



# Minutes

## Planning Decisions Committee Meeting

6:30 pm, Tuesday 26 May 2026

Richmond Town Hall



**Order of Business**

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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 Stephen Jolly            Mayor
- Cr Sharon Harrison       Deputy Mayor
- Cr Evangeline Aston
- Cr Edward Crossland
- Cr Kenneth Gomez
- Cr Meca Ho
- Cr Sarah McKenzie

#### Apologies

- Cr Andrew Davies
- Cr Sophie Wade

#### Council staff:

- Mary Osman                General Manager City Sustainability and Strategy
- Narelle Jennings        Manager Statutory Planning (Acting)
- John Theodosakis         Principal Planner

#### Governance

- Phil De Losa                Manager Governance and Integrity
- Milica Latu                 Senior Administration and Project Officer
- Mel Nikou                  Governance Officer

## 3. Declarations of Conflict of Interest

Cr Aston, Cr Crossland, Cr Gomez, Cr Jolly, Cr Harrison, Cr Ho and Cr McKenzie 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 28 April 2026 be confirmed.

### CALL FOR A DIVISION

**For:** Councillor Jolly, Councillor Harrison, Councillor Aston, Councillor Crossland, Councillor Gomez, Councillor Ho and Councillor McKenzie

**Against:** Nil

**CARRIED UNANIMOUSLY**

## **5. Planning Committee Reports**

Nil.

## 6. DTP Applications

### 6.1. – PPE26/0201 - 173 - 177 Barkly Avenue, Burnley

<b>Author</b>	Joe Byrne – Senior Statutory Planner
<b>Authoriser</b>	General Manager City Sustainability and Strategy - Mary Osman

### Officer Recommendation

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 design, materials, street walls, limited ground level activation and articulation of the building provides a poor response to the context and does not represent a development that will make a positive contribution to the area and fails to comply with provisions at Clause 15.01-2L, Clause 15.01-2S, Clause 15.01-1S and Clause 15.01-1L;
  - (b) The development fails to recognise and reinforce the pattern of development and character of the street, including in building design and fails to meet the design objectives of Schedule 2 of the Design and Development Overlay; and
  - (c) The application material does not demonstrate how the purpose of Clause 53.22 is achieved. It is questionable that a self-storage facility makes a significant contribution to Victoria's economy and provides substantial public benefit, including jobs for Victorians. At a minimum a genuine co-working space and other supporting commercial uses should be provided at the ground floor, and the building should be designed to enable its transition to employment generating uses in the future.
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 plans prepared by Gray Puksand, Rev A, dated 24/03/2026, but modified to show:
  - (a) A full redesign of the upper level facades to provide greater articulation through the use of windows and setbacks;
  - (b) Inclusion of ground level active interfaces to Adam Street;

- (c) Redesign the Barkly Avenue and Adam Street street wall so they are clearly defined;
  - (d) Dimension the width of the vehicle crossing along Barkly Avenue;
  - (e) Dimension the width of the vehicle crossing along Adam Street;
  - (f) Dimension the width of the development's entrance along Barkly Avenue;
  - (g) Dimension the width of the development's exit along Adam Street;
  - (h) Superimpose the visibility triangle at the exit lane of the Barkly Avenue and Adam Street frontages;
  - (i) Dimension the clearance height above the car park entrance and exits;
  - (j) All bicycle spaces be relocated in clearly visible and fully accessible locations in vicinity to main entrances, with opportunity to be overlooked from internal office and reception for improved safety;
  - (k) All bicycle spaces dimensioned in accordance with the requirements of AS2890.3;
  - (l) Integrate a security 'line' / gate in addition to the sliding security gate, restricting access into the setback / under-croft car parking / entry area after-hours;
  - (m) Dimension all building entrances and access paths, access paths should have a minimum 1800mm unobstructed width;
  - (n) Rationalise hard paved areas (within the subject site boundary) ground floor setback along Adam Street in lieu of increased garden beds;
  - (o) Relocate proposed bench seat along Adam Street ground level setback (within the subject site boundary) closer to the office and reception areas;
  - (p) Relocate pedestrian egress doors; to eliminate small setback spaces, doors must not obstruct public footpaths when fully opened;
  - (q) Relocate the vehicle egress security gate closer to Adam Street title boundary; and
  - (r) indicate window operability.
2. The development and use as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
3. As part of the ongoing consultant team, Gray Puksand 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.

### **Façade Strategy**

5. 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.

### **Land Use**

6. Delivery and collection of goods to and from the land (except for customers collecting or delivering goods for storage) may only occur between 7am and 10pm Monday to Saturday, or between 9am and 8pm on a Sunday or public holiday except for those allowed under any relevant local law.
7. The amenity of the area must not be detrimentally affected by the use, including through:
  - (a) the transport of materials, goods or commodities to or from land;
  - (b) the appearance of any buildings, works or materials;
  - (c) the emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or
  - (d) the presence of vermin,to the satisfaction of the Responsible Authority.

### **Lighting Plan**

8. Before the use and/or development commences, a Lighting Report, prepared by a suitably qualified consultant and to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Lighting Report will be endorsed and will form part of this permit. The Lighting Report must:
  - (a) assess the proposed internal lighting to the west and north side façades and make recommendations to ensure that the lighting does not adversely impact on surrounding dwelling amenity.
9. All provisions, recommendations and requirements of the assessment must be implemented and complied with to the satisfaction of the Responsible Authority.

### **Operational Management Plan**

10. Before the development commences, an Operational Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Operational Management Plan will be endorsed and will form part of this permit. The Operational Management Plan must address how the facility will be operated to minimise adverse impacts on the surrounding area and operate in a safe and secure manner including but not limited to the providing the following:
  - (a) The information that will be provided to customers, including but not limited to:

- (i) Clear information about the types and dimensions of vehicles that can be accommodated on-site (consistent with plans endorsed under Condition 1 of the permit); and
  - (ii) Contact phone number(s) for the facility, including for emergency purposes;
- (b) Confirmation that customers will be provided the above information about the facility;
- (c) Details of how the facility will be managed to ensure security and safety of the premises and customers accessing the premises and any additional procedures in place to minimise amenity impact on the surrounding area. This must include:
- (i) The provision of an intercom system that is operational during working hours for customers of the facility and the display of a contact phone number(s) adjacent the Murphy Street frontage that is clearly legible from the public realm (including at night time) and ensures that the facility management (or representatives) can be reached;
  - (ii) Confirmation that any alarm systems connected will not be externally audible;
  - (iii) Confirmation if security cameras are to be provided and, if so, confirmation that they will be compliant with section 7(1) of the *Surveillance Devices Act 1999* (Vic); and
  - (iv) Internal lighting to the building turned off (apart from emergency lighting) outside operational hours.
11. The provisions, recommendations and requirements of the endorsed Operational Management Plan must be implemented and complied with 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 prepared by Integrated Group Services and dated 24 March 2026, but modified to include or show:
- (a) altered dimensions and design of the 20m<sup>2</sup> raingarden, ensure adequate setback from the property boundary and the proposed property's footings and foundations, to ensure all drainage issues are addressed.
13. 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**

14. 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 25 March 2026, but modified to include (or show):

- (a) Deletion of any reference to hard-waste drop-off services or Council transfer station (Council does not provide these services).
- 15. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
- 16. The collection of waste from the site must be by private collection, unless with the prior written consent of the Responsible Authority.

### **Landscape Plan**

- 17. 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 ACRE and dated 5 September 2025, but modified to include (or show):
    - (a) All design changes required under Condition 1 of this permit, as relevant;
    - (b) Relocate raingarden to be an integrated feature element along Adam Street frontage within the subject site;
    - (c) Provide edges to the raingarden that ties in with the building architecture, brick or equivalent that provides for informal seating opportunities;
    - (d) No trees to be planted in the rain garden;
    - (e) Plants to be a mix of suitable species for visual interest and increased biodiversity;
    - (f) Tree species to be reviewed and tree species to be appropriate for the constrained site conditions;
    - (g) Provide root barrier along the interface to adjacent properties;
    - (h) Provide soil volumes for all planted areas that is adequate to sustain proposed tree and plant species;
    - (i) Additional information of proposed raingarden including (but not limited to) dimensions, mulch, soil layers and filtration media, water supply method (from rooftop or otherwise), overflow prevention measures, edge treatment and maintenance access;
    - (j) Increase plant quantities along upper-level planters;
    - (k) Provide information on automatic irrigation system including proposed water supply (potable or other), and type of irrigation (pop-ups or drip irrigation) for all planted areas within the subject site (ground level and upper level);
    - (l) The irrigation is to be connected to the proposed rainwater tank, as specified within the SMP;
    - (m) Drainage information demonstrating that all raised planters and planted areas are to be connected to stormwater (planters are not allowed to drain onto the footpath or roof slabs); and
    - (n) Provide a maintenance schedule, including task details and frequency for all planted areas and raingarden.
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18. 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

19. Before the development commences, the permit holder must make a one-off contribution of \$8,261 (inclusive of GST and subject to annual CPI increase) to the Responsible Authority to be used for new street tree plantings along Adam Street that are required as a result of the development.
20. 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.
21. Before the development commences, an Arboricultural Impact Assessment to the satisfaction of the Responsible Authority must be prepared by a suitably qualified Arborist, in accordance with AS 4970:2025 – Protection of Trees on Development Sites and must be submitted to and approved by the Responsible Authority. When approved the Arboricultural Impact Assessment will be endorsed and will form part of this permit.
22. Before the development commences, the permit holder must provide an Asset Protection Bond of \$20,000 (ex GST) for the existing street trees on Adam 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.
23. 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.
24. 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 Adam 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.

