673 - 549-555 Church Street & 3 Cotter Street, Richmond

Author	Kyle Everett – Senior Strategic Planner
Authoriser	General Manager City Sustainability and Strategy

Officer Recommendation

Start time: 7.25pm

That Council:

1. Delegate the Manager Statutory Planning to write to the Department of Transport and Planning outlining Council's position that:
 - (a) the changes to the Yarra Planning Scheme proposed in Draft C333yara are supported and
 - (b) Draft Planning Permit PA2503685 is supported and a planning permit should issue subject to the following recommended conditions being included:

Amended Plans

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 generally in accordance with the decision plans prepared by Bates Smart Architects dated 09/07/2025, but modified to show:
 - (a) The height of the section of the building within Area CS-C of DDO53 reduced by at least one storey, and a greater building separation than the minimum requirement in the DDO53 schedule provided in accordance with Clause 2.3 (Building Height Requirements), specifically:
 - (i) The upper floor setback onto Northcote Street increased to be more than 3.0m; and
 - (ii) The upper floor setback onto the southern boundary increased to be more than 4.5m;
 - (b) In addition to condition 1(a), the following applies to the entire building:
 - (i) The upper floors setback from Northcote Street increased to at least 3m; and
 - (ii) The upper floors setback from the southern boundary increased to at least 4.5m;
 - (c) The upper floors setback from Church Street increased to at least 5m;
 - (d) Confirmation that the existing brick façade is being retained on the south elevation;
 - (e) Revise Church Street elevation podium to better complement surrounding industrial character, including the use of exposed brickwork;
 - (f) Revise upper floors on northern and western elevations to reduce extent of glazing, provide better vertical definition and minimise impacts from reflective materials;

- (g) Details to demonstrate that 'fritted glass' windows will adequately limit overlooking opportunities to habitable room windows and/or secluded private open space within a 9m radius;
- (h) The corner columns onto Church Street chamfered to reflect conditions on the opposite side of Northcote Street;
- (i) Integrate irrigated planters in front of glazing within with setback zone onto Church Street;
- (j) Integrate planter boxes at both corner entrance thresholds within the site;
- (k) Entrance threshold to Church Street to demonstrate DDA compliance and seamless transition between footpath and internal entrance spaces;
- (l) Annotation to confirm all entrance levels to Church Street to have positive fall out towards the street to mitigate any flooding risk;
- (m) The central canopy to Church Street removed;
- (n) The external finish to the substation and switch room building at No. 3 Cotter Street to be modified to cement cladding or lined render finished in a pale colour that resembles traditional weatherboards;
- (o) The proposed louvre screen on the façade of the Cotter Street substation building modified to a series of smaller screens sympathetic to the scale and proportions of openings in the adjacent heritage street frontages;
- (p) The proposed front garden planter box to Cotter Street aligned with the site's front boundary;
- (q) Security lighting integrated at entrance points along Northcote Street should these be used after hours to access the undercroft parking;
- (r) Northern crossover on Brighton Street reduced in width to align with the proposed accessway;
- (s) Additional window openings to the lobby space onto Brighton Street for safety and lighting;
- (t) Provide a minimum of 35 visitor bicycle parking spaces in accordance with Clause 52.34 – Bicycle Facilities requirements;
- (u) Provide a minimum of 176 employee bicycle spaces in in accordance with Clause 52.34 – Bicycle Facilities requirements;
- (v) Locate employee bicycle spaces/stores in a conveniently accessible location meeting the requirements of the Planning Scheme;
- (w) Identify the dimensions of all access paths to bicycle parking locations;
- (x) Identify all the relevant dimensions for bicycle parking spaces to confirm they meet AS2890.3 requirements;
- (y) Identify the locking mechanism to be used at all bike stores;
- (z) Identify the number of showers, change rooms and lockers;
- (aa) Any relevant changes required by the Acoustic report at Condition 5;

- (bb) Any relevant changes required by the amended Sustainable Management Plan at Condition 7;
 - (cc) Any relevant changes required by the Waste Management Plan at Condition 10;
 - (dd) Any relevant changes required by the amended Landscape Plan at Condition 13;
 - (ee) Any relevant changes required by the Tree Management Plan at Condition 15; and
 - (ff) Any relevant changes required by the Wind Report at Condition 17.
2. The use and development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.

Façade Strategy

3. In conjunction with the submission of development plans under Condition 1, a Façade Strategy and Materials and Finishes Plan to the satisfaction of the Responsible Authority must be submitted to and be approved by the Responsible Authority. When approved, the Façade Strategy and Materials and Finishes Plan will be endorsed and will then form part of this permit. The Façade Strategy and Materials and Finishes Plan must detail:
- (a) Section drawings to demonstrate façade systems, including fixing details and joints between materials or changes in form;
 - (b) Elevations at a scale of 1:20 or 1:50 illustrating typical podium and tower details, entries and doors, bike parking areas, service areas of all buildings;
 - (c) Details of all services and design treatment of these to be incorporated into the overall design composition of the building; and
 - (d) Provide renders, outlining colours, materials and finishes and graffiti proofing of walls to the street, including doors, perforations and upper levels (where necessary) with information about how each façade will be maintained.
4. As part of the ongoing progress and development of the site, Bates Smart Architects, or an architectural firm to the satisfaction of the Responsible Authority must be engaged to:
- (a) oversee design and construction of the development approved under this permit; 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.

Acoustic

5. Before the use and 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 Reve 7 and dated 9 September 2025 but modified to show:
- (a) Changes consistent with Condition 1.
6. 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.
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Sustainability Management Plan

7. Before the development commences, an amended Sustainable Management Plan 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 advertised Sustainable Management Plan by Integrated Group Services, dated 1 July 2025, but updated to include the following:
 - (a) Updated JV3 energy modelling to demonstrate the 20% energy efficiency improvement claimed in the SMP and include 10% improvement in building fabric over NCC2022 minimum standard; and
 - (b) Any changes necessary as a result of the condition 1 requirements.
8. 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.
9. The provisions, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Waste Management Plan

10. Before the development commences, an amended Waste Management Plan to the satisfaction of the Responsible Authority must be prepared by a suitably qualified individual and 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 Traffix Group dated June 2025 but modified to include or show:
 - (a) Any changes necessary as a result of the condition 1 requirements;
 - (b) The size of each bin store and the footprint of proposed bins, provided in square Bin storage room size in square metres to ensure sufficient space for an effective waste system;
 - (c) Details of space available for temporary storage of hard waste, e-waste and all other standard waste streams; and
 - (d) An explanation of how risks associated with waste management at this site will be managed.
11. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
12. The collection of waste from the site must be by private collection, unless with the prior written consent of the Responsible Authority.

Landscape Plan

13. 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 Concept prepared by Ratio, dated 11 June 2025 but modified to include or show:
- (a) Any changes necessary as a result of the condition 1 requirements;
 - (b) Strategies for the retainment of any existing street trees (i.e., barriers and signage during the construction process) consistent with any conditions of this permit;
 - (c) Notes and diagrams detailing the establishment and maintenance of all proposed trees, shrubs and ground covers;
 - (d) Public realm along Church Street, Brighton Street, Northcote Street and Cotter Street;
 - (e) Extent of proposed and existing pavements and any other proposed infrastructure improvements and changes;
 - (f) Clearly dimensioned elements including pedestrian paths and parking bays;
 - (g) All existing and proposed levels, surface grades and drainage infrastructure;
 - (h) All existing streetscape infrastructure, including light poles, drains, services pits and street signs;
 - (i) Deletion of the crossover along Cotter Street and the kerb, channel and pedestrian footpath reinstated; and
 - (j) Within upper levels:
 - (i) Widen planter boxes in some sections to allow for more substantial and visually meaningful greenery (viewed from afar);
 - (ii) Review plant species selection, *Dichondra* spp should be replaced with other robust cascading plant species to create successful greening impact;
 - (iii) Review plant species selection to ensure suitable for the different site conditions;
 - (iv) All planters to have integrated irrigation systems;
 - (v) Noting the intention for plants to cascade over the edges, any balustrade required must be designed to accommodate this design intent;
 - (vi) Integrate planters and vertical greenery around level 02 plant area; and
 - (vii) Integrate planter along level 02 interface to Brighton Street;
 - (k) Within the Cotter Street garden bed:
 - (i) Extend garden bed to title boundary and eastern boundary;
 - (ii) Integrate a solid raised brick edge around the full extent of the garden bed to match in with brick edge (below fence) of the abutting property no. 3 Cotter Street;
 - (iii) Raise level of garden bed to match top of brick edge;
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- (iv) Include an additional low plant species to the plant mix; and
 - (v) Review plant species to ensure all shade tolerant; and
 - (l) Garden bed must be irrigated.
14. 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

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 the street trees on Church Street:
 - (i) pre-construction;
 - (ii) during construction; and
 - (iii) post construction
 - (b) the provision of any barriers;
 - (c) any pruning necessary; and
 - (d) watering and maintenance regimes,
- 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.

Wind Report

17. Before the development commences, an amended Wind Assessment Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Wind Assessment Report will be endorsed and will form part of this permit. The amended Wind Assessment Report must be generally in accordance with the Wind Assessment Report prepared by ViPAC dated 7 June 2025, but modified to include (or show):
- (a) The proposal as amended pursuant to condition 1.
18. The provisions, recommendations and requirements of the endorsed Wind Report must be implemented and complied with to the satisfaction of the Responsible Authority.
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Green Travel Plan

19. Before the development commences, an amended Green Travel Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Green Travel Plan will be endorsed and will form part of this permit. The amended Green Travel Plan must be generally in accordance with the Green Travel Plan prepared by Traffix Group and dated June 2025, but modified to include or show:
 - (a) Any changes required under Condition 1.
20. 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 Plan

21. Concurrent with the submission of Condition 1 plans, or by such later date as approved in writing by the City of Yarra, a Public Realm Plan of all public realm improvements associated with the development must be prepared, submitted and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The Public Realm Plan must show, but not be limited to, the following:
 - (a) Existing conditions (including all assets- road, footpath, drainage, lighting poles, trees, street furniture, parking signs, traffic signs etc.) along all frontages;
 - (b) Proposed conditions (including any new assets) along all frontages;
 - (c) Demolition and reconstruction of the laneway from Cotter St to the subject site;
 - (d) Stormwater Management Plan;
 - (e) at the permit holder's cost; and
 - (f) Any changes required under Condition 1,to the satisfaction of the Responsible Authority.
22. Before the development commences (excluding site preparations, demolition and bulk excavation), or by such later date as approved in writing by the City of Yarra, detailed design drawings of the works approved under the Public Realm Plan (as required by Condition 21) addressing all road infrastructure works (including soft/hard landscaping), must be submitted to and approved by Council's Civil Engineering Department. Once approved, the detailed design drawings will be endorsed and will then form part of the permit.
23. Before the building is occupied, all associated works shown on the endorsed detailed design plans for the public realm (as required by Condition 21) must be fully constructed and completed to the satisfaction the Council's Civil Engineering Department and at no cost to the Responsible Authority.

Lighting

24. Before the development commences, or by such later date as approved in writing by the Responsible Authority, a Public Lighting Plan must be submitted to and approved by Council's Civil Engineering Department. When approved, the Public Lighting Plan will be endorsed and will form part of this permit. The Public Lighting Plan must be designed to:
 - (a) address lighting along Northcote Street and the entrances to the approved building;

- (b) comply with uniformity, access and maintenance requirements as per standard AS1158.3.1; and
- (c) control light spillage in accordance with the requirements of AS 4282 – 2019, "Control of the obtrusive effects of outdoor lighting",

the satisfaction of the Responsible Authority.

25. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating access to the basement car park, pedestrian walkway, laneway and entrances must be provided within the property boundary. Lighting must be:
- (a) located;
 - (b) directed;
 - (c) shielded; and
 - (d) of limited intensity,
- to the satisfaction of the Responsible Authority.
26. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, for any Public Lighting asset required to be affixed to a private property, the owner must enter into a Section 173- Agreement with Council for the servicing and maintenance of such assets.
27. Before any existing public lighting is removed a temporary lighting plan to the satisfaction of the Responsible Authority must be submitted and approved by Council's Civil Engineering Department. The temporary lighting plan is to be installed at the permit holder's cost and must remain operational until a new permanent lighting scheme is installed and operational to the satisfaction of the Responsible Authority.

General

28. 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.
29. 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.
30. All pipes (excluding drainage pipes if not practicable), fixtures and fittings servicing any building on the land must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.
31. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the area set aside on the endorsed plans for the car parking spaces, access lanes, driveways and associated works must be:
- (a) Constructed and available for use in accordance with the endorsed plans;
 - (b) Formed to such levels and drained so that they can be used in accordance with the endorsed plans; and
 - (c) Line-marked or provided with some adequate means of showing the car parking spaces to the satisfaction of the Responsible Authority.

32. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.
33. 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.
34. 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.
35. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any redundant vehicular crossing must be demolished and re-instated as footpath, verge (if applicable), and kerb and channel:
36. Before the building is occupied or by such later date as approved in writing by the Responsible Authority, the footpath along the property's Church St and Brighton St frontage/s must be reconstructed in asphalt:
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
37. Before the building occupied, or by such later date as approved in writing by the Responsible Authority, the kerb and channel along the property's Brighton St frontage/s must be reconstructed:
 - (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 road pavement and associated drainage along the property's Northcote St frontages must be designed and reconstructed to Council Satisfaction.
39. Within 2 months of the completion 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) in accordance with Yarra Standard Drawings | Yarra City Council;
 - (b) at the permit holder's cost; and
 - (c) to the satisfaction of the Responsible Authority.