25. 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.

#### **Public Realm Plan: Functional Layout**

26. 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) Maximise and reconfigure existing kerb outstands to improve pedestrian amenity, accessibility, safety and overall public realm presentation;
  - (b) The design of the kerb outstand must consider and address, including but not limited to, the following matters:
    - (i) Rationalisation of on-street parking bays, with the maximum feasible area reallocated to public realm improvements, new street tree and pedestrian amenities;
    - (ii) Provision of vehicle swept-path diagrams demonstrating that all affected vehicle movements can occur safely and efficiently to the satisfaction of the Responsible Authority;
    - (iii) Resolution of all drainage requirements associated with the kerb outstands and adjoining infrastructure;
    - (iv) Compliance with all relevant accessibility requirements, ensuring all levels, grades and transitions are seamless and compliant;
    - (v) A demonstrated due diligence assessment of all existing and proposed services, including identification of any impacts associated with the kerb outstand and related infrastructure, and confirmation of any required service authority approvals or agreements;
    - (vi) An assessment of existing street lighting conditions, with provision for lighting upgrades or improvements were required to support pedestrian safety and amenity; and
    - (vii) New trees to be installed in accordance with Council standard detail including organic mulch around base of trees YSD803(a);
  - (c) Layout plan indicating all existing and proposed features and surface levels;
  - (d) Show all existing and proposed streetscape infrastructure including (but not limited to) light poles, drains and street signs;

- (e) Proposed bicycle spaces along site frontage, which bicycle image superimposed upon the proposed;
- (f) Clearly dimensioned elements including pedestrian paths and parking bays;
- (g) All existing and proposed levels and surface grades;
- (h) Demonstrate a seamless / DDA compliant levels transition across all proposed footpaths pavements;
- (i) Demonstrate a seamless / DDA accessible transition from the public realm into the principal entrance to the proposed building at ground floor level including any proposed setback;
- (j) Any works required to achieve compliance, including surface level modifications, must be undertaken wholly within the subject site. Existing external footpath levels must not be altered unless an improvement to compliance with adjoining footpaths is demonstrably achieved;
- (k) All existing and proposed drainage infrastructure including any existing or proposed drainage pits (to Council engineering satisfaction);
- (l) Reconstruction of all footpaths, kerbs, channels and crossovers adjacent to the property in accordance with Council standards and Department of Transport's requirements (clearly show extent of proposed works on plans);
- (m) Any existing and proposed service pits within the footpath area must be adjusted to match the reconstructed footpath grades;
- (n) Provide a clear paving delineation between public and private land;
- (o) Pavements must meet Council and all relevant Australian standards including for slip resistance;
- (p) Any proposed new and existing tree; and
- (q) New trees to be installed in accordance with Council standard detail including organic mulch around base of trees YSD803(a).

#### **Public Realm Plan: Detailed Design Plans**

27. 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.
28. 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.

#### **Acoustic Report**

29. Before the development commences, an amended Acoustic Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Acoustic Report will be endorsed and will form

part of this permit. The amended Acoustic Report must be generally in accordance with the Wind Assessment Report prepared by Enfield Acoustics Noise Vibration and dated 24 March 2026, but modified to include (or show):

(a) All design changes required under Condition 1 of this permit, as relevant.

30. The provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.
31. 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 Impact Assessment**

32. Concurrent with the submission of Condition 1 Plans, a Wind Assessment Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Wind Assessment Report will be endorsed and will form part of this permit.
33. The provisions, recommendations and requirements of the endorsed Wind Impact Assessment must be implemented and complied with to the satisfaction of the Responsible Authority.

### **Development Infrastructure Levy**

34. 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.

### **Civil Works**

35. Concurrent with the submission of Condition 1 plans or by such later date as approved in writing by the Responsible Authority, vehicle crossing designs must be submitted to Council's Civil Engineering Department for approval. The submitted designs must demonstrate compliance with City of Yarra's, Vehicle Crossing Information Sheet.
36. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any new vehicle crossing must be constructed:
  - (a) in accordance with any requirements or conditions imposed by Council; and
  - (b) at the permit holder's cost and,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 reinstated as standard footpath, verge (if applicable), and kerb and channel:
  - (a) at the permit holder's cost and,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, 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.
39. 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.
40. Any on-street parking reinstated as a result of development works must be approved by Council's Parking Management unit.

### **Car Parking**

41. 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.

### **External Lighting**

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

### **General**

43. 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.
44. 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.
45. 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.

**Construction Hours**

46. 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.

**Construction Management Plan**

47. Before the use and development commences, a Construction Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will form part of this permit. The plan must provide for:
- (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.
48. The provisions, recommendations and requirements of the endorsed Construction Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

### **Signage**

49. The location and details of the signs, including the supporting structure, 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.
50. The signage component of this permit expires 15 years from the date of the permit.
51. On expiry of this permit, the approved signs and structures built specially to support and/or illuminate signage must be removed.
52. The signs must not include any flashing or intermittent light.
53. The illumination of the sign fronting Adam Street must be switched off between 10.00pm and 8.00am the following day.
54. The signs must be constructed, displayed and maintained to the satisfaction of the Responsible Authority.
55. The Major Promotion sign must not:
- (a) Dazzle or distract drivers due to its colouring;
  - (b) Be able to be mistaken for a traffic signal because it has, for example, red circles, octagons, crosses or triangles; and
  - (c) Be able to be mistaken as an instruction to drivers.
56. This permit will expire if the signs are not erected within 3 years of the date of this permit. The Responsible Authority may extend the period referred to if a request is made in writing before the permit expires or within six months afterwards for commencement or twelve months afterwards for completion.

### **Expiry**

57. 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

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.

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.

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](http://www.yarracity.vic.gov.au/residents/transport/parking/parking-permits).

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](http://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*.

For the submission of plans pursuant to Condition 26, please submit these to [info@yarracity.vic.gov.au](mailto:info@yarracity.vic.gov.au) marked attention to Engineering Services.

### Public Submissions

The following people addressed the Committee:

Mark Trescowthick; and

Adele Hanafin.

**PLANNING DECISIONS COMMITTEE RESOLUTION****Moved:** Councillor Harrison**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 design, materials, street walls, limited ground level activation and articulation of the building provides a poor response to the context and does not represent a development that will make a positive contribution to the area and fails to comply with provisions at Clause 15.01-2L, Clause 15.01-2S, Clause 15.01-1S and Clause 15.01-1L;
  - (b) The development fails to recognise and reinforce the pattern of development and character of the street, including in building design and fails to meet the design objectives of Schedule 2 of the Design and Development Overlay; and
  - (c) The application material does not demonstrate how the purpose of Clause 53.22 **(the Clause under which the application has been made)** is achieved. **Council does not consider the Development Facilitation Program to be the appropriate mechanism for the application as** it is questionable that **in the context of the City of Yarra,** that a self-storage facility makes a significant contribution **to the local or Victorian** economy **or** provides substantial public benefit, including **employment.** At a minimum a genuine co-working space and other supporting commercial uses should be provided at the ground floor, and the building should be designed to enable its transition to employment generating uses in the future.
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 plans prepared by Gray Puksand, Rev A, dated 24/03/2026, but modified to show:
  - (a) A full redesign of the upper level facades to provide greater articulation through the use of windows and setbacks;
  - (b) Inclusion of ground level active interfaces to Adam Street;
  - (c) Redesign the Barkly Avenue and Adam Street street wall so they are clearly defined;
  - (d) Dimension the width of the vehicle crossing along Barkly Avenue;
  - (e) Dimension the width of the vehicle crossing along Adam Street;
  - (f) Dimension the width of the development's entrance along Barkly Avenue;

- (g) Dimension the width of the development's exit along Adam Street;
  - (h) Superimpose the visibility triangle at the exit lane of the Barkly Avenue and Adam Street frontages;
  - (i) Dimension the clearance height above the car park entrance and exits;
  - (j) All bicycle spaces be relocated in clearly visible and fully accessible locations in vicinity to main entrances, with opportunity to be overlooked from internal office and reception for improved safety;
  - (k) All bicycle spaces dimensioned in accordance with the requirements of AS2890.3;
  - (l) Integrate a security 'line' / gate in addition to the sliding security gate, restricting access into the setback / under-croft car parking / entry area after-hours;
  - (m) Dimension all building entrances and access paths, access paths should have a minimum 1800mm unobstructed width;
  - (n) Rationalise hard paved areas (within the subject site boundary) ground floor setback along Adam Street in lieu of increased garden beds;
  - (o) Relocate proposed bench seat along Adam Street ground level setback (within the subject site boundary) closer to the office and reception areas;
  - (p) Relocate pedestrian egress doors; to eliminate small setback spaces, doors must not obstruct public footpaths when fully opened;
  - (q) Relocate the vehicle egress security gate closer to Adam Street title boundary;
  - (r) indicate window operability;
  - (s) **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;**
  - (t) **Stairwells with external frontages, at a minimum, to have external glazing;**
  - (u) **Stairs to the office ancillary/ reception, and the corridor hallway at ground level (three stairs in each instance) to be mitigated;**
  - (v) **Chamfer corner to all levels of the building to the corner of Barkly Avenue and Adam Street;**
  - (w) **Increase clearance in front of lift 3 to improve practical use and functionality (this will likely require the adjacent service boxes being setback); and**
  - (x) **Setback the building a minimum of 2m from Barkly Avenue, with no projections or structures to be accommodated in the setback area, including walls on boundary in the setback area.**
2. The development and use as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
3. As part of the ongoing consultant team, Gray Puksand 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.