Construction Management Plan

40. 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 Construction Management Plan will be endorsed and will form part of this permit. The Construction Management 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;
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- (c) remediation of any damage to road and other infrastructure;
- (d) containment of dust, dirt and mud within the land and method and frequency of clean up procedures to prevent the accumulation of dust, dirt and mud outside the land;
- (e) facilities for vehicle washing, which must be located on the land;
- (f) the location of loading zones, site sheds, materials, cranes and crane/hoisting zones, gantries and any other construction related items or equipment to be located in any street;
- (g) site security;
- (h) management of any environmental hazards including, but not limited to:
 - (i) contaminated soil;
 - (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 chapter 4 of the Civil Construction, Building and Demolition Guide (Publication 1834) as issued by the Environment Protection Authority in November 2020. The Noise and Vibration Management Plan must be prepared to the satisfaction of the Responsible Authority;
- (q) 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 subject to availability of power by the relevant electrical authority;
- (iii) silencing all mechanical plant by the best practical means using current technology;
- (iv) fitting pneumatic tools with an effective silencer;
- (v) other relevant considerations; and
- (vi) Any site-specific requirements;

During the construction:

- (r) any stormwater discharged into the stormwater drainage system must be in compliance with Environment Protection Authority guidelines;
- (s) 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;
- (t) vehicle borne material must not accumulate on the roads abutting the land;
- (u) the cleaning of machinery and equipment must take place on the land and not on adjacent footpaths or roads; and
- (v) all litter (including items such as cement bags, food packaging and plastic strapping) must be disposed of responsibly.

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.

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

Development Infrastructure Levy

42. 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.

Construction hours & noise

43. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
- (a) Monday to Friday (excluding public holidays) before 7:00am or after 6:00pm;
 - (b) Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday) before 9:00am or after 3:00pm; and
 - (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.

Permit Expiry

44. This permit will expire if:
- (a) the development is not commenced within three years of the date of this permit; and

(b) the development is not completed within five years of the date of this permit,

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

MOTION

Moved: Councillor Davies

Seconded: Councillor Gomez

That Council:

1. Delegate the Manager Statutory Planning to write to the Department of Transport and Planning outlining Council's position that:
 - (a) Does not support the changes to the Yarra Planning Scheme proposed in Draft C333yara; and
 - (b) the development proposal for the construction of a 9-storey office building is not supported as it is contrary to the requirements of DDO53.

CALL FOR A DIVISION

For: Councillor Davies, Councillor Harrison and Councillor Ho

Against: Councillor Aston, Councillor Crossland, Councillor Gomez and Councillor Wade

LOST

PLANNING DECISIONS COMMITTEE RESOLUTION**Moved:** Councillor Crossland**Seconded:** Councillor Wade

That Council:

1. Delegate the Manager Statutory Planning to write to the Department of Transport and Planning outlining Council's position that:
 - (a) the changes to the Yarra Planning Scheme proposed in Draft C333yara are supported; and
 - (b) Draft Planning Permit PA2503685 is supported and a planning permit should issue subject to the following recommended conditions being included:

Amended Plans

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 generally in accordance with the decision plans prepared by Bates Smart Architects dated 09/07/2025, but modified to show:
 - (a) The height of the section of the building within Area CS-C of DDO53 reduced by at least one storey, and a greater building separation than the minimum requirement in the DDO53 schedule provided in accordance with Clause 2.3 (Building Height Requirements), specifically:
 - (i) The upper floor setback onto Northcote Street increased to be more than 3.0m; and
 - (ii) The upper floor setback onto the southern boundary increased to be more than 4.5m;
 - (b) In addition to condition 1(a), the following applies to the entire building:
 - (i) The upper floors setback from Northcote Street increased to at least 3m; and
 - (ii) The upper floors setback from the southern boundary increased to at least 4.5m;
 - (c) The upper floors setback from Church Street increased to at least 5m;
 - (d) Confirmation that the existing brick façade is being retained on the south elevation;
 - (e) Revise Church Street elevation podium to better complement surrounding industrial character, including the use of exposed brickwork;
 - (f) Revise upper floors on northern and western elevations to reduce extent of glazing, provide better vertical definition and minimise impacts from reflective materials;
 - (g) Stairwells on the north and south boundaries to have external glazing from levels 2 and above;**
 - (h) Stairwells to be unenclosed to common areas (no stairwell walls or doors to common areas). If this is not possible, stairwell walls and doors to common areas to be glazed, if possible;**

- (i) **Exposed concrete walls to levels 2 and above along the southern elevation to be provided with greater material articulation;**
- (j) Details to demonstrate that 'fritted glass' windows will adequately limit overlooking opportunities to habitable room windows and/or secluded private open space within a 9m radius;
- (k) The corner columns onto Church Street chamfered to reflect conditions on the opposite side of Northcote Street;
- (l) **Provision of planters and/or other vertical greenery to levels 2 and above on the south and east elevations, and greater provision along the length of the Northcote Street and Church Street elevations;**
- (m) Integrate irrigated planters in front of glazing within with setback zone onto Church Street;
- (n) Integrate planter boxes at both corner entrance thresholds within the site;
- (o) Entrance threshold to Church Street to demonstrate DDA compliance and seamless transition between footpath and internal entrance spaces;
- (p) Annotation to confirm all entrance levels to Church Street to have positive fall out towards the street to mitigate any flooding risk;
- (q) The central canopy to Church Street removed;
- (r) The external finish to the substation and switch room building at No. 3 Cotter Street to be modified to cement cladding or lined render finished in a pale colour that resembles traditional weatherboards;
- (s) The proposed louvre screen on the façade of the Cotter Street substation building modified to a series of smaller screens sympathetic to the scale and proportions of openings in the adjacent heritage street frontages;
- (t) The proposed front garden planter box to Cotter Street aligned with the site's front boundary;
- (u) Security lighting integrated at entrance points along Northcote Street should these be used after hours to access the undercroft parking;
- (v) Northern crossover on Brighton Street reduced in width to align with the proposed accessway;
- (w) Additional window openings to the lobby space onto Brighton Street for safety and lighting;
- (x) Provide a minimum of 35 visitor bicycle parking spaces in accordance with Clause 52.34 – Bicycle Facilities requirements;
- (y) Provide a minimum of 176 employee bicycle spaces in in accordance with Clause 52.34 – Bicycle Facilities requirements;
- (z) **All visitor bicycle parking spaces and at least 50% of employee bicycle parking spaces to be at level (i.e. horizontal with 2 wheels on the ground);**
- (aa) **Provision of bicycle spaces for parking cargo bicycles and bicycles with trailers;**

- (bb) EOT ramp to be to a minimum of 2.4m wide to allow safe passage in both directions, and provide direct access from the Brighton Street to the EOT facilities and bicycle parking without corners;**
 - (cc) Corridor along south boundary at ground floor (TP03.0G) to be a minimum of 2.4m wide to allow safe passage in both directions, and provide direct access from Church Street via the office lobby without corners;**
 - (dd) Locate employee bicycle spaces/stores in a conveniently accessible location meeting the requirements of the Planning Scheme;
 - (ee) Identify the dimensions of all access paths to bicycle parking locations;
 - (ff) Identify all the relevant dimensions for bicycle parking spaces to confirm they meet AS2890.3 requirements;
 - (gg) Identify the locking mechanism to be used at all bike stores;
 - (hh) Identify the number of showers, change rooms and lockers;
 - (ii) Any relevant changes required by the Acoustic report at Condition 5;
 - (jj) Any relevant changes required by the amended Sustainable Management Plan at Condition 7;
 - (kk) Any relevant changes required by the Waste Management Plan at Condition 10;
 - (ll) Any relevant changes required by the amended Landscape Plan at Condition 13;
 - (mm) Any relevant changes required by the Tree Management Plan at Condition 15; and
 - (nn) Any relevant changes required by the Wind Report at Condition 17.
2. The use and development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.

Façade Strategy

3. In conjunction with the submission of development plans under Condition 1, a Façade Strategy and Materials and Finishes Plan to the satisfaction of the Responsible Authority must be submitted to and be approved by the Responsible Authority. When approved, the Façade Strategy and Materials and Finishes Plan will be endorsed and will then form part of this permit. The Façade Strategy and Materials and Finishes Plan must detail:
- (a) Section drawings to demonstrate façade systems, including fixing details and joints between materials or changes in form;
 - (b) Elevations at a scale of 1:20 or 1:50 illustrating typical podium and tower details, entries and doors, bike parking areas, service areas of all buildings;
 - (c) Details of all services and design treatment of these to be incorporated into the overall design composition of the building; and
 - (d) Provide renders, outlining colours, materials and finishes and graffiti proofing of walls to the street, including doors, perforations and upper levels (where necessary) with information about how each façade will be maintained.
4. As part of the ongoing progress and development of the site, Bates Smart Architects, or an architectural firm to the satisfaction of the Responsible Authority must be engaged to:

- (a) oversee design and construction of the development approved under this permit; 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.

Acoustic

- 5. Before the use and 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 Reve 7 and dated 9 September 2025 but modified to show:
 - (a) Changes consistent with Condition 1.
- 6. 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.

Sustainability Management Plan

- 7. Before the development commences, an amended Sustainable Management Plan 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 advertised Sustainable Management Plan by Integrated Group Services, dated 1 July 2025, but updated to include the following:
 - (a) Updated JV3 energy modelling to demonstrate the 20% energy efficiency improvement claimed in the SMP and include 10% improvement in building fabric over NCC2022 minimum standard; and
 - (b) Any changes necessary as a result of the condition 1 requirements.
- 8. 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.
- 9. The provisions, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Waste Management Plan

- 10. Before the development commences, an amended Waste Management Plan to the satisfaction of the Responsible Authority must be prepared by a suitably qualified individual and 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 Traffix Group dated June 2025 but modified to include or show:

- (a) Any changes necessary as a result of the condition 1 requirements;
 - (b) The size of each bin store and the footprint of proposed bins, provided in square Bin storage room size in square metres to ensure sufficient space for an effective waste system;
 - (c) Details of space available for temporary storage of hard waste, e-waste and all other standard waste streams; and
 - (d) An explanation of how risks associated with waste management at this site will be managed.
11. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
12. The collection of waste from the site must be by private collection, unless with the prior written consent of the Responsible Authority.

Landscape Plan

13. 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 Concept prepared by Ratio, dated 11 June 2025 but modified to include or show:
- (a) Any changes necessary as a result of the condition 1 requirements;
 - (b) Strategies for the retainment of any existing street trees (i.e., barriers and signage during the construction process) consistent with any conditions of this permit;
 - (c) Notes and diagrams detailing the establishment and maintenance of all proposed trees, shrubs and ground covers;
 - (d) Public realm along Church Street, Brighton Street, Northcote Street and Cotter Street;
 - (e) Extent of proposed and existing pavements and any other proposed infrastructure improvements and changes;
 - (f) Clearly dimensioned elements including pedestrian paths and parking bays;
 - (g) All existing and proposed levels, surface grades and drainage infrastructure;
 - (h) All existing streetscape infrastructure, including light poles, drains, services pits and street signs;
 - (i) Deletion of the crossover along Cotter Street and the kerb, channel and pedestrian footpath reinstated; and
 - (j) Within upper levels:
 - (i) Widen planter boxes in some sections to allow for more substantial and visually meaningful greenery (viewed from afar);
 - (ii) Review plant species selection, *Dichondra* spp should be replaced with other robust cascading plant species to create successful greening impact;

- (iii) Review plant species selection to ensure suitable for the different site conditions;
 - (iv) All planters to have integrated irrigation systems;
 - (v) Noting the intention for plants to cascade over the edges, any balustrade required must be designed to accommodate this design intent;
 - (vi) Integrate planters and vertical greenery around level 02 plant area; and
 - (vii) Integrate planter along level 02 interface to Brighton Street;
 - (k) Within the Cotter Street garden bed:
 - (i) Extend garden bed to title boundary and eastern boundary;
 - (ii) Integrate a solid raised brick edge around the full extent of the garden bed to match in with brick edge (below fence) of the abutting property no. 3 Cotter Street;
 - (iii) Raise level of garden bed to match top of brick edge;
 - (iv) Include an additional low plant species to the plant mix; and
 - (v) Review plant species to ensure all shade tolerant; and
 - (l) Garden bed must be irrigated.
14. 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

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 the street trees on Church Street:
 - (i) pre-construction;
 - (ii) during construction; and
 - (iii) post construction
 - (b) the provision of any barriers;
 - (c) any pruning necessary; and
 - (d) watering and maintenance regimes,
-

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.

Wind Report

17. Before the development commences, an amended Wind Assessment Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Wind Assessment Report will be endorsed and will form part of this permit. The amended Wind Assessment Report must be generally in accordance with the Wind Assessment Report prepared by ViPAC dated 7 June 2025, but modified to include (or show):
 - (a) The proposal as amended pursuant to condition 1.
18. The provisions, recommendations and requirements of the endorsed Wind Report must be implemented and complied with to the satisfaction of the Responsible Authority.

Green Travel Plan

19. Before the development commences, an amended Green Travel Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Green Travel Plan will be endorsed and will form part of this permit. The amended Green Travel Plan must be generally in accordance with the Green Travel Plan prepared by Traffix Group and dated June 2025, but modified to include or show:
 - (a) Any changes required under Condition 1.
20. 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 Plan

21. Concurrent with the submission of Condition 1 plans, or by such later date as approved in writing by the City of Yarra, a Public Realm Plan of all public realm improvements associated with the development must be prepared, submitted and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The Public Realm Plan must show, but not be limited to, the following:
 - (a) Existing conditions (including all assets- road, footpath, drainage, lighting poles, trees, street furniture, parking signs, traffic signs etc.) along all frontages;
 - (b) Proposed conditions (including any new assets) along all frontages;
 - (c) Demolition and reconstruction of the laneway from Cotter St to the subject site;
 - (d) Stormwater Management Plan;
 - (e) at the permit holder's cost; and
 - (f) Any changes required under Condition 1,to the satisfaction of the Responsible Authority.
22. Before the development commences (excluding site preparations, demolition and bulk excavation), or by such later date as approved in writing by the City of Yarra, detailed design drawings of the works approved under the Public Realm Plan (as required by

Condition 21) addressing all road infrastructure works (including soft/hard landscaping), must be submitted to and approved by Council's Civil Engineering Department. Once approved, the detailed design drawings will be endorsed and will then form part of the permit.