### **Façade Strategy**

5. 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.

### **Land Use**

6. Delivery and collection of goods to and from the land may only occur between 7am and **9pm** Monday to Saturday, or between 9am and **6pm** on a Sunday or public holiday except for those allowed under any relevant local law.
7. The amenity of the area must not be detrimentally affected by the use, including through:
  - (a) the transport of materials, goods or commodities to or from land;
  - (b) the appearance of any buildings, works or materials;
  - (c) the emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or
  - (d) the presence of vermin,to the satisfaction of the Responsible Authority.

### **Lighting Plan**

8. Before the use and/or development commences, a Lighting Report, prepared by a suitably qualified consultant and to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Lighting Report will be endorsed and will form part of this permit. The Lighting Report must:
  - (a) assess the proposed internal lighting to the west and north side façades and make recommendations to ensure that the lighting does not adversely impact on surrounding dwelling amenity.
9. All provisions, recommendations and requirements of the assessment must be implemented and complied with to the satisfaction of the Responsible Authority.

### **Operational Management Plan**

10. Before the development commences, an Operational Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Operational Management Plan will be endorsed and will form part of this permit. The Operational Management Plan must

address how the facility will be operated to minimise adverse impacts on the surrounding area and operate in a safe and secure manner including but not limited to the providing the following:

- (a) The information that will be provided to customers, including but not limited to:
  - (i) Clear information about the types and dimensions of vehicles that can be accommodated on-site (consistent with plans endorsed under Condition 1 of the permit); and
  - (ii) Contact phone number(s) for the facility, including for emergency purposes;
- (b) Confirmation that customers will be provided the above information about the facility;
- (c) Details of how the facility will be managed to ensure security and safety of the premises and customers accessing the premises and any additional procedures in place to minimise amenity impact on the surrounding area. This must include:
  - (i) The provision of an intercom system that is operational during working hours for customers of the facility and the display of a contact phone number(s) adjacent the Murphy Street frontage that is clearly legible from the public realm (including at night time) and ensures that the facility management (or representatives) can be reached;
  - (ii) Confirmation that any alarm systems connected will not be externally audible;
  - (iii) Confirmation if security cameras are to be provided and, if so, confirmation that they will be compliant with section 7(1) of the *Surveillance Devices Act 1999 (Vic)*; and
  - (iv) Internal lighting to the building turned off (apart from emergency lighting) outside operational hours.

11. The provisions, recommendations and requirements of the endorsed Operational Management Plan must be implemented and complied with 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 prepared by Integrated Group Services and dated 24 March 2026, but modified to include or show:
  - (a) altered dimensions and design of the 20m<sup>2</sup> raingarden, ensure adequate setback from the property boundary and the proposed property's footings and foundations, to ensure all drainage issues are addressed.
13. 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

14. 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 25 March 2026, but modified to include (or show):
  - (a) Deletion of any reference to hard-waste drop-off services or Council transfer station (Council does not provide these services).
15. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
16. The collection of waste from the site must be by private collection, unless with the prior written consent of the Responsible Authority.

### Landscape Plan

17. 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 ACRE and dated 5 September 2025, but modified to include (or show):
  - (a) All design changes required under Condition 1 of this permit, as relevant;
  - (b) Significant increase of vertical greenery and or use of creepers to all levels of the north, south and west building frontages, including provision of maintenance program and detail of irrigation system;**
  - (c) Relocate raingarden to be an integrated feature element along Adam Street frontage within the subject site;
  - (d) Provide edges to the raingarden that ties in with the building architecture, brick or equivalent that provides for informal seating opportunities;
  - (e) No trees to be planted in the rain garden;
  - (f) Plants to be a mix of suitable species for visual interest and increased biodiversity;
  - (g) Tree species to be reviewed and tree species to be appropriate for the constrained site conditions **with the species chosen for the northern garden bed able to provide visual screening to the property to the north;**
  - (h) Provide root barrier along the interface to adjacent properties;
  - (i) Provide soil volumes for all planted areas that is adequate to sustain proposed tree and plant species;
  - (j) Additional information of proposed raingarden including (but not limited to) dimensions, mulch, soil layers and filtration media, water supply method (from rooftop or otherwise), overflow prevention measures, edge treatment and maintenance access;
  - (k) Increase plant quantities along upper-level planters;

- (l) Provide information on automatic irrigation system including proposed water supply (potable or other), and type of irrigation (pop-ups or drip irrigation) for all planted areas within the subject site (ground level and upper level);
  - (m) The irrigation is to be connected to the proposed rainwater tank, as specified within the SMP;
  - (n) Drainage information demonstrating that all raised planters and planted areas are to be connected to stormwater (planters are not allowed to drain onto the footpath or roof slabs); and
  - (o) Provide a maintenance schedule, including task details and frequency for all planted areas and raingarden.
18. 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**

19. Before the development commences, the permit holder must make a one-off contribution of \$8,261 (inclusive of GST and subject to annual CPI increase) to the Responsible Authority to be used for new street tree plantings along Adam Street that are required as a result of the development.
20. 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.
21. Before the development commences, an Arboricultural Impact Assessment to the satisfaction of the Responsible Authority must be prepared by a suitably qualified Arborist, in accordance with AS 4970:2025 – Protection of Trees on Development Sites and must be submitted to and approved by the Responsible Authority. When approved the Arboricultural Impact Assessment will be endorsed and will form part of this permit.
22. Before the development commences, the permit holder must provide an Asset Protection Bond of \$20,000 (ex GST) for the existing street trees on Adam 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.

23. 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.
24. 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 Adam 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.
25. 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.

#### **Public Realm Plan: Functional Layout**

26. 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) Maximise and reconfigure existing kerb outstands to improve pedestrian amenity, accessibility, safety and overall public realm presentation;
  - (b) The design of the kerb outstand must consider and address, including but not limited to, the following matters:
    - (i) Rationalisation of on-street parking bays, with the maximum feasible area reallocated to public realm improvements, new street tree and pedestrian amenities;
    - (ii) Provision of vehicle swept-path diagrams demonstrating that all affected vehicle movements can occur safely and efficiently to the satisfaction of the Responsible Authority;
    - (iii) Resolution of all drainage requirements associated with the kerb outstands and adjoining infrastructure;
    - (iv) Compliance with all relevant accessibility requirements, ensuring all levels, grades and transitions are seamless and compliant;

- (v) A demonstrated due diligence assessment of all existing and proposed services, including identification of any impacts associated with the kerb outstand and related infrastructure, and confirmation of any required service authority approvals or agreements;
  - (vi) An assessment of existing street lighting conditions, with provision for lighting upgrades or improvements were required to support pedestrian safety and amenity; and
  - (vii) New trees to be installed in accordance with Council standard detail including organic mulch around base of trees YSD803(a);
- (c) Layout plan indicating all existing and proposed features and surface levels;
  - (d) Show all existing and proposed streetscape infrastructure including (but not limited to) light poles, drains and street signs;
  - (e) Proposed bicycle spaces along site frontage, which bicycle image superimposed upon the proposed;
  - (f) Clearly dimensioned elements including pedestrian paths and parking bays;
  - (g) All existing and proposed levels and surface grades;
  - (h) Demonstrate a seamless / DDA compliant levels transition across all proposed footpaths pavements;
  - (i) Demonstrate a seamless / DDA accessible transition from the public realm into the principal entrance to the proposed building at ground floor level including any proposed setback;
  - (j) Any works required to achieve compliance, including surface level modifications, must be undertaken wholly within the subject site. Existing external footpath levels must not be altered unless an improvement to compliance with adjoining footpaths is demonstrably achieved;
  - (k) All existing and proposed drainage infrastructure including any existing or proposed drainage pits (to Council engineering satisfaction);
  - (l) Reconstruction of all footpaths, kerbs, channels and crossovers adjacent to the property in accordance with Council standards and Department of Transport's requirements (clearly show extent of proposed works on plans);
  - (m) Any existing and proposed service pits within the footpath area must be adjusted to match the reconstructed footpath grades;
  - (n) Provide a clear paving delineation between public and private land;
  - (o) Pavements must meet Council and all relevant Australian standards including for slip resistance;
  - (p) Any proposed new and existing tree; and
  - (q) New trees to be installed in accordance with Council standard detail including organic mulch around base of trees YSD803(a).

### **Public Realm Plan: Detailed Design Plans**

27. 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.

28. 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.

### **Acoustic Report**

29. Before the development commences, an amended Acoustic Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Acoustic Report will be endorsed and will form part of this permit. The amended Acoustic Report must be generally in accordance with the Wind Assessment Report prepared by Enfield Acoustics Noise Vibration and dated 24 March 2026, but modified to include (or show):
  - (a) All design changes required under Condition 1 of this permit, as relevant.
30. The provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.
31. 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 Impact Assessment**

32. Concurrent with the submission of Condition 1 Plans, a Wind Assessment Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Wind Assessment Report will be endorsed and will form part of this permit.
33. The provisions, recommendations and requirements of the endorsed Wind Impact Assessment must be implemented and complied with to the satisfaction of the Responsible Authority.

### **Development Infrastructure Levy**

34. 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.