23. Before the building is occupied, all associated works shown on the endorsed detailed design plans for the public realm (as required by Condition 21) must be fully constructed and completed to the satisfaction the Council's Civil Engineering Department and at no cost to the Responsible Authority.

Lighting

24. Before the development commences, or by such later date as approved in writing by the Responsible Authority, a Public Lighting Plan must be submitted to and approved by Council's Civil Engineering Department. When approved, the Public Lighting Plan will be endorsed and will form part of this permit. The Public Lighting Plan must be designed to:
- (a) address lighting along Northcote Street and the entrances to the approved building;
 - (b) comply with uniformity, access and maintenance requirements as per standard AS1158.3.1; and
 - (c) control light spillage in accordance with the requirements of AS 4282 – 2019, "Control of the obtrusive effects of outdoor lighting",
- the satisfaction of the Responsible Authority.
25. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating access to the basement car park, pedestrian walkway, laneway and entrances must be provided within the property boundary. Lighting must be:
- (a) located;
 - (b) directed;
 - (c) shielded; and
 - (d) of limited intensity,
- to the satisfaction of the Responsible Authority.
26. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, for any Public Lighting asset required to be affixed to a private property, the owner must enter into a Section 173- Agreement with Council for the servicing and maintenance of such assets.
27. Before any existing public lighting is removed a temporary lighting plan to the satisfaction of the Responsible Authority must be submitted and approved by Council's Civil Engineering Department. The temporary lighting plan is to be installed at the permit holder's cost and must remain operational until a new permanent lighting scheme is installed and operational to the satisfaction of the Responsible Authority.

General

28. 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.

29. 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.
30. All pipes (excluding drainage pipes if not practicable), fixtures and fittings servicing any building on the land must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.
31. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the area set aside on the endorsed plans for the car parking spaces, access lanes, driveways and associated works must be:
 - (a) Constructed and available for use in accordance with the endorsed plans;
 - (b) Formed to such levels and drained so that they can be used in accordance with the endorsed plans; and
 - (c) Line-marked or provided with some adequate means of showing the car parking spaces to the satisfaction of the Responsible Authority.
32. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.
33. 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.
34. 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.
35. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any redundant vehicular crossing must be demolished and re-instated as footpath, verge (if applicable), and kerb and channel:
36. Before the building is occupied or by such later date as approved in writing by the Responsible Authority, the footpath along the property's Church St and Brighton St frontage/s must be reconstructed in asphalt:
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
37. Before the building occupied, or by such later date as approved in writing by the Responsible Authority, the kerb and channel along the property's Brighton St frontage/s must be reconstructed:
 - (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 road pavement and associated drainage along the property's Northcote St frontages must be designed and reconstructed to Council Satisfaction.

39. Within 2 months of the completion 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) in accordance with Yarra Standard Drawings | Yarra City Council;
- (b) at the permit holder's cost; and
- (c) to the satisfaction of the Responsible Authority.

Construction Management Plan

40. 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 Construction Management Plan will be endorsed and will form part of this permit. The Construction Management 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 chapter 4 of the Civil Construction, Building and Demolition Guide (Publication 1834) as issued by the Environment Protection Authority in November 2020. The Noise and Vibration Management Plan must be prepared to the satisfaction of the Responsible Authority;
- (q) 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 subject to availability of power by the relevant electrical authority;
 - (iii) silencing all mechanical plant by the best practical means using current technology;
 - (iv) fitting pneumatic tools with an effective silencer;
 - (v) other relevant considerations; and
 - (vi) Any site-specific requirements;

During the construction:

- (r) any stormwater discharged into the stormwater drainage system must be in compliance with Environment Protection Authority guidelines;
- (s) 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;
- (t) vehicle borne material must not accumulate on the roads abutting the land;
- (u) the cleaning of machinery and equipment must take place on the land and not on adjacent footpaths or roads; and
- (v) all litter (including items such as cement bags, food packaging and plastic strapping) must be disposed of responsibly.

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.

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

Development Infrastructure Levy

42. 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.

Construction hours & noise

43. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
- (a) Monday to Friday (excluding public holidays) before 7:00am or after 6:00pm;
 - (b) Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday) before 9:00am or after 3:00pm; and
 - (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.

Permit Expiry

44. This permit will expire if:
- (a) the development is not commenced within three years of the date of this permit; and
 - (b) the development is not completed within five years of the date of this permit,

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

CALL FOR A DIVISION

For: Councillor Harrison, Councillor Aston, Councillor Crossland and Councillor Wade

Against: Councillor Davies, Councillor Gomez and Councillor Ho

CARRIED

The Deputy Mayor adjourned the meeting at 8.09pm.

The meeting resumed at 8.16pm.

6.3. – PPE25/0652 - 201 - 215 Queens Parade & 6-12 Dummett Crescent, Fitzroy North

Author	Nish Goonetilleke – Principal Statutory Planner
Authoriser	General Manager City Sustainability and Strategy

Officer Recommendation

Start time: 8.16pm

That Council:

1. Note the officer report and the application material.
2. Delegate the Manager Statutory Planning to write to the Department of Transport and Planning outlining Council's position that the proposal is not supported on the following grounds:
 - (a) The proposed height, setbacks, massing and design of the building does not comply with the objectives and design requirements of Design and Development Overlay (Schedule 16-5) or the heritage objectives at Clauses 43.01 and Clause 15.03; and
 - (b) The proposal would result in poor internal amenity (daylight) outcomes to the apartments contrary to Clause 15.01 and Clause 58.
3. Notwithstanding the above, if the Department of Transport and Planning is of the mind to issue a permit, then the following conditions should be included:

Conditions

Amended Plans

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 CHT Architects, dated 17.11.2025, Rev TP4: TP0.02, TP0.20, TP0.21, TP0.22, TP0.30, Rev TP5: TP1.00, TP1.01, TP1.02, TP1.03, TP1.04, TP1.05, TP1.06, TP1.07, TP1.08, TP1.09, TP1.10, TP1.11, TP1.12, TP1.13, TP1.14, TP1.15, TP1.16, TP2.00, Rev TP4: TP2.01, TP2.02, TP2.03, Rev TP2: TP2.04, Rev TP4: TP2.11, TP2.12, TP2.13, Rev TP5: TP3.00, TP3.01, TP3.02, Rev TP4: TP4.01, TP4.02, TP4.03, TP4.04, TP4.05, TP4.06, TP4.07, TP4.08, TP4.09, TP4.10 and TP4.11, but modified to show:
 - (a) Confirmation that no built form exceeds the mandatory requirements of Clause DDP16-5.
 - (b) Deletion of the topmost three levels from the 12-storey building;
 - (c) Deletion of Apartments 201 (Level 02), 301 (Level 3) and 401 (Level 4) from the 5-storey building;
 - (d) Deletion of Apartments 605, 606 (Level 06), 705, 706 (Level 07), 805 and 806 (Level 08) from the 12-storey building;

- (e) Provision of a continuous minimum 1.5m building setback from the title boundary along the Dummett Crescent Lane interface, including modifying the street wall at the corner to Queens Parade to accommodate this setback, including any reconfigurations to the commercial tenancies and apartments;
- (f) Identify the exact uses of the ground floor retail tenancies;
- (g) Provision of wall-mounted sensor lighting to all pedestrian entrances, including the internal courtyard areas;
- (h) A stronger delineation of the street wall and upper levels by using the current material palette;
- (i) Overlooking sectional diagrams to show that there are no direct and unreasonable overlooking from the proposed development and into the habitable room windows (across Dummett Crescent Lane) of Nos. 217 – 241 Queens Parade;
- (j) Compliance with the following Standards of Clause 58:
 - (i) Standard D20 (Private open space): show as additional area of 1.5sqm where heating/cooling units are provided within the private open space; and
 - (ii) Standard D26 (Functional layout): show living areas of Apartments 103, 104, 105, 206, 207, 208, 210, 306, 307, 308, 310, 406, 407, 408, 410, 501, 502, 503, 504, 601, 602, 603, 604, 701, 702, 703, 704, 801, 802, 803, 804, 901, 902, 903, 904, 1002, 1003, excluding the dining room areas;
- (k) The width of the development entrance;
- (l) Superimposed pedestrian sight triangle (2m x 2.5m) for the exit lane of the development entrance, such that it satisfies *Design standard 1 - Accessways* of Clause 52.06-9;
- (m) Headroom clearance;
- (n) The lengths of the ramp grades and transition grades (The 1 in 8 transition grades at the bases of the 1 in 4 ramp sections must be a minimum of 2.5m in length);
- (o) Provision of a cross-sectional drawing for the new vehicle crossing, together with a ground clearance check using the B99 design vehicle;
- (p) Provision of a minimum of 27 visitor spaces in accordance with Clause 52.34 – Bicycle Facilities requirements;
- (q) The type of visitor bicycle parking for all locations;
- (r) All relevant dimensions for bicycle parking spaces, in accordance with AS2890.3 and Yarra City Council's Standard Drawings;
- (s) Resident/employee bicycle parking spaces:
 - (i) relocated to an easily accessible area, within a reasonable distance from the lift core; and
 - (ii) located within a secure compound or bicycle locker and identify the locking mechanism to be used at each bike store;
- (t) Any requirement of the endorsed Façade Strategy and Materials and Finishes Plan (Condition 8);

- (u) Any changes as a result of the amended Sustainability Management Plan (Condition 9);
- (v) Any changes as a result of the amended Landscape Plan (Condition 12);
- (w) Any changes as result of the amended Waste Management Plan (Condition 21);
- (x) Any changes as a result of the amended Public Realm Functional Layout Plan (Condition 24);
- (y) Any requirements of the endorsed Reflected Glare Assessment (Condition 27);
- (z) Any requirement of the endorsed Acoustic Report (Condition 29); and
- (aa) Any requirement of the endorsed Wind Assessment (Condition 31).

Development Conditions

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. As part of the ongoing consultant team, CHT 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. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.

Use

5. Except with the prior written consent of the Responsible Authority, the use authorised by this permit may only operate between the hours of 7.00am to 6.00pm, Monday to Saturday.

Levies

6. 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.
7. 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.

Façade Strategy

8. Concurrent with the submission of Condition 1 Plans, 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) coloured drawings outlining colours, materials and finishes.

Sustainability Management Plan

9. Concurrent with the submission of Condition 1 Plans, 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 Environmental Solutions and dated 15 November 2024, but modified to include or show:
 - (a) All design changes required under Condition 1 of this permit, as relevant;
 - (b) Updated Daylight Modelling, ensuring BESS methodology and best practice standards are demonstrated;
 - (c) Provision of mechanical fresh air supply and return to single aspect apartments with a room depth in-excess of 5m;
 - (d) Average thermal energy rating of 8 Star NatHERS;
 - (e) Purchase 100% Green Power for all residual electricity use on-site.
 - (f) Installation of larger solar PV array; and
 - (g) Provision of energy storage batteries.
10. 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.
11. The provisions, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Landscape Plan

12. Concurrent with the submission of Condition 1 Plans, 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 Ground Landscape Studio and dated 27 August 2025, but modified to include (or show):
 - (a) All design changes required under Condition 1 of this permit, as relevant;
 - (b) Review tree and shrub species proposed as main features in the central courtyard;
 - (c) Integrate vertical greenery within Dummett Crescent Lane, not obstructing the 1.5m setback space;
 - (d) Meet Council's general requirements and includes details of:

- (i) planting plan(s) showing the location of proposed planting and plant numbers and species, as well as a legend containing key features, materials and surfaces. This should be provided for each landscaped area within the site;
 - (ii) vertical growing structures (if proposed) including detail drawings, servicing methodology, mounting technique etc.;
 - (iii) the areas proposed for deep soil planting; and
 - (iv) the location of each 'tree type' proposed.
- (e) Additional trees and kerb extensions as per [D25/402863 - IREF25 01514 - Internal Referral Response - Urban Design Appendix](#), as follows:
- (i) The location of new street trees along Queens Parade Service Road;
 - (ii) The location of ten (10) new street trees along Dummett Crescent Lane (within the continuous minimum 1.5m building setback); and
 - (iii) The location of three (3) new street trees along Dummett Crescent (refer Appendix 03 Area A) to be planted by Council with developer contribution;
- (f) The location of four (4) new street trees along Dummett Crescent, to be planted by Council with developer contribution;
- (g) All trees to be planted by Council with developer contribution; and
- (h) All street tree planting is to be undertaken by Council's tree planting contractor.
13. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the landscaping works shown on the endorsed Landscape Plan must be carried out and completed to the satisfaction of the Responsible Authority. The landscaping shown on the endorsed Landscape Plan must be maintained by:
- (a) implementing and complying with the provisions, recommendations and requirements of the endorsed Landscape Plan;
 - (b) not using the areas set aside on the endorsed Landscape Plan for landscaping for any other purpose; and
 - (c) replacing any dead, diseased, dying or damaged plants, to the satisfaction of the Responsible Authority.

Street Trees

14. Before the development commences, the applicant is requested to contribute to the cost of planting new street trees, which would cover the cost of tree sourcing, planting and 24 months of establishment maintenance.
- (a) Figure of total sum of street tree contribution to be confirmed pending extent of streetscape improvements around the subject site;
 - (b) Developer contribution for 1 no. street tree is (as of 24.10.2025) is \$2,033.00 (ex GST) per tree; and
 - (c) Council refers the right to increase the rate as per current inflation at its discretion.
15. Council's tree planting contractor will source and plant the street trees.
16. Final tree species and locations are to be confirmed by Council's arborist prior to construction.
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17. Council to be kept updated as the project progresses so when the plans are approved Council can ensure trees are placed on order in time for completion.
18. All other works associated with the implementation of the public realm plan including but not limited to, drainage works, paving, road -re sheeting, relocation of services, installation of imported topsoil, mulch and low cover planting are to be completed by the developer at the developers cost to the satisfaction of the responsible authority.
19. Any low cover planting to have minimum 24 months (two summers) maintenance at the cost of the developer (if developer installed the trees, then these are subject to the same maintenance requirements),
20. The developer to advise on completion of any works in accordance with Council general requirements for completion of public realm works.

Waste Management Plan

21. Concurrent with the submission of Condition 1 Plans, 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 One Mile Grid and dated 12 November 2024, but modified to include (or show):
 - (a) All design changes required under Condition 1 of this permit, as relevant.
22. The collection of waste from the site must be by private collection, unless with the prior written consent of the Responsible Authority.
23. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Public Realm Plan: Functional Layout

24. Concurrent with the submission of Condition 1 Plans, or by such later date as approved in writing by the City of Yarra, a Public Realm Plan of all public realm improvements associated with the development must be prepared, submitted and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The Public Realm Plan must show, but not be limited to, the following:
 - (a) All design changes required under Condition 1 of this permit, as relevant;
 - (b) Ground floor entrance thresholds and setback spaces:
 - (i) must have seamless level interfaces to adjacent footpaths;
 - (ii) must be DDA compliant;
 - (iii) any required ground level modifications must be accommodated for within the subject site and no modifications to existing footpath levels;
 - (iv) any associated tactile, handrails and landings must be accommodated for within the subject site;
 - (v) show paving material to all entrance thresholds and setback spaces; and
 - (vi) show all existing street streetscape infrastructure such as power poles and drainage pits to demonstrate full coordination;

- (c) Visitor bicycle parking spaces in vicinity of entrances within the subject site without obstructing setback spaces intended for improved pedestrian accessibility;
 - (d) A standard Council bench seat integrated by the main entrance;
 - (e) Additional trees and kerb extensions as per [D25/402863 - IREF25 01514 - Internal Referral Response - Urban Design Appendix](#), and as follows:
 - (i) Street trees to be integrated along the frontage (refer Appendix 01);
 - (ii) Footpath trees should be integrated along the lane (only in section(s) where full building setback is provided) footpath tree planting (refer Appendix 02);
 - (iii) Provision of a kerb extension in the northeast corner where the lane angles with tree(s), garden bed and bike parking (refer Appendix 03 – Area A); and
 - (iv) Provision of a kerb extension in the northeast corner (across) the vehicle carriageway by the pedestrian underpass with tree(s), garden bed and bike parking (refer Appendix 03 – Area B);
 - (f) Any potential tree removal needs Council separate approval; and
 - (g) at the permit holder's cost,
- to the satisfaction of the Responsible Authority.

Public Realm: Detailed design plans

- 25. Before the development commences (excluding site preparations, demolition and bulk excavation), or by such later date as approved in writing by the City of Yarra, detailed design drawings of the works approved under the Public Realm Plan (as required by Condition 24) addressing all road infrastructure works (including soft/hard landscaping), must be submitted to and approved by Council's Civil Engineering Department. Once approved, the detailed design drawings will be endorsed and will then form part of the permit.
- 26. Before the building is occupied, all associated works shown on the endorsed detailed design plans for the public realm (as required by Condition 25) must be fully constructed and completed to the satisfaction of the Council's Civil Engineering Department and at no cost to the Responsible Authority.

Reflected Glare Assessment

- 27. Concurrent with the submission of amended plans under Condition 1, a Reflected Glare Assessment, to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The Reflected Glare Assessment must be prepared by a suitably qualified person, and must assess external building materials and finishes, utilising an appropriated methodology. When approved, the Reflected Glare Assessment will be endorsed and will form part of this permit.
- 28. The provisions, recommendations and requirements of the endorsed Glare Assessment must be implemented and complied with to the satisfaction of the Responsible Authority.

Acoustic Report

- 29. Concurrent with the submission of Condition 1 Plans, an 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 Acoustic Report must assess the following:

- (a) All design changes required under Condition 1 of this permit, as relevant.
30. The acoustic report must make recommendations to limit the noise impacts in accordance with the Environment Protection Regulations under the Environment Protection Act 2017 and the incorporated Noise Protocol (Publication 1826.4, Environment Protection Authority, May 2021) or any other requirement to the satisfaction of the Responsible Authority, as may be amended from time to time.
31. The provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.
32. The 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.

Wind Report

33. Before the development commences, an amended Wind Assessment Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Wind Assessment Report will be endorsed and will form part of this permit. The amended Wind Assessment Report must be generally in accordance with the Wind Assessment Report prepared by ViPac and dated 11 October 2024, but modified to include (or show):
- (a) All design changes required under Condition 1 of this permit, as relevant.
34. The provisions, recommendations and requirements of the endorsed Wind Assessment Report must be implemented and complied with to the satisfaction of the Responsible Authority.

Affordable Housing

35. Before the use or development of the land begins (excluding demolition, excavation, piling, site preparation works, and works to remediate contaminated land) the owner of the land must enter into an agreement with the responsible authority under section 173 of the Act, in a form to the satisfaction of the responsible authority, that provides for a contribution towards affordable housing (affordable housing contribution) by way of either of the following options:
- (a) At least 10 per cent of the total number of dwellings in the development must be provided as affordable housing for sale or lease to a registered housing agency or to Homes Victoria. The details of when and how the affordable housing will be delivered, and the total value of the affordable housing contribution must be set out in the agreement. The affordable housing dwellings provided should be representative of the approved dwelling mix to the satisfaction of the responsible authority; and
 - (b) An alternative contribution towards the provision of affordable housing must be provided to the satisfaction of the responsible authority. The details of when and how the alternative contribution is to be made, and the total value of the affordable housing contribution must be set out in the agreement to the satisfaction of the responsible authority.

36. The landowner must pay the responsible authority's reasonable costs of the preparation, execution, registration and ending of the section 173 agreement (where applicable).

Car Parking

37. Before the use and 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 management of visitor car parking spaces and security arrangements for occupants of the development, including details on how residential visitors are to access car parking;
 - (e) details of wayfinding, cleaning and security of end of trip bicycle facilities;
 - (f) The number and allocation of storage spaces;
 - (g) policing arrangements and formal agreements;
 - (h) 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;
 - (i) 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 21; and
 - (j) details regarding the management of loading and unloading of goods and materials.
38. 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.
39. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the area set aside on the endorsed plans for the car parking spaces, access lanes, driveways and associated works must be:
- (a) constructed and available for use in accordance with the endorsed plans;
 - (b) formed to such levels and drained so that they can be used in accordance with the endorsed plans;
 - (c) treated with an all-weather seal or some other durable surface; and
 - (d) line-marked or provided with some adequate means of showing the car parking spaces,
- to the satisfaction of the Responsible Authority.
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Engineering and Infrastructure

40. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, redundant vehicular crossings must be demolished and re-instated as footpath, verge (if applicable), and kerb and channel:
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
41. 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. Refer to Notes (below) for lodgement details.
42. 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.
43. Before the building is occupied or by such later date as approved in writing by the Responsible Authority, the footpath along the property's Dummett Crescent and Queens Parade frontages must be re-sheeted in asphalt:
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority(s).
44. Within 2 months of the completion 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) In accordance with Yarra Standard Drawings | Yarra City Council;
 - (b) at the permit holder's cost; and
 - (c) To the satisfaction of the Responsible Authority.
45. Any service poles, structures or pits located within the public realm areas that interfere with the proposal, must be adjusted accordingly:
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.

Public Lighting Plan

46. Before the use and development commences, or by such later date as approved in writing by the Responsible Authority, a Public Lighting Plan must be submitted to and approved by Council's Civil Engineering Department. When approved, the Public Lighting Plan will be endorsed and will form part of this permit. The Public Lighting Plan must be designed:
 - (a) to address lighting along the Dummett Crescent frontage and at the entrance to the approved building;
 - (b) to comply with uniformity, access and maintenance requirements as per standard AS1158.3.1;

- (c) to control light spillage in accordance with the requirements of AS 4282 – 2019," Control of the obtrusive effects of outdoor lighting"; and
 - (d) to the satisfaction of the Responsible Authority.
47. The provisions, recommendations and requirements of the endorsed Public Lighting Plan must be implemented and complied with at no cost to Council and to the satisfaction of the Responsible Authority.
48. Before any existing public lighting is removed a temporary lighting plan to the satisfaction of the Responsible Authority must be submitted and approved by Council's Civil Engineering Department.
49. The temporary lighting plan is to be installed at the permit holder's cost and must remain operational until a new permanent lighting scheme is installed and operational to the satisfaction of the Responsible Authority.

Construction Management Plan

50. 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; and
- (o) the provision of a traffic management plan to comply with provisions of AS 1742.3-2002 Manual of uniform traffic control devices - Part 3: Traffic control devices for works on roads.

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

General Conditions

52. 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.

53. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating access to the basement car park, pedestrian walkway, laneway and dwelling entrances must be provided within the property boundary. Lighting must be:

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

to the satisfaction of the Responsible Authority.

54. 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.

55. 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.

56. Any new apartment development allowed by this permit must not be connected to a reticulated gas service (within the meaning of clause 53.03 of the relevant planning

scheme). This condition continues to have force and effect after the development authorised by this permit has been completed.

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

Permit expiry

58. This permit will expire if:

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

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

Notes

The sites Nos. 201 – 203, 213 - 215 Queens Parade & 10 – 12 Dummett Crescent Fitzroy North are subject to a Heritage Overlay. A planning permit may be required for any further external works.

The demolition and development at Nos. 205 – 211 Queens Parade Fitzroy North were not assessed against Clause 43.01 of the Yarra Planning Scheme (Heritage Overlay) as heritage matters are considered by Heritage Victoria.

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

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

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 stormwater must be directed to the nominated legal point of discharge (LPD) and shall be limited to equivalent pre-development levels or 70% impervious coverage, whichever is lowest, for a 20% AEP rainfall event.

The development must detain onsite, at a minimum, the 10% AEP storm event. For cases where a safe overland flow path cannot be provided or where flows exceeding pipe capacity may impact the development or adjacent, upstream, or downstream properties, the requirement will be to detain the 1% AEP storm event.

All redundant property drain outlets are to be demolished and reinstated to Council's satisfaction and at the Permit Holder's cost.

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

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

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

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

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

All property owners or occupiers within a development approved under this planning permit, will not be eligible for residential or visitor parking permits unless the development has heritage controls where parking would adversely affect the integrity of the heritage place, or if there's no increase in occupancies and the development does not reduce existing on-site parking. For more information refer to www.yarracity.vic.gov.au/residents/transport/parking/parking-permits.

All future business (whether as owners, lessees/tenants, occupiers) within a development approved under this planning permit, will not be eligible for business parking permits unless the development has heritage controls where parking would adversely affect the integrity of the heritage place, or if there's no increase in separate occupancies and the development does not reduce existing on-site parking. For more information refer to www.yarracity.vic.gov.au/residents/transport/parking/parking-permits.

Public Submissions

The following people addressed the Committee:

Margaret Godding speaking on behalf of Robyn Zalcmán;

Anne Coveny, Protect Fitzroy North Inc.; and

Anne Horrigan-Dixon.

PLANNING DECISIONS COMMITTEE RESOLUTION**Moved:** Councillor Gomez**Seconded:** Councillor Crossland

That Council:

1. Note the officer report and the application material.
2. Delegate the Manager Statutory Planning to write to the Department of Transport and Planning outlining Council's position that the proposal is not supported on the following grounds:
 - (a) The proposed height, setbacks, massing and design of the building does not comply with the objectives and design requirements of Design and Development Overlay (Schedule 16-5) or the heritage objectives at Clauses 43.01 and Clause 15.03; and
 - (b) The proposal would result in poor internal amenity (daylight) outcomes to the apartments contrary to Clause 15.01 and Clause 58.
3. **Confirm with DTP that relevant permits have been granted by Heritage Victoria.**
4. Notwithstanding the above, if the Department of Transport and Planning is of the mind to issue a permit, then the following conditions should be included:

Conditions**Amended Plans**

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 CHT Architects, dated 17.11.2025, Rev TP4: TP0.02, TP0.20, TP0.21, TP0.22, TP0.30, Rev TP5: TP1.00, TP1.01, TP1.02, TP1.03, TP1.04, TP1.05, TP1.06, TP1.07, TP1.08, TP1.09, TP1.10, TP1.11, TP1.12, TP1.13, TP1.14, TP1.15, TP1.16, TP2.00, Rev TP4: TP2.01, TP2.02, TP2.03, Rev TP2: TP2.04, Rev TP4: TP2.11, TP2.12, TP2.13, Rev TP5: TP3.00, TP3.01, TP3.02, Rev TP4: TP4.01, TP4.02, TP4.03, TP4.04, TP4.05, TP4.06, TP4.07, TP4.08, TP4.09, TP4.10 and TP4.11, but modified to show:
 - (a) Confirmation that no built form exceeds the mandatory requirements of Clause DDP16-5.
 - (b) Deletion of the topmost three levels from the 12-storey building;
 - (c) Deletion of Apartments 201 (Level 02), 301 (Level 3) and 401 (Level 4) from the 5-storey building;
 - (d) Deletion of Apartments 605, 606 (Level 06), 705, 706 (Level 07), 805 and 806 (Level 08) from the 12-storey building;
 - (e) Provision of a continuous minimum 1.5m building setback from the title boundary along the Dummett Crescent Lane interface, including modifying the street wall at the corner to Queens Parade to accommodate this setback, including any reconfigurations to the commercial tenancies and apartments;