### **Civil Works**

35. Concurrent with the submission of Condition 1 plans or by such later date as approved in writing by the Responsible Authority, vehicle crossing designs must be submitted to Council's Civil Engineering Department for approval. The submitted designs must demonstrate compliance with City of Yarra's, Vehicle Crossing Information Sheet.
36. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any new vehicle crossing must be constructed:
  - (a) in accordance with any requirements or conditions imposed by Council; and

- (b) at the permit holder's cost and,  
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, verge (if applicable), and kerb and channel:
- (a) at the permit holder's cost and,  
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, 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.
39. 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.
40. Any on-street parking reinstated as a result of development works must be approved by Council's Parking Management unit.

### **Car Parking**

41. 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.

### **External Lighting**

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

to the satisfaction of the Responsible Authority.

### **General**

43. 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.
44. 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.
45. 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.

### **Construction Hours**

46. 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.

### **Construction Management Plan**

47. Before the use and development commences, a Construction Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will form part of this permit. The plan must provide for:
  - (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.
48. The provisions, recommendations and requirements of the endorsed Construction Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

### **Signage**

49. The location and details of the signs, including the supporting structure, 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.
50. The signage component of this permit expires 15 years from the date of the permit.
51. On expiry of this permit, the approved signs and structures built specially to support and/or illuminate signage must be removed.
52. The signs must not include any flashing or intermittent light.
53. The illumination of the sign fronting Adam Street must be switched off between 10.00pm and 8.00am the following day.
54. The signs must be constructed, displayed and maintained to the satisfaction of the Responsible Authority.
55. The Major Promotion sign must not:
- (a) Dazzle or distract drivers due to its colouring;
  - (b) Be able to be mistaken for a traffic signal because it has, for example, red circles, octagons, crosses or triangles; and
  - (c) Be able to be mistaken as an instruction to drivers.
56. This permit will expire if the signs are not erected within 3 years of the date of this permit. The Responsible Authority may extend the period referred to if a request is made in writing before the permit expires or within six months afterwards for commencement or twelve months afterwards for completion.

**Expiry**

57. 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**

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.

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.

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](http://www.yarracity.vic.gov.au/residents/transport/parking/parking-permits).

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](http://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*.

For the submission of plans pursuant to Condition 26, please submit these to [info@yarracity.vic.gov.au](mailto:info@yarracity.vic.gov.au) marked attention to Engineering Services.

**CALL FOR A DIVISION**

**For:** Councillor Jolly, Councillor Harrison, Councillor Aston, Councillor Crossland,  
Councillor Gomez, Councillor Ho and Councillor McKenzie

**Against:** Nil

**CARRIED UNANIMOUSLY**

**6.2. – PPE26/0203 - 39 - 47 Lithgow Street, Abbotsford**

<b>Author</b>	John Theodosakis – Principal Planner
<b>Authoriser</b>	General Manager City Sustainability and Strategy - Mary Osman

**Officer Recommendation**

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 the following:
  - (a) The need to further investigate opportunities for retaining more heritage fabric (as detailed in Council's Heritage Advice forming an attachment to this report) that includes the tank tower in the south-west portion of the site;
  - (b) That Council is supportive of a redevelopment of the site that provides an increase in affordable housing that is well designed and energy efficient (confirmed by an amended SMP as required by a suite of recommended permit conditions);
  - (c) That having regard to the strategic context, there is opportunity for a mid-rise development on the site of this scale on the basis that:
    - (i) the proposed six-storey building height is lowered to meet the mandatory building height of 18m at Schedule 22 of the Design and Development Overlay at Clause 43.02 of the Yarra Planning Scheme; and
    - (ii) The upper level setbacks meet the minimum setback of 6m as per Schedule 22 of the Design and Development Overlay at Clause 43.02 of the Yarra Planning Scheme;
  - (d) The proposed development falls short of providing private open space to a number dwellings; and
  - (e) Other matters requiring attention include off-site amenity impacts, and the visual bulk / imposition of on-boundary walls on shared boundaries.
3. Provide as an attachment, the officer assessment table and full suite of referral advice obtained from Council's departments.
4. Notwithstanding the above concerns, if the Department of Transport and Planning is of the mind to issue a permit, then the following conditions should be 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 architectural plans prepared by Warren and Mahoney Architects last dated 27 March 2026 but modified to show:

- (a) The overall building height reduced to a maximum 18m above the natural ground level;
- (b) The upper floors of the new development of the northern tower setback 6m in compliance with the requirements at Clause 43.02 – Design and Development Overlay (Schedule 22 - Precinct 4 – Victoria Street East);
- (c) Provision of private open space for every dwelling in accordance with Clause 58 – Standard D20 – Private Open Space Objective;
- (d) Dimensions of the lifts, widths, corridors and bicycle storage spaces in accordance with AS2890.3;
- (e) All car parking areas electrically wired to be 'EV ready', with a minimum 40A single phase electrical sub circuit installed;
- (f) The 36 ground level multi-tier spaces shown with a 2.0m wide access aisle (in lieu of 1.74m);
- (g) The location of at least eight electric bicycle charging points, and a plan notation confirming that these will have shared access between occupants;
- (h) Dimensions of all bicycle storage spaces, lifts, corridors and relevant access ways noted to demonstrate compliance with Australian Standard AS2890.3;
- (i) The width of kerbs along the internal vehicle access ramp dimensioned;
- (j) The headroom clearance at the car park entrance, internal access ramps and basement level dimensioned;
- (k) The headroom clearance above the accessible car space and shared area dimensioned;
- (l) The drop-off and loading bays, kerb extension and traffic islands and street trees / plantings and relevant annotations shown on the relevant drawings;
- (m) The site plan to include existing and proposed underground service conduits, cables, pits and valves within the footpath and under proposed kerb extensions;
- (n) A plan notation confirming that utility doors that open over a Public Highway are able to swing at 180-degrees and be latched onto the building wall;
- (o) Pedestrian entries at the finished surface level matching, at the building line, to a footpath that has a cross-fall no greater than 1 in 33;
- (p) Deletion of any on-site landscaping outside the property line (i.e. shown on drawing no. TP30.03 - Section CC);
- (q) All ground level garden beds level with or lower than the footpath and top of the kerb;
- (r) Bicycle spaces in accordance with the provisions detailed at Condition 40;
- (s) Any changes recommended in the Conservation Management Plan required by condition 4 of this permit;
- (t) Any changes recommended in the amended Landscape Plan required by condition 10 of this planning permit;

- (u) Any changes recommended in the amended Sustainability Management Plan required by condition 12 of this planning permit;
  - (v) Any changes recommended in the amended Acoustic Report required by condition 14 of this planning permit; and
  - (w) Any changes recommended in the amended Wind Assessment required by condition 20 of this planning permit.
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.

### **Architect Ongoing Involvement**

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

### **Conservation Management Plan**

4. Before the demolition commences, a Conservation Management Plan (including a Heritage Interpretation Plan) to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Conservation Management Plan will be endorsed and will form part of this permit. The Conservation Management Plan must include, but not be limited to, the following:
- (a) All recommendations in accordance with the endorsed structural report required at Condition 7;
  - (b) The retention of the pitched roof tower on Little Lithgow Street or if not possible for structural reasons, detail that depicts its accurate reconstruction to match the original form, fabric, and detailing;
  - (c) The retention of the former water tower or if not possible for structural reasons, detail that depicts its accurate reconstruction;
  - (d) All refurbished door openings in the façade of the main building fronting Lithgow Street constructed of timber and of matching industrial character and appearance;
  - (e) All replacement window frames in the façade of the main building fronting Lithgow Street constructed of timber and matching appearance and dimensions of the existing window frames;
  - (f) The existing slate roofing on the main building fronting Lithgow Street repaired and only replaced as a last resort using new slates that match the original in profile, size, colour, texture, and finish;
  - (g) Non-original external paint on the main building fronting Lithgow Street removed using appropriate methods that must be submitted and approved by the City of Yarra;
  - (h) The proposed balcony adjacent to the factory chimney at floor level 03 setback at least 1m from the factory chimney flue;

- (i) Full details of the proposed cleaning processes and repairs for the factory chimney; and
  - (j) Written confirmation, that the Conservation Management Plan will be incorporated into the Body Corporate/Owners Corporation Rules to ensure all current and future lot owners are legally bound by its conservation policies.
5. The provisions, recommendations and requirements of the endorsed Conservation Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
6. A comprehensive visual record of the heritage place must be professionally prepared and submitted to Council prior to the commencement of any demolition works. The record must be prepared in accordance with the standards set by Heritage Victoria.

### **Structural report**

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

### **Façade Strategy**

8. 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 / include:
- (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) the façade strategy must show textured walls consistent with the development plans under condition 1;
  - (d) information about how the façade will be maintained, including any vegetation;
  - (e) The proposed colouring of external brickwork for the lower floor levels of the new multistorey buildings matching to the colouring of the original unpainted brickwork on the heritage building fronting Lithgow Street;
  - (f) A full schedule of all proposed external materials and colours for new building works (including images or samples); and
  - (g) a reflected glare assessment of external building materials and finishes, utilising an appropriate methodology.
9. The provisions, recommendations and requirements of the endorsed Façade Strategy must be implemented and complied with to the satisfaction of the Responsible Authority.