- (f) Identify the exact uses of the ground floor retail tenancies;
 - (g) Provision of wall-mounted sensor lighting to all pedestrian entrances, including the internal courtyard areas;
 - (h) A stronger delineation of the street wall and upper levels by using the current material palette;
 - (i) Overlooking sectional diagrams to show that there are no direct and unreasonable overlooking from the proposed development and into the habitable room windows (across Dummett Crescent Lane) of Nos. 217 – 241 Queens Parade;
 - (j) Compliance with the following Standards of Clause 58:
 - (i) Standard D20 (Private open space): show as additional area of 1.5sqm where heating/cooling units are provided within the private open space; and
 - (ii) Standard D26 (Functional layout): show living areas of Apartments 103, 104, 105, 206, 207, 208, 210, 306, 307, 308, 310, 406, 407, 408, 410, 501, 502, 503, 504, 601, 602, 603, 604, 701, 702, 703, 704, 801, 802, 803, 804, 901, 902, 903, 904, 1002, 1003, excluding the dining room areas;
 - (k) The width of the development entrance;
 - (l) Superimposed pedestrian sight triangle (2m x 2.5m) for the exit lane of the development entrance, such that it satisfies *Design standard 1 - Accessways* of Clause 52.06-9;
 - (m) Headroom clearance;
 - (n) The lengths of the ramp grades and transition grades (The 1 in 8 transition grades at the bases of the 1 in 4 ramp sections must be a minimum of 2.5m in length);
 - (o) Provision of a cross-sectional drawing for the new vehicle crossing, together with a ground clearance check using the B99 design vehicle;
 - (p) Provision of a minimum of 27 visitor spaces in accordance with Clause 52.34 – Bicycle Facilities requirements;
 - (q) The type of visitor bicycle parking for all locations;
 - (r) All relevant dimensions for bicycle parking spaces, in accordance with AS2890.3 and Yarra City Council's Standard Drawings;
 - (s) All bicycle parking provided at ground level, with resident/employee bicycle parking spaces:**
 - (i) relocated to an easily accessible area, within a reasonable distance from the lift core; and
 - (ii) located within a secure compound or bicycle locker and identify the locking mechanism to be used at each bike store;
 - (t) Stairwells to be unenclosed to common areas (no stairwell walls or doors to common areas). If this is not possible, stairwell walls and doors to common areas to be glazed, if possible;**
 - (u) Provision of bicycle spaces for parking cargo bicycles and bicycles with trailers;**
 - (v) Provision of DDA compliant access to communal areas at Level 01;**
 - (w) Installation of bollards at the central stairwell entrance at all basement levels;**
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(x) Provision of DDA access from the disabled car parking space at Basement Level 01, to the central lift core, located adjacent to the waste room (can include the deletion of stairs);

- (y) Any requirement of the endorsed Façade Strategy and Materials and Finishes Plan (Condition 8);
- (z) Any changes as a result of the amended Sustainability Management Plan (Condition 9);
- (aa) Any changes as a result of the amended Landscape Plan (Condition 12);
- (bb) Any changes as result of the amended Waste Management Plan (Condition 21);
- (cc) Any changes as a result of the amended Public Realm Functional Layout Plan (Condition 24);
- (dd) Any requirements of the endorsed Reflected Glare Assessment (Condition 27);
- (ee) Any requirement of the endorsed Acoustic Report (Condition 29); and
- (ff) Any requirement of the endorsed Wind Assessment (Condition 31).

Development Conditions

- 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. As part of the ongoing consultant team, CHT 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. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.

Use

- 5. Except with the prior written consent of the Responsible Authority, the use authorised by this permit may only operate between the hours of 7.00am to 6.00pm, Monday to Saturday.

Levies

- 6. 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.
- 7. 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.

Façade Strategy

- 8. Concurrent with the submission of Condition 1 Plans, 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) coloured drawings outlining colours, materials and finishes.

Sustainability Management Plan

9. Concurrent with the submission of Condition 1 Plans, 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 Environmental Solutions and dated 15 November 2024, but modified to include or show:
 - (a) All design changes required under Condition 1 of this permit, as relevant;
 - (b) Updated Daylight Modelling, ensuring BESS methodology and best practice standards are demonstrated;
 - (c) Provision of mechanical fresh air supply and return to single aspect apartments with a room depth in-excess of 5m;
 - (d) Average thermal energy rating of 8 Star NatHERS;
 - (e) Purchase 100% Green Power for all residual electricity use on-site.
 - (f) Installation of larger solar PV array; and
 - (g) Provision of energy storage batteries.
10. 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.
11. The provisions, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Landscape Plan

12. Concurrent with the submission of Condition 1 Plans, 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 Ground Landscape Studio and dated 27 August 2025, but modified to include (or show):
 - (a) All design changes required under Condition 1 of this permit, as relevant;
 - (b) Review tree and shrub species proposed as main features in the central courtyard;

- (c) Integrate vertical greenery within Dummett Crescent Lane, not obstructing the 1.5m setback space;
 - (d) Meet Council's general requirements and includes details of:
 - (i) planting plan(s) showing the location of proposed planting and plant numbers and species, as well as a legend containing key features, materials and surfaces. This should be provided for each landscaped area within the site;
 - (ii) vertical growing structures (if proposed) including detail drawings, servicing methodology, mounting technique etc.;
 - (iii) the areas proposed for deep soil planting; and
 - (iv) the location of each 'tree type' proposed.
 - (e) Additional trees and kerb extensions as per [D25/402863 - IREF25 01514 - Internal Referral Response - Urban Design Appendix](#), as follows:
 - (i) The location of new street trees along Queens Parade Service Road;
 - (ii) The location of ten (10) new street trees along Dummett Crescent Lane (within the continuous minimum 1.5m building setback); and
 - (iii) The location of three (3) new street trees along Dummett Crescent (refer Appendix 03 Area A) to be planted by Council with developer contribution;
 - (f) The location of four (4) new street trees along Dummett Crescent, to be planted by Council with developer contribution;
 - (g) All trees to be planted by Council with developer contribution; and
 - (h) All street tree planting is to be undertaken by Council's tree planting contractor.
13. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the landscaping works shown on the endorsed Landscape Plan must be carried out and completed to the satisfaction of the Responsible Authority. The landscaping shown on the endorsed Landscape Plan must be maintained by:
- (a) implementing and complying with the provisions, recommendations and requirements of the endorsed Landscape Plan;
 - (b) not using the areas set aside on the endorsed Landscape Plan for landscaping for any other purpose; and
 - (c) replacing any dead, diseased, dying or damaged plants,
- to the satisfaction of the Responsible Authority.

Street Trees

14. Before the development commences, the applicant is requested to contribute to the cost of planting new street trees, which would cover the cost of tree sourcing, planting and 24 months of establishment maintenance.
- (a) Figure of total sum of street tree contribution to be confirmed pending extent of streetscape improvements around the subject site;
 - (b) Developer contribution for 1 no. street tree is (as of 24.10.2025) is \$2,033.00 (ex GST) per tree; and
 - (c) Council refers the right to increase the rate as per current inflation at its discretion.
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15. Council's tree planting contractor will source and plant the street trees.
16. Final tree species and locations are to be confirmed by Council's arborist prior to construction.
17. Council to be kept updated as the project progresses so when the plans are approved Council can ensure trees are placed on order in time for completion.
18. All other works associated with the implementation of the public realm plan including but not limited to, drainage works, paving, road -re sheeting, relocation of services, installation of imported topsoil, mulch and low cover planting are to be completed by the developer at the developers cost to the satisfaction of the responsible authority.
19. Any low cover planting to have minimum 24 months (two summers) maintenance at the cost of the developer (if developer installed the trees, then these are subject to the same maintenance requirements),
20. The developer to advise on completion of any works in accordance with Council general requirements for completion of public realm works.

Waste Management Plan

21. Concurrent with the submission of Condition 1 Plans, 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 One Mile Grid and dated 12 November 2024, but modified to include (or show):
 - (a) All design changes required under Condition 1 of this permit, as relevant.
22. The collection of waste from the site must be by private collection, unless with the prior written consent of the Responsible Authority.
23. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Public Realm Plan: Functional Layout

24. Concurrent with the submission of Condition 1 Plans, or by such later date as approved in writing by the City of Yarra, a Public Realm Plan of all public realm improvements associated with the development must be prepared, submitted and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The Public Realm Plan must show, but not be limited to, the following:
 - (a) All design changes required under Condition 1 of this permit, as relevant;
 - (b) Ground floor entrance thresholds and setback spaces;
 - (i) must have seamless level interfaces to adjacent footpaths;
 - (ii) must be DDA compliant;
 - (iii) any required ground level modifications must be accommodated for within the subject site and no modifications to existing footpath levels;
 - (iv) any associated tactile, handrails and landings must be accommodated for within the subject site;

- (v) show paving material to all entrance thresholds and setback spaces; and
 - (vi) show all existing street streetscape infrastructure such as power poles and drainage pits to demonstrate full coordination;
 - (c) Visitor bicycle parking spaces in vicinity of entrances within the subject site without obstructing setback spaces intended for improved pedestrian accessibility;
 - (d) A standard Council bench seat integrated by the main entrance;
 - (e) Additional trees and kerb extensions as per [D25/402863 - IREF25 01514 - Internal Referral Response - Urban Design Appendix](#), and as follows:
 - (i) Street trees to be integrated along the frontage (refer Appendix 01);
 - (ii) Footpath trees should be integrated along the lane (only in section(s) where full building setback is provided) footpath tree planting (refer Appendix 02);
 - (iii) Provision of a kerb extension in the northeast corner where the lane angles with tree(s), garden bed and bike parking (refer Appendix 03 – Area A); and
 - (iv) Provision of a kerb extension in the northeast corner (across) the vehicle carriageway by the pedestrian underpass with tree(s), garden bed and bike parking (refer Appendix 03 – Area B);
 - (f) Any potential tree removal needs Council separate approval; and
 - (g) at the permit holder's cost,
- to the satisfaction of the Responsible Authority.

Public Realm: Detailed design plans

25. Before the development commences (excluding site preparations, demolition and bulk excavation), or by such later date as approved in writing by the City of Yarra, detailed design drawings of the works approved under the Public Realm Plan (as required by Condition 24) addressing all road infrastructure works (including soft/hard landscaping), must be submitted to and approved by Council's Civil Engineering Department. Once approved, the detailed design drawings will be endorsed and will then form part of the permit.
26. Before the building is occupied, all associated works shown on the endorsed detailed design plans for the public realm (as required by Condition 25) must be fully constructed and completed to the satisfaction of the Council's Civil Engineering Department and at no cost to the Responsible Authority.

Reflected Glare Assessment

27. Concurrent with the submission of amended plans under Condition 1, a Reflected Glare Assessment, to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The Reflected Glare Assessment must be prepared by a suitably qualified person, and must assess external building materials and finishes, utilising an appropriated methodology. When approved, the Reflected Glare Assessment will be endorsed and will form part of this permit.
28. The provisions, recommendations and requirements of the endorsed Glare Assessment must be implemented and complied with to the satisfaction of the Responsible Authority.

Acoustic Report

29. Concurrent with the submission of Condition 1 Plans, an 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 Acoustic Report must assess the following:
 - (a) All design changes required under Condition 1 of this permit, as relevant.
30. The acoustic report must make recommendations to limit the noise impacts in accordance with the Environment Protection Regulations under the Environment Protection Act 2017 and the incorporated Noise Protocol (Publication 1826.4, Environment Protection Authority, May 2021) or any other requirement to the satisfaction of the Responsible Authority, as may be amended from time to time.
31. The provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.
32. The 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.

Wind Report

33. Before the development commences, an amended Wind Assessment Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Wind Assessment Report will be endorsed and will form part of this permit. The amended Wind Assessment Report must be generally in accordance with the Wind Assessment Report prepared by ViPac and dated 11 October 2024, but modified to include (or show):
 - (a) All design changes required under Condition 1 of this permit, as relevant.
34. The provisions, recommendations and requirements of the endorsed Wind Assessment Report must be implemented and complied with to the satisfaction of the Responsible Authority.

Affordable Housing

35. Before the use or development of the land begins (excluding demolition, excavation, piling, site preparation works, and works to remediate contaminated land) the owner of the land must enter into an agreement with the responsible authority under section 173 of the Act, in a form to the satisfaction of the responsible authority, that provides for a contribution towards affordable housing (affordable housing contribution) by way of either of the following options:
 - (a) At least 10 per cent of the total number of dwellings in the development must be provided as affordable housing for sale or lease to a registered housing agency or to Homes Victoria. The details of when and how the affordable housing will be delivered, and the total value of the affordable housing contribution must be set out in the agreement. The affordable housing dwellings provided should be representative of the approved dwelling mix to the satisfaction of the responsible authority; and
 - (b) An alternative contribution towards the provision of affordable housing must be provided to the satisfaction of the responsible authority. The details of when and

how the alternative contribution is to be made, and the total value of the affordable housing contribution must be set out in the agreement to the satisfaction of the responsible authority.

36. The landowner must pay the responsible authority's reasonable costs of the preparation, execution, registration and ending of the section 173 agreement (where applicable).

Car Parking

37. Before the use and 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 management of visitor car parking spaces and security arrangements for occupants of the development, including details on how residential visitors are to access car parking;
 - (e) details of wayfinding, cleaning and security of end of trip bicycle facilities;
 - (f) The number and allocation of storage spaces;
 - (g) policing arrangements and formal agreements;
 - (h) 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;
 - (i) 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 21; and
 - (j) details regarding the management of loading and unloading of goods and materials.
38. 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.
39. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the area set aside on the endorsed plans for the car parking spaces, access lanes, driveways and associated works must be:
- (a) constructed and available for use in accordance with the endorsed plans;
 - (b) formed to such levels and drained so that they can be used in accordance with the endorsed plans;
 - (c) treated with an all-weather seal or some other durable surface; and
 - (d) line-marked or provided with some adequate means of showing the car parking spaces,
-

to the satisfaction of the Responsible Authority.

Engineering and Infrastructure

40. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, redundant vehicular crossings must be demolished and re-instated as footpath, verge (if applicable), and kerb and channel:
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
41. 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. Refer to Notes (below) for lodgement details.
42. 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.
43. Before the building is occupied or by such later date as approved in writing by the Responsible Authority, the footpath along the property's Dummett Crescent and Queens Parade frontages must be re-sheeted in asphalt:
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority(s).
44. Within 2 months of the completion 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) In accordance with Yarra Standard Drawings | Yarra City Council;
 - (b) at the permit holder's cost; and
 - (c) To the satisfaction of the Responsible Authority.
45. Any service poles, structures or pits located within the public realm areas that interfere with the proposal, must be adjusted accordingly:
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.

Public Lighting Plan

46. Before the use and development commences, or by such later date as approved in writing by the Responsible Authority, a Public Lighting Plan must be submitted to and approved by Council's Civil Engineering Department. When approved, the Public Lighting Plan will be endorsed and will form part of this permit. The Public Lighting Plan must be designed:
 - (a) to address lighting along the Dummett Crescent frontage and at the entrance to the approved building;

- (b) to comply with uniformity, access and maintenance requirements as per standard AS1158.3.1;
 - (c) to control light spillage in accordance with the requirements of AS 4282 – 2019, "Control of the obtrusive effects of outdoor lighting"; and
 - (d) to the satisfaction of the Responsible Authority.
47. The provisions, recommendations and requirements of the endorsed Public Lighting Plan must be implemented and complied with at no cost to Council and to the satisfaction of the Responsible Authority.
48. Before any existing public lighting is removed a temporary lighting plan to the satisfaction of the Responsible Authority must be submitted and approved by Council's Civil Engineering Department.
49. The temporary lighting plan is to be installed at the permit holder's cost and must remain operational until a new permanent lighting scheme is installed and operational to the satisfaction of the Responsible Authority.

Construction Management Plan

50. 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; and
- (o) the provision of a traffic management plan to comply with provisions of AS 1742.3-2002 Manual of uniform traffic control devices - Part 3: Traffic control devices for works on roads.

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

General Conditions

52. 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.

53. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating access to the basement car park, pedestrian walkway, laneway and dwelling entrances must be provided within the property boundary. Lighting must be:

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

to the satisfaction of the Responsible Authority.

54. 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.

55. 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.

56. Any new apartment development allowed by this permit must not be connected to a reticulated gas service (within the meaning of clause 53.03 of the relevant planning scheme). This condition continues to have force and effect after the development authorised by this permit has been completed.
57. Finished floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.

Permit expiry

58. This permit will expire if:
- (a) the development is not commenced within three years of the date of this permit;
 - (b) the development is not completed within five years of the date of this permit; or
 - (c) the use is not commenced within five years of the date of this permit.

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

Notes

The sites Nos. 201 – 203, 213 – 215 Queens Parade & 10 – 12 Dummett Crescent Fitzroy North are subject to a Heritage Overlay. A planning permit may be required for any further external works.

The demolition and development at Nos. 205 – 211 Queens Parade Fitzroy North were not assessed against Clause 43.01 of the Yarra Planning Scheme (Heritage Overlay) as heritage matters are considered by Heritage Victoria.

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

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

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 stormwater must be directed to the nominated legal point of discharge (LPD) and shall be limited to equivalent pre-development levels or 70% impervious coverage, whichever is lowest, for a 20% AEP rainfall event.

The development must detain onsite, at a minimum, the 10% AEP storm event. For cases where a safe overland flow path cannot be provided or where flows exceeding pipe capacity may impact the development or adjacent, upstream, or downstream properties, the requirement will be to detain the 1% AEP storm event.

All redundant property drain outlets are to be demolished and reinstated to Council's satisfaction and at the Permit Holder's cost.

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

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

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

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

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

All property owners or occupiers within a development approved under this planning permit, will not be eligible for residential or visitor parking permits unless the development has heritage controls where parking would adversely affect the integrity of the heritage place, or if there's no increase in occupancies and the development does not reduce existing on-site parking. For more information refer to www.yarracity.vic.gov.au/residents/transport/parking/parking-permits.

All future business (whether as owners, lessees/tenants, occupiers) within a development approved under this planning permit, will not be eligible for business parking permits unless the development has heritage controls where parking would adversely affect the integrity of the heritage place, or if there's no increase in separate occupancies and the development does not reduce existing on-site parking. For more information refer to www.yarracity.vic.gov.au/residents/transport/parking/parking-permits.

CALL FOR A DIVISION

For: Councillor Harrison, Councillor Aston, Councillor Crossland, Councillor Davies, Councillor Gomez, Councillor Ho and Councillor Wade

Against: Nil

CARRIED UNANIMOUSLY

6.4. – PPE25/0769 - 28 - 30 Stephenson Street, Cremorne

Author	Joe Byrne – Senior Statutory Planner
Authoriser	General Manager City Sustainability and Strategy

Officer Recommendation

Start time: 8.42pm

That Council:

1. Note the officer report and the application material.
2. Delegate the Manager Statutory Planning to write to the Department of Transport and Planning outlining Council's position that the proposal is supported, subject to the following conditions being included on any permit that issues:

Conditions**Amended Plans**

1. Before the use and 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 Hassell , Plan no. TP001-TP0059 Rev A and dated 26.06.25 but modified to show:

Building design

- (a) Deletion of 3 storeys between Levels 7-9;
- (b) Notations on floor plans to replace:
 - (i) "workplace" with "office";
 - (ii) "food and beverages" with "restaurant"; and
 - (iii) "retail wellness/ indoor recreation" with "restricted recreation facility";
- (c) Clearly show roofing vs openable louvres on the roof top level, with roofing over the restaurant and restricted recreation facility (not openable);
- (d) The building entry portal and associated doors modified to be located fully (including when opening) within title boundaries;
- (e) All works associated with the terracotta pipe façade screen are to be contained within the title boundary. The depth of the façade is to be maintained within the title boundaries in order to maintain the architectural quality of the building;
- (f) The fire booster cabinet doors modified to avoid a door projecting beyond the building alignment when in an open position;
- (g) Removal of the terracotta pipe façade system from the northern wall (with the exception of a 2.65m return where no building wall abuttal exists at 3 Cubitt Street) and replace with a finish that complements the architectural design of the building;
- (h) Removal of portal windows from the southern boundary wall and provide alternative visual interest to this wall;

- (i) Show the layout of the 99kW solar panel array on the roof plan;

Car and bicycle parking

- (j) Eight visitor bicycles located within title boundaries;
 - (k) Clearly dimension the width and depth of the loading/waste collection area;
 - (l) A vehicle clearance cross check demonstrating satisfactory access into and out of the site with a vehicle ground clearance check using the B99 design vehicle, and be fully dimensioned with actual reduced levels (to three decimal places) as per Council's Vehicle Crossing Information Sheet;
 - (m) Electrical infrastructure to ensure car parking areas are 'electric vehicle ready', including:
 - (i) One or more distribution boards within each car parking basement level, with capacity to supply 1 x 7kW (32amps) electric vehicle charger for each parking space; and
 - (ii) A scalable load management system to ensure that electric vehicles are only charged when the building electrical load is below the nominated peak demand;
 - (n) Details of on-street bicycle parking corrals, including locations and dimensions of all kerb ramps and bicycle racks, to the satisfaction of the Responsible Authority;
 - (o) A minimum of 20% of employee bicycle parking spaces to be accessible to an electric bicycle charging point;
 - (p) The provision of all bicycle spaces for employees to be provided in a bicycle locker, or in a lockable compound; and
 - (q) Any changes required by reports (such as Sustainable Management Plan, Waste Management Plan, Wind or Acoustic reports, and the like).
2. The uses and development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
3. As part of the ongoing progress and development of the site, Hassell 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.

Façade Strategy and Materials and Finishes Plan

4. 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) The strategy must illustrate the legibility of the proposal from short and distant views, including the extent of podium treatment, façade pattern, colours and ability

to provide richness, saturation and depth. This can be provided through montages from various vantage points and/or built model;

- (b) Elevations at a scale of 1:20 or 1:50 illustrating typical street wall and upper level details, entries and doors;
- (c) Section drawings to demonstrate façade systems, including fixing details and joints between materials or changes in form;
- (d) Details of the ground floor frontage;
- (e) Details of all services proposed along Stephenson and Gwynne Streets to be integrated into the overall design of the building;
- (f) Information about how the façade will be maintained;
- (g) A sample board and coloured renders outlining colours, materials and finishes including the glazing materials used on all external walls must be of a type that does not reflect more than 20% of visible light, when measured at an angle of 90 degrees to the glass surface; and
- (h) Information about how the façade (including the terracotta pipe façade system) and vegetation will be maintained.

Sustainable Management Plan

- 5. In conjunction with the submission of development plans under Condition 1, an amended SMP must be submitted to and approved by the Responsible Authority. When approved, the amended SMP will be endorsed and will form part of this permit. The amended SMP must include the following:
 - (a) Reference to the amended plans referred to in condition 1; and
 - (b) Remove passive house innovation credit.
- 6. The provisions, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Waste Management Plan

- 7. In conjunction with the submission of development plans under Condition 1, 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 include:
 - (a) Reference to the amended plans required by Condition 1 and associated updates to development data and waste calculations;
 - (b) The plan must include all relevant risk assessments associated with waste management at this site; and
 - (c) A clause must be included in the plan regarding potential review into the service if operational requirements change.
- 8. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

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

Wind Report

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

Landscape Plan (Private realm)

11. In conjunction with the submission of development plans under Condition 1, an updated landscape plan to the satisfaction of the Responsible Authority must be submitted to and be approved by the Responsible Authority. When approved, the landscape plan will then form part of this permit. The plan must be generally in accordance with the landscape concept plans, prepared by Tract, but modified to show:
- (a) The amended plans required by Condition 1;
 - (b) Provide a plant schedule with the following information:
 - (i) The proposed plant species (botanical and common name), installation size, width x height at maturity, and plant numbers; and
 - (ii) Plant species selection needs to avoid plants listed in 'Advisory list of environmental weeds in Victoria';
 - (c) Provide a planting plan(s) showing the location of proposed planting and plant numbers and species, as well as a legend containing key features, materials and surfaces;
 - (d) Provide information on proposed irrigation for all planter beds and hanging plant sculptures;
 - (e) Provide a maintenance schedule, including task details and frequency; for multi-storey developments and planting, maintenance access will need to be provided for; and
 - (f) Load bearing weights for the building structure need to be checked and confirmed by a suitably qualified structural engineer against the saturated bulk density of soil media, planter box and plant mass being proposed,
- to the satisfaction of the Responsible Authority.
12. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, 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.
-

Green Travel Plan

13. Before the development is occupied, a Green Travel Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Green Travel plan will be endorsed and will form part of this permit. The Green Travel Plan must include, but not be limited to, the following:
- (a) a description of the location in the context of alternative modes of transport;
 - (b) employee welcome packs (e.g. provision of myki/transport ticketing);
 - (c) the provision of real time passenger information displays for nearby stops within the building lobby;
 - (d) sustainable transport goals linked to measurable targets, performance indicators and monitoring timeframes;
 - (e) a designated 'manager' or 'champion' responsible for coordination and implementation;
 - (f) details of bicycle parking and bicycle routes;
 - (g) details of GTP funding and management responsibilities;
 - (h) the specific design of bicycle storage devices proposed to be used for employee 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.
14. 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 Plan

15. Before the development commences, or by such later date as approved in writing by the Responsible Authority, a Public Realm Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The Public Realm Plan must include the following:
- (a) Incorporate the recently constructed kerb outstand and tree on the south-west corner of Gwynne and Stephenson Streets, or reconfigure as agreed by the responsible authority with the retention and protection of the existing tree. New kerb and channel to drain to street tree kerb openings or to council stormwater pit to the satisfaction of Council;
 - (b) Two new additional trees along the Stephenson Street frontage, and incorporate the existing street tree to be retained in the design. Species to be confirmed by Council;

- (c) Remove the perforated steel flooring and bluestone pavers and replace with asphalt;
- (d) Bike hoops to be Council's standard bike hoops;
- (e) Detail of the concrete seats to demonstrate compliance with Council requirements;
- (f) Tactile indicators (where required) for pram ramp per Council requirements;
- (g) Crossover to be asphalt or charcoal coloured concrete in accordance with engineering standards;
- (h) Convert all rain gardens into 'passive irrigation' gardens with associated design details to Council's satisfaction;
- (i) Tree planting and ground cover planting detailed to Council's satisfaction;
- (j) Show dimensions for the unobstructed footpath width and setbacks from the kerb;
- (k) Show all underground services and any existing features;
- (l) Annotation stating that any outdoor dining is subject to separate approval from Council (footpath trading licence);
- (m) Landscaping and seating;
- (n) All pavements reinstated as asphalt footpaths with concrete kerb and channels to match existing for the full length of the site as per City of Yarra's Infrastructure – Road Materials Policy. City of Yarra Latte mix asphalt is to be used in kerb extension areas where outdoor dining is proposed;
- (o) All paving must be compliant with Australian Standards and Council standards for slip resistance and DDA;
- (p) Details of any re-located street infrastructure;
- (q) Details of pedestrian kerb crossing;
- (r) Details of the materiality of outstands including edges, permeable surface finishes, drainage, and landscaping;
- (s) Before the development is commenced, or by such later date as approved in writing by the Responsible Authority, the owner is to amend levels to ensure the grade of the footpath is gradual and DDA compliant;
- (t) Internal finished floor levels (FFL) must be aligned to the proposed DDA compliant footpath levels at the interface with the property boundary; and
- (u) Footpaths and any paving adjacent to the site may need to be reinstated to ensure the grade of the footpath and the paving are gradual and DDA compliant at the full cost of the owner,

All to the satisfaction of the Responsible Authority.