## Landscape Plan

10. 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 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 Design prepared by Ration Consultants, dated 29 October 2025, but modified to show / include:
  - (a) Consistency with the endorsed plans under condition 1;
  - (b) Details of bench seat furniture item and planters, including soil depth and width for planted area and planters;
  - (c) Drainage methods and lining materials;
  - (d) Volume and type of growing media (including cultivation depth, mulch type etc), of plant species, with wind-proof mulch to planters above the ground floor (such as screened rock/pebbles) is to be used;
  - (e) Typical planting details for trees, shrubs, grasses, groundcovers and climbers, including details of proposed vertical growing structures including detail drawings, mounting technique etc;
  - (f) Information on proposed irrigation including proposed water supply (potable or other), and type of irrigation (pop-ups or drip irrigation) for all garden bed areas and all upper-level loose pots/planters; and
  - (g) A maintenance schedule, including task details and frequency and access for maintenance purposes must be provided to all planted areas and planters,to the satisfaction of the Responsible Authority.
11. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the 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 maintenance 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.

## Sustainability Management Plan

12. In conjunction with the submission of development plans under Condition 1, an amended Sustainability Management Plan (SMP) to the satisfaction of the Responsible Authority 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 be generally in accordance with the SMP prepared by Arup and dated 29 October 2025, but modified to have regard and include:
  - (a) To the architectural drawings required at Condition 1 of this permit.

- (b) preliminary NatHERS ratings from a sample of dwelling demonstrating that the 7 Star rating will be achieved across the whole development, utilising glazing assumptions consistent with the Daylight Modelling report and Architectural Drawings; and
- (c) a MUSIC or Blue Factor report to demonstrate the proposed stormwater management strategy will meet the planning scheme requirements for pollution and flow reduction.

to the satisfaction of the Responsible Authority.

13. The provisions, recommendations and requirements of the endorsed SMP must be implemented and complied with to the satisfaction of the Responsible Authority.

#### **Acoustic Report**

14. In conjunction with the submission of development plans under Condition 1, an amended Acoustic Report 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. When approved, the Acoustic Report will be endorsed and will form part of this permit. The amended Acoustic Report must be generally in accordance with the Acoustic Report prepared by Acoustic Logic and dated 29 October 2025, but modified to have regard and include:
- (a) To the architectural drawings required at Condition 1 of this permit;
  - (b) Whether any adjustments are necessary to achieve adequate noise levels inside apartments from the commercial operation of the ground floor café; and
  - (c) Noise and vibration impacts from the vehicle entrance gate to the basement.
15. The provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.
16. Before the development is occupied, an updated acoustic report prepared by a suitably qualified acoustic engineer to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The report must:
- (a) Provide evidence of compliance with the requirements of the endorsed Acoustic Report.
17. The recommendations and any works contained in the approved acoustic report must be implemented and completed and where there are recommendations of an ongoing nature must be maintained all to the satisfaction of the Responsible Authority.

#### **Waste Management Plan**

18. 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 must be generally in accordance with the Waste Management Plan prepared by Traffix Group and dated 30 October 2025 but modified to have regard:
- (a) To the architectural drawings required at Condition 1 of this permit.

19. The provisions, recommendations and requirements of the endorsed waste management plan must be implemented and complied with to the satisfaction of the Responsible Authority.

#### **Wind Assessment**

20. In conjunction with the submission of development plans under Condition 1, an amended Wind Assessment (labelled Environmental Wind Conditions Study) to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Wind Assessment will be endorsed and will form part of this permit. The amended Wind Assessment must be generally in accordance with the Wind Assessment prepared by Vipac Engineers and Scientists Limited (dated 30 October 2025), but modified to have regard:
- (a) To the architectural drawings required at Condition 1 of this permit.
  - (b) Confirm that all balconies and terraces achieve the standing comfort criterion at a minimum;
  - (c) Include a wind tunnel study.
21. The provisions, recommendations and requirements of the endorsed Wind Assessment must be implemented and complied with to the satisfaction of the Responsible Authority.

#### **Green Travel Plan**

22. Before the use commences, a Green Travel Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Green Travel plan will be endorsed and will form part of this permit. The Green Travel Plan must include, but not be limited to, the following:
- (a) a description of the location in the context of alternative modes of transport;
  - (b) employee welcome packs (e.g. provision of myki/transport ticketing);
  - (c) sustainable transport goals linked to measurable targets, performance indicators and monitoring timeframes;
  - (d) a designated 'manager' or 'champion' responsible for coordination and implementation;
  - (e) details of bicycle parking and bicycle routes;
  - (f) details of GTP funding and management responsibilities;
  - (g) the specific design of bicycle storage devices proposed to be used for employee
  - (h) spaces, including demonstration of their suitability for parking cargo bikes, electric bikes and recumbent bikes;
  - (i) security arrangements to access the employee bicycle storage spaces; and
  - (j) signage and wayfinding information for bicycle facilities and pedestrians pursuant to Australian Standard AS2890.3;
  - (k) Reference to a minimum 40A single phase electrical sub circuit should be installed to the car park areas for 'EV readiness'; and
  - (l) provisions for the Green Travel Plan to be updated not less than every 5 years.
23. The provisions, recommendations and requirements of the endorsed Green Travel Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

### **Affordable Housing Report**

24. Before the development starts, excluding bulk excavation, site preparation, soil removal, site remediation and retention works, an Affordable Housing Report must be approved and endorsed by the responsible authority. The report must be prepared to the satisfaction of the responsible authority and be generally in accordance with the Affordable Housing Report prepared by MODEL but modified to ensure that:
- (a) Market rents are verified to ensure discounts are calculated fairly and transparently relative to market rents at the time of endorsement.

### **Section 173 Agreement – Affordable Housing**

25. Before the development is occupied, the owner of the land must enter into an agreement with the responsible authority under Section 173 of the Planning and Environment Act 1987. The agreement must provide for a contribution towards affordable housing generally in accordance with the endorsed Affordable Housing Report, in the following manner:
- (a) At least 16 dwellings in the development must be provided as affordable rental housing by the build-to-rent provider. The details of the nominated affordable housing dwellings, when and how the affordable housing will be delivered and managed, as well as 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) Secured in perpetuity rather than for a fixed minimum term. If this is not achievable, the term should be a minimum of at least 25 years.
26. The land owner must pay the responsible authority's reasonable costs of the preparation, execution, registration and ending of the section 173 agreement (where applicable).

### **Civil Works**

27. Before the buildings are occupied or by such later date as approved in writing by the Responsible Authority, the footpath along the property's Lithgow Street frontage must be re-sheeted in asphalt:
- (a) at the permit holder's cost; and
  - (b) to the satisfaction of the Responsible Authority(s).
28. 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 Lithgow Street frontage must be reconstructed:
- (a) at the permit holder's cost; and
  - (b) to the satisfaction of the Responsible Authority(s).
29. Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, the half-width road pavement along the property's Lithgow Street frontage must be reconstructed:
- (a) at the permit holder's cost; and
  - (b) to the satisfaction of the Responsible Authority(s).

30. All redundant vehicle crossings are to be demolished and reinstated with paving, and kerb and channel to the satisfaction of the Responsible Authority and at the Permit Holder's cost.
31. 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.
32. 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.

### **Car Parking**

33. Before the building s are 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.

### **Vehicle Crossings**

34. 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.
35. Concurrent with the submission of Condition 1 plans, or by such later date as approved in writing by the Responsible Authority, the new vehicle crossings must be designed and constructed:
  - (a) at the Permit Holder's cost; and
  - (b) to the satisfaction of the Responsible Authority.Refer to Notes (below) for lodgement details.
36. 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.

**Bicycle Parking**

37. Except with the prior written consent of the Responsible Authority:
- (a) No less than 151 resident bicycle parking spaces must be provided on site; and
  - (b) No less than 35 visitor spaces must be provided on site.
38. All visitor and employee bicycle spaces must be ground level (horizontal) hoops and must comply with Clause 52.34 of the Yarra Planning Scheme, and the clearance and access-way requirements of AS2890.3.

**Lighting**

39. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating access to the car park and dwelling entrances must be provided 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.

**Public Realm Improvements**

40. Prior to the demolition of any building(s) or by such later date as is approved by the Responsible Authority, a Public Realm Works plan must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The Public Realm Works plan must show / include the following all to the satisfaction of the City of Yarra:

**Lithgow Street**

- (a) Any works required to achieve compliance, including surface level modifications, informed by the outcomes of a flood risk assessment. All such works, including any level changes required to mitigate flooding impacts, must be undertaken wholly within the subject site. Existing external footpath levels must not be altered unless it is demonstrably shown that doing so results in an improvement to flood and access compliance with adjoining footpaths, to the satisfaction of Council;
- (b) All tactiles, handrails, ramps and landings within the subject site boundary and not protrude outside the subject site's title boundaries;
- (c) Any statutory visitor bike parking requirements accommodated within the subject site boundary;
- (d) The existing Lithgow Street footpath width maintained;
- (e) The Lithgow Street kerb extension(s) to have no reverse impact on flooding and drainage along the street, and if feasible pending flood risk assessment, the integration of two (2) kerb extensions with a combination of planting and paving and no more than 3 visitor bike hoops and one bench seat);

- (f) The design of kerb extensions to match in principle to existing extensions further south along Lithgow Street with bluestone pitcher edges and provision for passive irrigation to any planted areas;
- (g) Lithgow Street Streetscape improvements to have no net loss reduction in on-street parallel parking bays along the subject site street frontage;
- (h) A notation confirming that the footpath in Lithgow Street will not have a footpath crossfall greater than 1 in 33;
- (i) A plan notation confirming that the footpath will not have a cross-fall of less than 1.2% from building line to top of kerb;
- (j) Parallel parking bays to meet Australian Standards;
- (k) The integration of a minimum seven (7) new street trees (with 3m minimum offset to power poles), on-road or in kerb extensions along Lithgow Street;
- (l) The removal of any reference to drop off bays on Lithgow Street;
- (m) The removal of any reference to the 'Outdoor café seating' area on Lithgow Street;
- (n) The removal of any reference to the 'Main Entry' associated with public realm on Lithgow Street to clearly describe referencing entry within the development;

#### Little Lithgow Street

- (o) Car park security door to be within the title boundary along Little Lithgow Street;
- (p) Car park vehicle access to be provided without obstructing other users of Little Lithgow Street;
- (q) Plant species along ground level terraces must not overhang or obstruct view-lines or access along Little Lithgow Street;

#### General

- (r) reconstructed footpaths and kerbing;
- (s) removal of redundant vehicle crossings;
- (t) all existing roadside infrastructure; and
- (u) at the permit holder's cost,

to the satisfaction of the City of Yarra.

41. 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 Plan (as required by Condition 41) 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.
42. Before the building is occupied, all associated works shown on the endorsed detailed design plans for the public realm (as required by Condition 41) must be fully constructed and completed to the satisfaction of the Council's Civil Engineering Department and at no cost to the Responsible Authority.

**Public Lighting Plan Required**

43. 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 the City of Yarra's Civil Engineering Department. When approved, the Public Lighting Plan will be endorsed by the Responsible Authority and will form part of this permit. The Public Lighting Plan must be designed:
- (a) address lighting along the length of the property to Lithgow Street and Little Lithgow Street and the pedestrian and vehicle entrances to the approved building.
  - (b) to comply with uniformity, access and maintenance requirements as per standard AS1158.3.1; and
  - (c) to control light spillage in accordance with the requirements of AS 4282 – 2019," *Control of the obtrusive effects of outdoor lighting*";
- to the satisfaction of the Responsible Authority.

**Ongoing Public Lighting Plan Requirement**

44. 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.

**Temporary Lighting Plan**

45. Before any existing public lighting is removed, or by such later date as approved in writing by the responsible authority, a temporary lighting plan must be submitted to and approved by Yarra City Council. The temporary lighting 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 Yarra City Council.

**General**

46. 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.
47. 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.
48. 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.
49. Finished floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.
50. The amenity of the area must not be detrimentally affected by the use or development, including through:
- (a) the transport of materials, goods or commodities to or from land;
  - (b) the appearance of any buildings, works or materials;

- (c) the emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil; or
  - (d) the presence of vermin,
- to the satisfaction of the Responsible Authority.

### **Development Contributions Plan**

51. 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, 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.

### **Community Infrastructure Levy**

52. 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.

### **Street Trees**

53. Before the development commences, the permit holder must make a one-off contribution of \$15,645.00 (inclusive of GST and subject to annual CPI increase) to the Responsible Authority to be used for new street tree plantings that are required as a result of the development.

### **Construction Management Plan**

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 (as appropriate):
- (a) a pre-conditions survey (dilapidation report) of the land and all adjacent Council road 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 (including businesses) and to demonstrate compliance with Noise Control Guideline 12 for Construction (Publication 1254) as issued by the Environment Protection Authority in October 2008. The Noise and Vibration Management Plan must be prepared to the satisfaction of the Responsible Authority. In preparing the Noise and Vibration Management Plan, consideration must be given to:
    - (i) using lower noise work practice and equipment;
    - (ii) the suitability of the land for the use of an electric crane;
    - (iii) silencing all mechanical plant by the best practical means using current technology;
    - (iv) fitting pneumatic tools with an effective silencer; and
    - (v) other relevant considerations (including impacts on the operation of businesses);
  - (q) a detailed dilapidation report detailing and documenting the existing and post construction conditions of surrounding road infrastructure and adjoining private properties;
  - (r) if any existing public lighting assets require temporary disconnection, alternative lighting must be provided to maintain adequate lighting levels. A temporary lighting scheme can only be approved by Council and relevant power authority. Existing public lighting could only be disconnected once temporary alternative lighting scheme becomes operational; and
  - (s) any site-specific requirements.
55. During construction:
- (a) any stormwater discharged into the stormwater drainage system must be in compliance with Environment Protection Authority guidelines;
-

- (b) stormwater drainage system protection measures must be installed as required to ensure that no solid waste, sediment, sand, soil, clay or stones from the land enters the stormwater drainage system;
  - (c) vehicle borne material must not accumulate on the roads abutting the land;
  - (d) the cleaning of machinery and equipment must take place on the land and not on adjacent footpaths or roads; and
  - (e) all litter (including items such as cement bags, food packaging and plastic strapping) must be disposed of responsibly.
56. The provisions, recommendations and requirements of the endorsed Construction Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

### **Construction Hours**

57. 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 7.00am 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; or
  - (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.

### **Permit Expiry**

58. This permit will expire if:
- (a) the development is not commenced within four years of the date of this permit; or
  - (b) the development is not completed within six years of the date of this permit.
59. In accordance with section 69 of the Planning and Environment Act 1987, an application may be submitted to the Responsible Authority for an extension of the periods referred to in this condition.

### **Notes:**

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

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

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

All 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](http://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](http://www.yarracity.vic.gov.au/residents/transport/parking/parking-permits).

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.

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 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.

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

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

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.

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 be borne by the Permit Holder.

For the submission of plans pursuant to Conditions 35 and 36, please submit these to [info@yarracity.vic.gov.au](mailto:info@yarracity.vic.gov.au) marked attention to Engineering Services.

**PLANNING DECISIONS COMMITTEE RESOLUTION****Moved:** Councillor Aston**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 the following:
  - (a) The need to further investigate opportunities for retaining more heritage fabric (as detailed in Council's Heritage Advice forming an attachment to this report) that includes the tank tower in the south-west portion of the site;
  - (b) That Council is supportive of a redevelopment of the site that provides an increase in affordable housing that is well designed and energy efficient (confirmed by an amended SMP as required by a suite of recommended permit conditions);
  - (c) That having regard to the strategic context, there is opportunity for a mid-rise development on the site of this scale on the basis that:
    - (i) the proposed six-storey building height is lowered to meet the mandatory building height of 18m at Schedule 22 of the Design and Development Overlay at Clause 43.02 of the Yarra Planning Scheme; and
    - (ii) The upper level setbacks meet the minimum setback of 6m as per Schedule 22 of the Design and Development Overlay at Clause 43.02 of the Yarra Planning Scheme;
  - (d) The proposed development falls short of providing private open space to a number dwellings; and
  - (e) Other matters requiring attention include off-site amenity impacts, and the visual bulk / imposition of on-boundary walls on shared boundaries.
3. Provide as an attachment, the officer assessment table and full suite of referral advice obtained from Council's departments.
4. Notwithstanding the above concerns, if the Department of Transport and Planning is of the mind to issue a permit, then the following conditions should be 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 architectural plans prepared by Warren and Mahoney Architects last dated 27 March 2026 but modified to show:
  - (a) The overall building height reduced to a maximum 18m above the natural ground level;
  - (b) The upper floors of the new development of the northern tower setback 6m in compliance with the requirements at Clause 43.02 – Design and Development Overlay (Schedule 22 - Precinct 4 – Victoria Street East);

- (c) **The number of 2 bedroom apartments increased to 30 by reducing the number of studio apartments, with no changes to the building envelope;**
- (d) **Retention of the majority of the existing brick boundary wall to Little Lithgow Street (or demolition and like for like reconstruction) and its incorporation into the design of the development;**
- (e) Provision of private open space for every dwelling in accordance with Clause 58 – Standard D20 – Private Open Space Objective;
- (f) Dimensions of the lifts, widths, corridors and bicycle storage spaces in accordance with AS2890.3;
- (g) **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;**
- (h) **Stairwells with external frontages at a minimum to have external glazing;**
- (i) All car parking areas electrically wired to be 'EV ready', with a minimum 40A single phase electrical sub circuit installed;
- (j) **All bicycle parking accommodated at the ground floor with a minimum 50% of resident parking 'at grade' (both wheels on the ground), with stackers for the remaining and including bicycle parking for cargo bike and bikes with trailers;**
- (k) **The resident bicycle parking area(s) provided with a minimum access aisle width of 2.0m;**
- (l) The location of at least eight electric bicycle charging points, and a plan notation confirming that these will have shared access between occupants;
- (m) Dimensions of all bicycle storage spaces, lifts, corridors and relevant access ways noted to demonstrate compliance with Australian Standard AS2890.3;
- (n) The width of kerbs along the internal vehicle access ramp dimensioned;
- (o) The headroom clearance at the car park entrance, internal access ramps and basement level dimensioned;
- (p) The headroom clearance above the accessible car space and shared area dimensioned;
- (q) The drop-off and loading bays, kerb extension and traffic islands and street trees / plantings and relevant annotations shown on the relevant drawings;
- (r) The site plan to include existing and proposed underground service conduits, cables, pits and valves within the footpath and under proposed kerb extensions;
- (s) A plan notation confirming that utility doors that open over a Public Highway are able to swing at 180-degrees and be latched onto the building wall;
- (t) Pedestrian entries at the finished surface level matching, at the building line, to a footpath that has a cross-fall no greater than 1 in 33;
- (u) Deletion of any on-site landscaping outside the property line (i.e. shown on drawing no. TP30.03 - Section CC);
- (v) All ground level garden beds level with or lower than the footpath and top of the kerb;

- (w) Bicycle spaces in accordance with the provisions detailed at Condition **37**;
  - (x) Any changes recommended in the Conservation Management Plan required by condition 4 of this permit;
  - (y) Any changes recommended in the amended Landscape Plan required by condition 10 of this planning permit;
  - (z) Any changes recommended in the amended Sustainability Management Plan required by condition 12 of this planning permit;
  - (aa) Any changes recommended in the amended Acoustic Report required by condition 14 of this planning permit; and
  - (bb) Any changes recommended in the amended Wind Assessment required by condition 20 of this planning permit.
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.