16. Before the building is occupied, all works associated with the Public Realm Plan as shown on the endorsed plans and Public Realm Plan (referred to in Condition 16) must be fully constructed and completed by the permit holder, with all costs borne by the permit holder, to the satisfaction of the Responsible Authority.

Civil work and drainage design plans

17. Within 6 months of the development commences, Civil Work and Drainage Design Plans prepared to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. Once the plan is approved, it will be endorsed and will then form part of the permit. The Civil Work and Drainage Design Plans must provide:
- (a) Be consistent with the public realm plan required under Condition 16;
 - (b) Provide for all civil and drainage works that are required to the abutting road frontages, as part of the development and proposed public realm works;
 - (c) Include a stormwater and flooding analysis and catchment plan as it relates to the development, proposed public realm works and drainage scheme to ensure no 'ponding' or retention of water in the roadways (i.e. including kerb extension);
 - (d) Drainage details of the proposed passive irrigation gardens;
 - (e) Be in accordance with Council's engineering standards and requirements;
 - (f) Be DDA compliant to the satisfaction of Council;
 - (g) Show all existing and proposed street fixtures and furniture including but not limited to service authority assets, street lighting, signs and linemarking in Stephenson and Gwynne Streets abutting the development;
 - (h) surface material finishes shown and specified to the satisfaction of the responsible authority;
 - (i) Provide street lighting in accordance with Council standards;
 - (j) Show all underground services within the road reserve abutting the development;
 - (k) Provide a minimum 1m wide road pavement adjustment strip adjoining the new kerb extension to match the channel lip to the satisfaction of Council;
 - (l) The road pavement must be graded to the kerb and channel in accordance with Council standards;
 - (m) Show existing and proposed footpath, kerb and channel and pavement levels on Civil Works and Drainage Design plans to the satisfaction of Council;
 - (n) Provide road cross-sections from building line to centre of road at 5m intervals along the kerb extension with existing and proposed surface levels;
 - (o) Provide a long-section of the new channel invert showing chainages related to the cross-sections and channel levels and grades;
 - (p) Show dimensions of the kerb extension;
 - (q) Ensure redundant stormwater property drains in the footpath are removed;
 - (r) Ensure active property stormwater drains are connected to the new kerb and channel or underground drainage to the satisfaction of Council;
 - (s) Existing Council underground stormwater drainage is to be modified to suit the proposed kerb extension in accordance with Council standards and to the satisfaction of Council. Redundant drainage infrastructure is to be removed and the excavation backfilled and pavements reinstated in accordance with Council standards;
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- (t) A new legal point of Discharge for the development must be obtained and connections within the road reserve shown on Civil Works and Drainage Design Plans;
 - (u) Show parking sign, traffic sign and line marking changes to the satisfaction of Council;
 - (v) The vehicle crossing in Gwynne street must be suitable for a 99 percentile vehicle as specified in Australian standard AS/NZS 2890.1:2004 and comply with Council standards;
 - (w) The vehicle crossing must be DDA compliant for a minimum width of 1.5m from the building line;
 - (x) Provide vehicle crossing detail and cross-sections in accordance with Council requirements and standards;
 - (y) Where tables and chairs are to be placed in the kerb extension, the asphalt footpath is to be constructed in accordance with Latte mix asphalt in accordance with council standards;
 - (z) The footpath abutting the development must be fully reconstructed in accordance with Council standards; and
 - (aa) (aa)The section of kerb and channel at the southern end of the kerb extension and across the vehicle crossing must not hold water.
18. Before the development is completed or at a later date as agreed in writing by the Responsible Authority, all associated works shown on the endorsed Civil Work and Drainage Design Plans must be fully constructed and completed by the permit holder at their cost, all to the satisfaction of the Responsible Authority.

Street Trees

19. Before the development commences, the permit holder must provide an Asset Protection Bond of \$5,000 (ex GST) for the existing street tree on Stephenson Street, unless otherwise advised by the Responsible Authority. The security bond:
- (a) must be provided to the Responsible Authority in the form of a bank cheque or guarantee;
 - (b) may be held by the Responsible Authority until the works are completed to the satisfaction of the Responsible Authority; and
 - (c) must be in accordance with the requirements of this permit.
20. Any pruning required to be undertaken for the street trees along the subject site's frontage must be completed by an approved tree maintenance contractor (to the satisfaction of the Responsible Authority) with all associated costs to be borne by the permit holder.
21. Before the development commences, the permit holder must make a financial contribution towards the proposed street trees and understorey planting within public land of \$5,592 (ex GST), being \$755 for each of the two street trees, and \$4,082 for the understorey planting.
22. After the building is completed, and prior to occupation of the building, the permit holder must notify the Responsible Authority in writing that the building has been completed so
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that planting can occur within the first available planting season. Tree pits may require a temporary 'make safe' until such time that planting can occur.

Tree Management Plan

23. In conjunction with the submission of development plans under Condition 1, a Tree Management Plan to the satisfaction of the Responsible Authority and by a suitably qualified Arborist must be submitted to and approved by the Responsible Authority. When approved the Tree Management Plan will be endorsed and will form part of the permit. The Tree Management Plan must make recommendations for:
- (a) the protection of street tree adjacent the Stephenson Street frontage:
 - (i) pre-construction;
 - (ii) during construction; and
 - (iii) post construction
 - (b) the provision of any barriers;
 - (c) any pruning necessary; and
 - (d) watering and maintenance regimes,
- to the satisfaction of the Responsible Authority.
24. The provisions, recommendations and requirements of the endorsed Tree Management Plan must be complied with and implemented thereafter to the satisfaction of the Responsible Authority.

Car Parking

25. 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.
26. Before the use commences, 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, including DDA spaces;
 - (b) the management of car parking spaces and security arrangements for employees of the development;
 - (c) details of way-finding, cleaning and security of end of trip bicycle facilities;
 - (d) policing arrangements and formal agreements;
 - (e) 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;
 - (f) details regarding the management of loading and unloading of goods and materials; and

- (g) Instructions to employees and patrons that they must only use the car parking facilities provided on site or which are otherwise available to the public.

- 27. 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.

General

- 28. Finished floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.
- 29. 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.
- 30. Before the buildings is occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating access to the car park and pedestrian entries 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.
- 31. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, all new on-boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.
- 32. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
- 33. The amenity of the area must not be detrimentally affected by the construction, including through:
 - (a) the transport of materials, goods or commodities to or from land;
 - (b) the appearance of any buildings, works or materials;
 - (c) the emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil; or
 - (d) the presence of vermin.
- 34. The 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.

Road infrastructure

- 35. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated:
 - (a) at the permit holder's cost; and

- (b) to the satisfaction of the Responsible Authority.
- 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) 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.
- 37. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any redundant vehicular crossing must be demolished and re-instated as standard footpath and kerb and channel:
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.

Development Contributions

- 38. Prior to the issue of a building permit, commencement of the development, or issue of a Statement of Compliance (whichever occurs first) the Development Infrastructure Levy must be paid to Yarra City Council in accordance with the approved Development Contributions Plan, or the Owner must enter into an agreement with Yarra City Council to pay the amount of the levy within a time specified in the agreement.

Uses

- 39. The restricted recreation facility must have no more than 100 patrons at any one time and can only be used between the following hours:
 - (a) 7.00am -10.00pm on any day.
- 40. The provision of any music and entertainment within the restricted recreation facility must be at a background noise level.
- 41. No more than 90 patrons are permitted in the ground floor café, and no more than 150 patrons within the roof top restaurant.
- 42. The café at ground floor and the roof top restaurant may only operate between the following hours:
 - (a) 7.00am – 10.00pm on any day.
- 43. The provision of music within the café and roof top restaurant must be at a background noise level.
- 44. Speakers external to the building (including outdoor areas) must not be erected or used.
- 45. Emptying of bottles and cans into bins may only occur between 7.00am and 10.00pm on any day.
- 46. Delivery and collection of good to and from the land (including deliveries for the waste may only occur between 7.00am and 10.00pn Monday to Saturday, or after 9.00am on a Sunday or public holiday except for those allowed under any relevant local law.
- 47. A management plan must be provided for the waste to energy facility which specify:
 - (a) Maximum staff numbers on the premises;
 - (b) Hours of deliveries being contained between 7.00am and 10.00pm;

- (c) Cleaning and maintenance details; and
- (d) Contact details and emergency procedures.

Construction Management

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

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

Permit Expiry

51. This permit will expire if:

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

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

NOTES

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

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

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

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

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

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

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

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

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

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

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

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

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.

The permit holder must obtain approval from the relevant authorities to remove and/or build over the easements.

These premises will be required to comply with the Public Health and Wellbeing Act 2008. The use must not commence until registration has been granted by Council's Health Protection Unit.

PLANNING DECISIONS COMMITTEE RESOLUTION**Moved:** Councillor Davies**Seconded:** Councillor Crossland

That Council:

1. Note the officer report and the application material.
2. Delegate the Manager Statutory Planning to write to the Department of Transport and Planning outlining Council's position that the proposal is supported, subject to the following conditions being included on any permit that issues:

Conditions

Amended Plans

1. Before the use and 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 Hassell , Plan no. TP001-TP0059 Rev A and dated 26.06.25 but modified to show:

Building design

- (a) Deletion of 3 storeys between Levels 7-9;
 - (b) Notations on floor plans to replace:
 - (i) "workplace" with "office";
 - (ii) "food and beverages" with "restaurant"; and
 - (iii) "retail wellness/ indoor recreation" with "restricted recreation facility";
 - (c) Clearly show roofing vs openable louvres on the roof top level, with roofing over the restaurant and restricted recreation facility (not openable);
 - (d) The building entry portal and associated doors modified to be located fully (including when opening) within title boundaries;
 - (e) All works associated with the terracotta pipe façade screen are to be contained within the title boundary. The depth of the façade is to be maintained within the title boundaries in order to maintain the architectural quality of the building;
 - (f) The fire booster cabinet doors modified to avoid a door projecting beyond the building alignment when in an open position;
 - (g) Removal of the terracotta pipe façade system from the northern wall (with the exception of a 2.65m return where no building wall abuttal exists at 3 Cubitt Street) and replace with a finish that complements the architectural design of the building;
 - (h) Removal of portal windows from the southern boundary wall and provide alternative visual interest to this wall;
 - (i) Show the layout of the 99kW solar panel array on the roof plan;
 - (j) Unenclosed stairwells to common areas (no stairwell walls or doors to common areas). If this is not possible, stairwell walls and doors to common areas to be glazed, if possible;**
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Car and bicycle parking

- (k) Eight visitor bicycles located within title boundaries;
 - (l) Clearly dimension the width and depth of the loading/waste collection area;
 - (m) A vehicle clearance cross check demonstrating satisfactory access into and out of the site with a vehicle ground clearance check using the B99 design vehicle, and be fully dimensioned with actual reduced levels (to three decimal places) as per Council's Vehicle Crossing Information Sheet;
 - (n) Electrical infrastructure to ensure car parking areas are 'electric vehicle ready', including:
 - (i) One or more distribution boards within each car parking basement level, with capacity to supply 1 x 7kW (32amps) electric vehicle charger for each parking space; and
 - (ii) A scalable load management system to ensure that electric vehicles are only charged when the building electrical load is below the nominated peak demand;
 - (o) Provision of bollards at the stairwell and elevator entrances at Basement Level 01;**
 - (p) Details of on-street bicycle parking corrals, including locations and dimensions of all kerb ramps and bicycle racks, to the satisfaction of the Responsible Authority;
 - (q) A minimum of 20% of employee bicycle parking spaces to be accessible to an electric bicycle charging point;
 - (r) Provision of employee bicycle parking spaces for cargo bicycles and bicycles with trailers;**
 - (s) The provision of all bicycle spaces for employees to be provided in a bicycle locker, or in a lockable compound; and
 - (t) Any changes required by reports (such as Sustainable Management Plan, Waste Management Plan, Wind or Acoustic reports, and the like).
2. The uses and development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
3. As part of the ongoing progress and development of the site, Hassell 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.

Façade Strategy and Materials and Finishes Plan

4. 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) The strategy must illustrate the legibility of the proposal from short and distant views, including the extent of podium treatment, façade pattern, colours and ability to provide richness, saturation and depth. This can be provided through montages from various vantage points and/or built model;
- (b) Elevations at a scale of 1:20 or 1:50 illustrating typical street wall and upper level details, entries and doors;
- (c) Section drawings to demonstrate façade systems, including fixing details and joints between materials or changes in form;
- (d) Details of the ground floor frontage;
- (e) Details of all services proposed along Stephenson and Gwynne Streets to be integrated into the overall design of the building;
- (f) Information about how the façade will be maintained;
- (g) A sample board and coloured renders outlining colours, materials and finishes including the glazing materials used on all external walls must be of a type that does not reflect more than 20% of visible light, when measured at an angle of 90 degrees to the glass surface; and
- (h) Information about how the façade (including the terracotta pipe façade system) and vegetation will be maintained.

Sustainable Management Plan

- 5. In conjunction with the submission of development plans under Condition 1, an amended SMP must be submitted to and approved by the Responsible Authority. When approved, the amended SMP will be endorsed and will form part of this permit. The amended SMP must include the following:
 - (a) Reference to the amended plans referred to in condition 1; and
 - (b) Remove passive house innovation credit.
- 6. The provisions, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Waste Management Plan

- 7. In conjunction with the submission of development plans under Condition 1, 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 include:
 - (a) Reference to the amended plans required by Condition 1 and associated updates to development data and waste calculations;
 - (b) The plan must include all relevant risk assessments associated with waste management at this site; and

- (c) A clause must be included in the plan regarding potential review into the service if operational requirements change.
- 8. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
- 9. The collection of waste from the site must be by private collection, unless with the prior written consent of the Responsible Authority.

Wind Report

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

Landscape Plan (Private realm)

- 11. In conjunction with the submission of development plans under Condition 1, an updated landscape plan to the satisfaction of the Responsible Authority must be submitted to and be approved by the Responsible Authority. When approved, the landscape plan will then form part of this permit. The plan must be generally in accordance with the landscape concept plans, prepared by Tract, but modified to show:
 - (a) The amended plans required by Condition 1;
 - (b) Provide a plant schedule with the following information:
 - (i) The proposed plant species (botanical and common name), installation size, width x height at maturity, and plant numbers; and
 - (ii) Plant species selection needs to avoid plants listed in 'Advisory list of environmental weeds in Victoria';
 - (c) Provide a planting plan(s) showing the location of proposed planting and plant numbers and species, as well as a legend containing key features, materials and surfaces;
 - (d) Provide information on proposed irrigation for all planter beds and hanging plant sculptures;
 - (e) Provide a maintenance schedule, including task details and frequency; for multi-storey developments and planting, maintenance access will need to be provided for; and
 - (f) Load bearing weights for the building structure need to be checked and confirmed by a suitably qualified structural engineer against the saturated bulk density of soil media, planter box and plant mass being proposed,to the satisfaction of the Responsible Authority.
- 12. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, 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.

Green Travel Plan

13. Before the development is occupied, a Green Travel Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Green Travel plan will be endorsed and will form part of this permit. The Green Travel Plan must include, but not be limited to, the following:
- (a) a description of the location in the context of alternative modes of transport;
 - (b) employee welcome packs (e.g. provision of myki/transport ticketing);
 - (c) the provision of real time passenger information displays for nearby stops within the building lobby;
 - (d) sustainable transport goals linked to measurable targets, performance indicators and monitoring timeframes;
 - (e) a designated 'manager' or 'champion' responsible for coordination and implementation;
 - (f) details of bicycle parking and bicycle routes;
 - (g) details of GTP funding and management responsibilities;
 - (h) the specific design of bicycle storage devices proposed to be used for employee 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.
14. 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 Plan

15. Before the development commences, or by such later date as approved in writing by the Responsible Authority, a Public Realm Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The Public Realm Plan must include the following:
- (a) Incorporate the recently constructed kerb outstand and tree on the south-west corner of Gwynne and Stephenson Streets, or reconfigure as agreed by the

responsible authority with the retention and protection of the existing tree. New kerb and channel to drain to street tree kerb openings or to council stormwater pit to the satisfaction of Council;

- (b) Two new additional trees along the Stephenson Street frontage, and incorporate the existing street tree to be retained in the design. Species to be confirmed by Council;
- (c) Remove the perforated steel flooring and bluestone pavers and replace with asphalt;
- (d) Bike hoops to be Council's standard bike hoops;
- (e) Detail of the concrete seats to demonstrate compliance with Council requirements;
- (f) Tactile indicators (where required) for pram ramp per Council requirements;
- (g) Crossover to be asphalt or charcoal coloured concrete in accordance with engineering standards;
- (h) Convert all rain gardens into 'passive irrigation' gardens with associated design details to Council's satisfaction;
- (i) Tree planting and ground cover planting detailed to Council's satisfaction;
- (j) Show dimensions for the unobstructed footpath width and setbacks from the kerb;
- (k) Show all underground services and any existing features;
- (l) Annotation stating that any outdoor dining is subject to separate approval from Council (footpath trading licence);
- (m) Landscaping and seating;
- (n) All pavements reinstated as asphalt footpaths with concrete kerb and channels to match existing for the full length of the site as per City of Yarra's Infrastructure – Road Materials Policy. City of Yarra Latte mix asphalt is to be used in kerb extension areas where outdoor dining is proposed;
- (o) All paving must be compliant with Australian Standards and Council standards for slip resistance and DDA;
- (p) Details of any re-located street infrastructure;
- (q) Details of pedestrian kerb crossing;
- (r) Details of the materiality of outstands including edges, permeable surface finishes, drainage, and landscaping;
- (s) Before the development is commenced, or by such later date as approved in writing by the Responsible Authority, the owner is to amend levels to ensure the grade of the footpath is gradual and DDA compliant;
- (t) Internal finished floor levels (FFL) must be aligned to the proposed DDA compliant footpath levels at the interface with the property boundary; and
- (u) Footpaths and any paving adjacent to the site may need to be reinstated to ensure the grade of the footpath and the paving are gradual and DDA compliant at the full cost of the owner,

All to the satisfaction of the Responsible Authority.

16. Before the building is occupied, all works associated with the Public Realm Plan as shown on the endorsed plans and Public Realm Plan (referred to in Condition 16) must be fully constructed and completed by the permit holder, with all costs borne by the permit holder, to the satisfaction of the Responsible Authority.

Civil work and drainage design plans

17. Within 6 months of the development commences, Civil Work and Drainage Design Plans prepared to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. Once the plan is approved, it will be endorsed and will then form part of the permit. The Civil Work and Drainage Design Plans must provide:
- (a) Be consistent with the public realm plan required under Condition 16;
 - (b) Provide for all civil and drainage works that are required to the abutting road frontages, as part of the development and proposed public realm works;
 - (c) Include a stormwater and flooding analysis and catchment plan as it relates to the development, proposed public realm works and drainage scheme to ensure no 'ponding' or retention of water in the roadways (i.e. including kerb extension);
 - (d) Drainage details of the proposed passive irrigation gardens;
 - (e) Be in accordance with Council's engineering standards and requirements;
 - (f) Be DDA compliant to the satisfaction of Council;
 - (g) Show all existing and proposed street fixtures and furniture including but not limited to service authority assets, street lighting, signs and linemarking in Stephenson and Gwynne Streets abutting the development;
 - (h) surface material finishes shown and specified to the satisfaction of the responsible authority;
 - (i) Provide street lighting in accordance with Council standards;
 - (j) Show all underground services within the road reserve abutting the development;
 - (k) Provide a minimum 1m wide road pavement adjustment strip adjoining the new kerb extension to match the channel lip to the satisfaction of Council;
 - (l) The road pavement must be graded to the kerb and channel in accordance with Council standards;
 - (m) Show existing and proposed footpath, kerb and channel and pavement levels on Civil Works and Drainage Design plans to the satisfaction of Council;
 - (n) Provide road cross-sections from building line to centre of road at 5m intervals along the kerb extension with existing and proposed surface levels;
 - (o) Provide a long-section of the new channel invert showing chainages related to the cross-sections and channel levels and grades;
 - (p) Show dimensions of the kerb extension;
 - (q) Ensure redundant stormwater property drains in the footpath are removed;
 - (r) Ensure active property stormwater drains are connected to the new kerb and channel or underground drainage to the satisfaction of Council;
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- (s) Existing Council underground stormwater drainage is to be modified to suit the proposed kerb extension in accordance with Council standards and to the satisfaction of Council. Redundant drainage infrastructure is to be removed and the excavation backfilled and pavements reinstated in accordance with Council standards;
 - (t) A new legal point of Discharge for the development must be obtained and connections within the road reserve shown on Civil Works and Drainage Design Plans;
 - (u) Show parking sign, traffic sign and line marking changes to the satisfaction of Council;
 - (v) The vehicle crossing in Gwynne street must be suitable for a 99 percentile vehicle as specified in Australian standard AS/NZS 2890.1:2004 and comply with Council standards;
 - (w) The vehicle crossing must be DDA compliant for a minimum width of 1.5m from the building line;
 - (x) Provide vehicle crossing detail and cross-sections in accordance with Council requirements and standards;
 - (y) Where tables and chairs are to be placed in the kerb extension, the asphalt footpath is to be constructed in accordance with Latte mix asphalt in accordance with council standards;
 - (z) The footpath abutting the development must be fully reconstructed in accordance with Council standards; and
 - (aa) (aa)The section of kerb and channel at the southern end of the kerb extension and across the vehicle crossing must not hold water.
18. Before the development is completed or at a later date as agreed in writing by the Responsible Authority, all associated works shown on the endorsed Civil Work and Drainage Design Plans must be fully constructed and completed by the permit holder at their cost, all to the satisfaction of the Responsible Authority.

Street Trees

19. Before the development commences, the permit holder must provide an Asset Protection Bond of \$5,000 (ex GST) for the existing street tree on Stephenson Street, unless otherwise advised by the Responsible Authority. The security bond:
- (a) must be provided to the Responsible Authority in the form of a bank cheque or guarantee;
 - (b) may be held by the Responsible Authority until the works are completed to the satisfaction of the Responsible Authority; and
 - (c) must be in accordance with the requirements of this permit.
20. Any pruning required to be undertaken for the street trees along the subject site's frontage must be completed by an approved tree maintenance contractor (to the satisfaction of the Responsible Authority) with all associated costs to be borne by the permit holder.

21. Before the development commences, the permit holder must make a financial contribution towards the proposed street trees and understorey planting within public land of \$5,592 (ex GST), being \$755 for each of the two street trees, and \$4,082 for the understorey planting.
22. After the building is completed, and prior to occupation of the building, the permit holder must notify the Responsible Authority in writing that the building has been completed so that planting can occur within the first available planting season. Tree pits may require a temporary 'make safe' until such time that planting can occur.

Tree Management Plan

23. In conjunction with the submission of development plans under Condition 1, a Tree Management Plan to the satisfaction of the Responsible Authority and by a suitably qualified Arborist must be submitted to and approved by the Responsible Authority. When approved the Tree Management Plan will be endorsed and will form part of the permit. The Tree Management Plan must make recommendations for:
 - (a) the protection of street tree adjacent the Stephenson Street frontage:
 - (i) pre-construction;
 - (ii) during construction; and
 - (iii) post construction
 - (b) the provision of any barriers;
 - (c) any pruning necessary; and
 - (d) watering and maintenance regimes,to the satisfaction of the Responsible Authority.
24. The provisions, recommendations and requirements of the endorsed Tree Management Plan must be complied with and implemented thereafter to the satisfaction of the Responsible Authority.

Car Parking

25. 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.
26. Before the use commences, 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, including DDA spaces;
 - (b) the management of car parking spaces and security arrangements for employees of the development;
 - (c) details of way-finding, cleaning and security of end of trip bicycle facilities;
 - (d) policing arrangements and formal agreements;

- (e) 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;
 - (f) details regarding the management of loading and unloading of goods and materials; and
 - (g) Instructions to employees and patrons that they must only use the car parking facilities provided on site or which are otherwise available to the public.
27. 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.

General

28. Finished floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.
29. 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.
30. Before the buildings is occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating access to the car park and pedestrian entries 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.
31. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, all new on-boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.
32. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
33. The amenity of the area must not be detrimentally affected by the construction, including through:
- (a) the transport of materials, goods or commodities to or from land;
 - (b) the appearance of any buildings, works or materials;
 - (c) the emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil; or
 - (d) the presence of vermin.
34. The 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.
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Road infrastructure

35. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated:
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
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) in accordance with any requirements or conditions imposed by Council;
 - (b) at the permit holder's cost; and
 - (a) to the satisfaction of the Responsible Authority.
37. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any redundant vehicular crossing must be demolished and re-instated as standard footpath and kerb and channel:
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.

Development Contributions

38. Prior to the issue of a building permit, commencement of the development, or issue of a Statement of Compliance (whichever occurs first) the Development Infrastructure Levy must be paid to Yarra City Council in accordance with the approved Development Contributions Plan, or the Owner must enter into an agreement with Yarra City Council to pay the amount of the levy within a time specified in the agreement.

Uses

39. The restricted recreation facility must have no more than 100 patrons at any one time and can only be used between the following hours:
 - (a) 7.00am -10.00pm on any day.
40. The provision of any music and entertainment within the restricted recreation facility must be at a background noise level.
41. No more than 90 patrons are permitted in the ground floor café, and no more than 150 patrons within the roof top restaurant.
42. The café at ground floor and the roof top restaurant may only operate between the following hours:
 - (a) 7.00am – 10.00pm on any day.
43. The provision of music within the café and roof top restaurant must be at a background noise level.
44. Speakers external to the building (including outdoor areas) must not be erected or used.
45. Emptying of bottles and cans into bins may only occur between 7.00am and 10.00pm on any day.

46. Delivery and collection of good to and from the land (including deliveries for the waste may only occur between 7.00am and 10.00pm Monday to Saturday, or after 9.00am on a Sunday or public holiday except for those allowed under any relevant local law.
47. A management plan must be provided for the waste to energy facility which specify:
 - (a) Maximum staff numbers on the premises;
 - (b) Hours of deliveries being contained between 7.00am and 10.00pm;
 - (c) Cleaning and maintenance details; and
 - (d) Contact details and emergency procedures.

Construction Management

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

Permit Expiry

51. This permit will expire if:
- (a) the development is not commenced within three years of the date of this permit;
 - (b) the development is not completed within five years of the date of this permit; or
 - (c) the use is not commenced within five years of the date of this permit.

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

NOTES

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

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

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

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

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

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

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

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

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

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

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

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

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.

The permit holder must obtain approval from the relevant authorities to remove and/or build over the easements.

These premises will be required to comply with the Public Health and Wellbeing Act 2008. The use must not commence until registration has been granted by Council's Health Protection Unit.

CALL FOR A DIVISION

For: Councillor Harrison, Councillor Aston, Councillor Crossland, Councillor Davies, Councillor Gomez, Councillor Ho and Councillor Wade

Against: Nil

CARRIED UNANIMOUSLY

7. Confidential Planning Decisions Committee Reports

Nil.

8. Close of Business

Conclusion

The meeting concluded at 9.09pm.

Confirmed on Tuesday 27 January 2026.

Mayor