#### **Architect Ongoing Involvement**

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

#### **Conservation Management Plan**

4. Before the demolition commences, a Conservation Management Plan (including a Heritage Interpretation Plan) to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Conservation Management Plan will be endorsed and will form part of this permit. The Conservation Management Plan must include, but not be limited to, the following:
- (a) All recommendations in accordance with the endorsed structural report required at Condition 7;
  - (b) The retention of the pitched roof tower on Little Lithgow Street or if not possible for structural reasons, detail that depicts its accurate reconstruction to match the original form, fabric, and detailing;
  - (c) The retention of the former water tower or if not possible for structural reasons, detail that depicts its accurate reconstruction;
  - (d) All refurbished door openings in the façade of the main building fronting Lithgow Street constructed of timber and of matching industrial character and appearance;
  - (e) All replacement window frames in the façade of the main building fronting Lithgow Street constructed of timber and matching appearance and dimensions of the existing window frames;
  - (f) The existing slate roofing on the main building fronting Lithgow Street repaired and only replaced as a last resort using new slates that match the original in profile, size, colour, texture, and finish;

- (g) Non-original external paint on the main building fronting Lithgow Street removed using appropriate methods that must be submitted and approved by the City of Yarra;
  - (h) The proposed balcony adjacent to the factory chimney at floor level 03 setback at least 1m from the factory chimney flue;
  - (i) Full details of the proposed cleaning processes and repairs for the factory chimney; and
  - (j) Written confirmation, that the Conservation Management Plan will be incorporated into the Body Corporate/Owners Corporation Rules to ensure all current and future lot owners are legally bound by its conservation policies.
5. The provisions, recommendations and requirements of the endorsed Conservation Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
6. A comprehensive visual record of the heritage place must be professionally prepared and submitted to Council prior to the commencement of any demolition works. The record must be prepared in accordance with the standards set by Heritage Victoria.

### **Structural report**

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

### **Façade Strategy**

8. 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 / include:
- (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) the façade strategy must show textured walls consistent with the development plans under condition 1;
  - (d) information about how the façade will be maintained, including any vegetation;
  - (e) The proposed colouring of external brickwork for the lower floor levels of the new multistorey buildings matching to the colouring of the original unpainted brickwork on the heritage building fronting Lithgow Street;
  - (f) A full schedule of all proposed external materials and colours for new building works (including images or samples); and

- (g) a reflected glare assessment of external building materials and finishes, utilising an appropriate methodology.

9. The provisions, recommendations and requirements of the endorsed Façade Strategy must be implemented and complied with to the satisfaction of the Responsible Authority.

### Landscape Plan

10. 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 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 Design prepared by Ration Consultants, dated 29 October 2025, but modified to show / include:

- (a) Consistency with the endorsed plans under condition 1;
- (b) Details of bench seat furniture item and planters, including soil depth and width for planted area and planters;
- (c) Drainage methods and lining materials;
- (d) Volume and type of growing media (including cultivation depth, mulch type etc), of plant species, with wind-proof mulch to planters above the ground floor (such as screened rock/pebbles) is to be used;
- (e) Typical planting details for trees, shrubs, grasses, groundcovers and climbers, including details of proposed vertical growing structures including detail drawings, mounting technique etc **with a preference for native species**;
- (f) Information on proposed irrigation including proposed water supply (potable or other), and type of irrigation (pop-ups or drip irrigation) for all garden bed areas and all upper-level loose pots/planters **and designed to support high plant survival rate**; and
- (g) A maintenance schedule, including task details and frequency and access for maintenance purposes must be provided to all planted areas and planters **with the maintenance regimen to promote high plant survival rate and low/zero prevalence of weeds**.

to the satisfaction of the Responsible Authority.

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

**Sustainability Management Plan**

12. In conjunction with the submission of development plans under Condition 1, an amended Sustainability Management Plan (SMP) to the satisfaction of the Responsible Authority 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 be generally in accordance with the SMP prepared by Arup and dated 29 October 2025, but modified to have regard and include:
- (a) To the architectural drawings required at Condition 1 of this permit.
  - (b) preliminary NatHERS ratings from a sample of dwelling demonstrating that the 7 Star rating will be achieved across the whole development, utilising glazing assumptions consistent with the Daylight Modelling report and Architectural Drawings; and
  - (c) a MUSIC or Blue Factor report to demonstrate the proposed stormwater management strategy will meet the planning scheme requirements for pollution and flow reduction.
- to the satisfaction of the Responsible Authority.
13. The provisions, recommendations and requirements of the endorsed SMP must be implemented and complied with to the satisfaction of the Responsible Authority.

**Acoustic Report**

14. In conjunction with the submission of development plans under Condition 1, an amended Acoustic Report 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. When approved, the Acoustic Report will be endorsed and will form part of this permit. The amended Acoustic Report must be generally in accordance with the Acoustic Report prepared by Acoustic Logic and dated 29 October 2025, but modified to have regard and include:
- (a) To the architectural drawings required at Condition 1 of this permit;
  - (b) Whether any adjustments are necessary to achieve adequate noise levels inside apartments from the commercial operation of the ground floor café; and
  - (c) Noise and vibration impacts from the vehicle entrance gate to the basement.
15. The provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.
16. Before the development is occupied, an updated acoustic report prepared by a suitably qualified acoustic engineer to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The report must:
- (a) Provide evidence of compliance with the requirements of the endorsed Acoustic Report.
17. The recommendations and any works contained in the approved acoustic report must be implemented and completed and where there are recommendations of an ongoing nature must be maintained all to the satisfaction of the Responsible Authority.

**Waste Management Plan**

18. 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 must be generally in accordance with the Waste Management Plan prepared by Traffix Group and dated 30 October 2025 but modified to have regard:
- (a) To the architectural drawings required at Condition 1 of this permit.
19. The provisions, recommendations and requirements of the endorsed waste management plan must be implemented and complied with to the satisfaction of the Responsible Authority.

**Wind Assessment**

20. In conjunction with the submission of development plans under Condition 1, an amended Wind Assessment (labelled Environmental Wind Conditions Study) to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Wind Assessment will be endorsed and will form part of this permit. The amended Wind Assessment must be generally in accordance with the Wind Assessment prepared by Vipac Engineers and Scientists Limited (dated 30 October 2025), but modified to have regard:
- (a) To the architectural drawings required at Condition 1 of this permit;
  - (b) Confirm that all balconies and terraces achieve the standing comfort criterion at a minimum; and
  - (c) Include a wind tunnel study.
21. The provisions, recommendations and requirements of the endorsed Wind Assessment must be implemented and complied with to the satisfaction of the Responsible Authority.

**Green Travel Plan**

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

- (h) spaces, including demonstration of their suitability for parking cargo bikes, electric bikes and recumbent bikes;
  - (i) security arrangements to access the employee bicycle storage spaces; and
  - (j) signage and wayfinding information for bicycle facilities and pedestrians pursuant to Australian Standard AS2890.3;
  - (k) Reference to a minimum 40A single phase electrical sub circuit should be installed to the car park areas for 'EV readiness'; and
  - (l) provisions for the Green Travel Plan to be updated not less than every 5 years.
23. The provisions, recommendations and requirements of the endorsed Green Travel Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

### **Affordable Housing Report**

24. Before the development starts, excluding bulk excavation, site preparation, soil removal, site remediation and retention works, an Affordable Housing Report must be approved and endorsed by the responsible authority. The report must be prepared to the satisfaction of the responsible authority and be generally in accordance with the Affordable Housing Report prepared by MODEL but modified to ensure that:
- (a) Market rents are verified to ensure discounts are calculated fairly and transparently relative to market rents at the time of endorsement.

### **Section 173 Agreement – Affordable Housing**

25. Before the development is occupied, the owner of the land must enter into an agreement with the responsible authority under Section 173 of the Planning and Environment Act 1987. The agreement must provide for a contribution towards affordable housing generally in accordance with the endorsed Affordable Housing Report, in the following manner:
- (a) At least 16 dwellings in the development must be provided as affordable rental housing by the build-to-rent provider. The details of the nominated affordable housing dwellings, when and how the affordable housing will be delivered and managed, as well as 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) Secured in perpetuity rather than for a fixed minimum term. If this is not achievable, the term should be a minimum of at least 25 years.
26. The land owner must pay the responsible authority's reasonable costs of the preparation, execution, registration and ending of the section 173 agreement (where applicable).

### **Civil Works**

27. Before the buildings are occupied or by such later date as approved in writing by the Responsible Authority, the footpath along the property's Lithgow Street frontage must be re-sheeted in asphalt:
- (a) at the permit holder's cost; and
  - (b) to the satisfaction of the Responsible Authority(s).

28. 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 Lithgow Street frontage must be reconstructed:
  - (a) at the permit holder's cost; and
  - (b) to the satisfaction of the Responsible Authority(s).
29. Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, the half-width road pavement along the property's Lithgow Street frontage must be reconstructed:
  - (a) at the permit holder's cost; and
  - (b) to the satisfaction of the Responsible Authority(s).
30. All redundant vehicle crossings are to be demolished and reinstated with paving, and kerb and channel to the satisfaction of the Responsible Authority and at the Permit Holder's cost.
31. 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.
32. 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.

### **Car Parking**

33. Before the buildings are 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.

### **Vehicle Crossings**

34. 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.

35. Concurrent with the submission of Condition 1 plans, or by such later date as approved in writing by the Responsible Authority, the new vehicle crossings must be designed and constructed:
- (a) at the Permit Holder's cost; and
  - (b) to the satisfaction of the Responsible Authority.

Refer to Notes (below) for lodgement details.

36. 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.

### **Bicycle Parking**

37. Except with the prior written consent of the Responsible Authority:
- (a) No less than 151 resident bicycle parking spaces must be provided on site; and
  - (b) No less than 35 visitor spaces must be provided on site.
38. All visitor and employee bicycle spaces must be ground level (horizontal) hoops and must comply with Clause 52.34 of the Yarra Planning Scheme, and the clearance and access-way requirements of AS2890.3.

### **Lighting**

39. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating access to the car park and dwelling entrances must be provided 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.

### **Public Realm Improvements**

40. Prior to the demolition of any building(s) or by such later date as is approved by the Responsible Authority, a Public Realm Works plan must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The Public Realm Works plan must show / include the following all to the satisfaction of the City of Yarra:

Lithgow Street

- (a) Any works required to achieve compliance, including surface level modifications, informed by the outcomes of a flood risk assessment. All such works, including any level changes required to mitigate flooding impacts, must be undertaken wholly within the subject site. Existing external footpath levels must not be altered unless it

is demonstrably shown that doing so results in an improvement to flood and access compliance with adjoining footpaths, to the satisfaction of Council;

- (b) All tactiles, handrails, ramps and landings within the subject site boundary and not protrude outside the subject site's title boundaries;
- (c) Any statutory visitor bike parking requirements accommodated within the subject site boundary;
- (d) The existing Lithgow Street footpath width maintained;
- (e) The Lithgow Street kerb extension(s) to have no reverse impact on flooding and drainage along the street, and if feasible pending flood risk assessment, the integration of two (2) kerb extensions with a combination of planting and paving and no more than 3 visitor bike hoops and one bench seat);
- (f) The design of kerb extensions to match in principle to existing extensions further south along Lithgow Street with bluestone picher edges and provision for passive irrigation to any planted areas;
- (g) Lithgow Street Streetscape improvements to have no net loss reduction in on-street parallel parking bays along the subject site street frontage;
- (h) A notation confirming that the footpath in Lithgow Street will not have a footpath crossfall greater than 1 in 33;
- (i) A plan notation confirming that the footpath will not have a cross-fall of less than 1.2% from building line to top of kerb;
- (j) Parallel parking bays to meet Australian Standards;
- (k) The integration of a minimum seven (7) new street trees (with 3m minimum offset to power poles **and no loss of on-street parallel parking bays**), on-road or in kerb extensions along Lithgow Street;
- (l) The removal of any reference to drop off bays on Lithgow Street;
- (m) The removal of any reference to the 'Outdoor café seating' area on Lithgow Street;
- (n) The removal of any reference to the 'Main Entry' associated with public realm on Lithgow Street to clearly describe referencing entry within the development;

#### Little Lithgow Street

- (o) Car park security door to be within the title boundary along Little Lithgow Street;
- (p) Car park vehicle access to be provided without obstructing other users of Little Lithgow Street;
- (q) Plant species along ground level terraces must not overhang or obstruct view-lines or access along Little Lithgow Street;

#### General

- (r) reconstructed footpaths and kerbing;
- (s) removal of redundant vehicle crossings;
- (t) all existing roadside infrastructure; and
- (u) at the permit holder's cost,

to the satisfaction of the City of Yarra.

41. 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 Plan (as required by Condition 41) 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.
42. Before the building is occupied, all associated works shown on the endorsed detailed design plans for the public realm (as required by Condition 41) must be fully constructed and completed to the satisfaction of the Council's Civil Engineering Department and at no cost to the Responsible Authority.

### **Public Lighting Plan Required**

43. 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 the City of Yarra's Civil Engineering Department. When approved, the Public Lighting Plan will be endorsed by the Responsible Authority and will form part of this permit. The Public Lighting Plan must be designed:
  - (a) address lighting along the length of the property to Lithgow Street and Little Lithgow Street and the pedestrian and vehicle entrances to the approved building.
  - (b) to comply with uniformity, access and maintenance requirements as per standard AS1158.3.1; and
  - (c) to control light spillage in accordance with the requirements of AS 4282 – 2019," *Control of the obtrusive effects of outdoor lighting*";to the satisfaction of the Responsible Authority.

### **Ongoing Public Lighting Plan Requirement**

44. 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.

### **Temporary Lighting Plan**

45. Before any existing public lighting is removed, or by such later date as approved in writing by the responsible authority, a temporary lighting plan must be submitted to and approved by Yarra City Council. The temporary lighting 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 Yarra City Council.

### **General**

46. 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.
47. 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.

48. 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.
49. Finished floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.
50. The amenity of the area must not be detrimentally affected by the use or development, including through:
  - (a) the transport of materials, goods or commodities to or from land;
  - (b) the appearance of any buildings, works or materials;
  - (c) the emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil; or
  - (d) the presence of vermin,to the satisfaction of the Responsible Authority.

### **Development Contributions Plan**

51. 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, 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.

### **Community Infrastructure Levy**

52. 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.

### **Street Trees**

53. Before the development commences, the permit holder must make a one-off contribution of \$15,645.00 (inclusive of GST and subject to annual CPI increase) to the Responsible Authority to be used for new street tree plantings that are required as a result of the development.

### **Construction Management Plan**

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 (as appropriate):
  - (a) a pre-conditions survey (dilapidation report) of the land and all adjacent Council road 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, **including methods for securing adjoining properties during construction;**
  - (h) management of any environmental hazards, **including any additional management methods required due to the primary school opposite the site.** Details must include 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) **Having particular regard to the primary school located opposite the site and in particular, having no trucks entering or leaving the site during school drop off and pick up times:**
    - (i) arrangements for trucks delivering to the land, including delivery and unloading points and expected duration and frequency;
    - (ii) parking facilities for construction workers; and
    - (iii) measures to ensure that all work on the land will be carried out in accordance with the Construction Management Plan;
  - (k) an outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services **and whether additional traffic management will be required having regard to the primary school opposite the site;**
  - (l) 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 noting that the details of the emergency contact must be provided to all residents of Lithgow and William Streets, including the school;**
  - (m) 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;
  - (n) a Noise and Vibration Management Plan showing methods to minimise noise and vibration impacts on nearby properties (including businesses) and to demonstrate compliance with Noise Control Guideline 12 for Construction (Publication 1254) as issued by the Environment Protection Authority in October 2008. The Noise and Vibration Management Plan must be prepared to the satisfaction of the Responsible Authority. In preparing the Noise and Vibration Management Plan, consideration must be given to:
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- (i) using lower noise work practice and equipment;
  - (ii) the suitability of the land for the use of an electric crane;
  - (iii) silencing all mechanical plant by the best practical means using current technology;
  - (iv) fitting pneumatic tools with an effective silencer; and
  - (v) other relevant considerations (including impacts on the operation of businesses);
- (o) a detailed dilapidation report detailing and documenting the existing and post construction conditions of surrounding road infrastructure and adjoining private properties;
- (p) if any existing public lighting assets require temporary disconnection, alternative lighting must be provided to maintain adequate lighting levels. A temporary lighting scheme can only be approved by Council and relevant power authority. Existing public lighting could only be disconnected once temporary alternative lighting scheme becomes operational; and
- (q) any site-specific requirements.
55. During construction:
- (a) any stormwater discharged into the stormwater drainage system must be in compliance with Environment Protection Authority guidelines;
  - (b) stormwater drainage system protection measures must be installed as required to ensure that no solid waste, sediment, sand, soil, clay or stones from the land enters the stormwater drainage system;
  - (c) vehicle borne material must not accumulate on the roads abutting the land;
  - (d) the cleaning of machinery and equipment must take place on the land and not on adjacent footpaths or roads; and
  - (e) all litter (including items such as cement bags, food packaging and plastic strapping) must be disposed of responsibly.
56. The provisions, recommendations and requirements of the endorsed Construction Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

### **Construction Hours**

57. 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 7.00am 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; or
  - (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.

### **Permit Expiry**

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

(b) the development is not completed within six years of the date of this permit.

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

**Notes:**

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

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

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

All 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](http://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](http://www.yarracity.vic.gov.au/residents/transport/parking/parking-permits).

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.

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 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.

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

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

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.

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 be borne by the Permit Holder.

For the submission of plans pursuant to Conditions 35 and 36, please submit these to [info@yarracity.vic.gov.au](mailto:info@yarracity.vic.gov.au) marked attention to Engineering Services.

#### **CALL FOR A DIVISION**

**For:** Councillor Jolly, Councillor Harrison, Councillor Aston, Councillor Crossland, Councillor Gomez, Councillor Ho and Councillor McKenzie

**Against:** Nil

**CARRIED UNANIMOUSLY**

## **7. Confidential Planning Decisions Committee Reports**

Nil.

## **8. Close of Business**

### **Conclusion**

The meeting concluded at 6.55pm.

Confirmed on Tuesday 23 June 2026.

Mayor