



Minutes

Planning Decisions Committee Meeting

6:33 pm, Tuesday 22 September 2026

Richmond Town Hall



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1. Acknowledgement of Country

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

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

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

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

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

2. Attendance, apologies and requests for leave of absence

Attendance

Councillors:

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

Apologies

- Cr Stephen Jolly Mayor
- Cr Andrew Davies
- Cr Sarah McKenzie

Council staff:

- Mary Osman General Manager City Sustainability and Strategy
- Narelle Jennings Manager Development Services
- Danielle Connell Senior Coordinator Statutory Planning
- Kate Yuncken Manager City Strategy
- Joerg Langeloh Senior Coordinator Strategic Planning
- Kyle Everett Senior Strategic Planner

Governance

- Rose Barletta Manager Customer, Governance and Risk
- Patrick O’Gorman Senior Governance Coordinator
- Milica Latu Senior Administration and Projects Officer
- Mel Nikou Governance Officer

3. Declarations of Conflict of Interest

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

4. Confirmation of Minutes

PLANNING DECISIONS COMMITTEE RESOLUTION

Moved: Councillor Aston

Seconded: Councillor Harrison

That the minutes of the Planning Decisions Committee held on Tuesday 25 August 2026 be confirmed.

CALL FOR A DIVISION

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

Against: Nil

CARRIED UNANIMOUSLY

5. Planning Committee Reports

5.1. – Cremorne Urban Design Framework - Changes made following consultation

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

Officer Recommendation

Start time: 6.35pm.

That Council:

1. Adopts the Cremorne Urban Design Framework 2026, Clause 11.03-1L-01 Cremorne Enterprise Precinct and Clause 72.08 Background Documents for the purpose of the draft Amendment C318 Standing Advisory Committee Hearing.
2. Request that the adopted Cremorne Urban Design Framework 2026, Clause 11.03-1L-01 and Clause 72.08 Background Documents be referred to the Standing Advisory Committee as per C318 on 14 July 2026.
3. Delegates to the Manager City Strategy the authority to make minor corrections, administrative or formatting changes to the Cremorne Urban Design Framework 2026, Clause 11.03-1L and Clause 72.08 Background Documents in accordance with this resolution.
4. Notifies all submitters of the Council's resolution.

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

That Council:

1. Adopts the Cremorne Urban Design Framework 2026, Clause 11.03-1L-01 Cremorne Enterprise Precinct and Clause 72.08 Background Documents for the purpose of the draft Amendment C318 Standing Advisory Committee Hearing, **with the following changes:**
 - (a) **Replacing the newly proposed “Cremorne Loop” in Figure 23 of the Cremorne UDF 2026 with the previous “Future Movement Network” in Figure 17 as in the Revised Cremorne Urban Design Framework 2023; with:**
 - (i) **Addition of Primary access network (two way) on Cremorne Street between Swan Street to Stephenson Street;**
 - (ii) **the deletion of Hotspot 1: Kelso Street – Punt Road intersection signalisation;**
 - (iii) **the deletion of the one-way vehicle designation along Kelso Street between Cremorne Street and Punt Road;**
 - (iv) **explore prioritisation of bidirectional bicycle lanes along Cremorne Street between Swan and Balmain Streets; and**
 - (v) **explore prioritisation of bidirectional bicycle lanes along Balmain Street from Church Street as far west as possible.**
2. Request that the adopted Cremorne Urban Design Framework 2026, Clause 11.03-1L-01 and Clause 72.08 Background Documents be referred to the Standing Advisory Committee as per C318 on 14 July 2026.
3. Delegates to the Manager City Strategy the authority to make minor corrections, administrative or formatting changes to the Cremorne Urban Design Framework 2026, Clause 11.03-1L and Clause 72.08 Background Documents in accordance with this resolution.
4. Notifies all submitters of the Council's resolution.

CALL FOR A DIVISION**For:** Councillor Harrison, Councillor Aston, Councillor Crossland, Councillor Ho and Councillor Wade**Against:** Councillor Gomez**CARRIED**

6. DTP Applications

6.1. – PPE26/0521 - 57-71 Stephenson Street Cremorne

Author Joe Byrne – Senior Statutory Planner

Authoriser General Manager City Sustainability and Strategy - Mary Osman

Officer Recommendation

Start time: 6.54pm

That Council:

1. Note the officer report and the application material.
2. Delegate the Manager Development Services to write to the Department of Transport and Planning outlining:
 - (a) Council's position that the proposal is not supported on the following grounds:
 - (i) The scale of the development fails to recognise and reinforce the pattern of development and character of the street, and fails to meet the design objectives and building envelope requirements of Schedule 51 of the Design and Development Overlay;
 - (ii) The proposed vehicle access arrangement would detract from streetscape activation and pedestrian amenity along Stephenson Street, contrary to the design objectives of Schedule 51 of the Design and Development Overlay; and
 - (iii) The ground floor layout is poor, with two for the cafe tenancies having no street frontage, poor wayfinding and sense of address and a poorly defined and non-functional rear outdoor space.
 - (b) DTP are recommended to obtain expert advice in relation to:
 - (i) Wind – to review/verify provided wind assessment; and
 - (ii) Acoustics – to assess the potential noise impacts to/from the site.
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:

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 Edition Office, Rev TP1, dated 16/06/2026, but modified to show:
 - (a) Deletion of 5 storeys between levels 1 and 14;
 - (b) Building separation requirements of DDO51 met for the southern elevation;
 - (c) All building structures including awnings and architectural elements to be entirely within title boundaries;

- (d) Any awnings integrated with the building design and maximise passive surveillance with concealed drainage infrastructure and without exposed gutters or downpipes visible from the public realm;
- (e) Vehicle access to the basement level relocated to the northern side of the development, accessed from the ROW;
- (f) Deletion of all works within the laneway including removal of notations/landscaping etc and deletion of works outside the eastern boundary;
- (g) Employee bicycle spaces to be located within a secure lockable compound, separate from the visitor bicycle spaces and wholly within the title boundaries;
- (h) Access pathways to bicycle parking to be increased in width to 2.5m to demonstrate compliance with Australian Standard AS2890.3;
- (i) Dimensions of all bicycle storage spaces noted to demonstrate compliance with Australian Standard AS2890.3 or to the satisfaction of the Responsible Authority;
- (j) At least 5 electric bicycle charging points to be provided for employee bicycle parking spaces;
- (k) Roof plans and elevations clearly showing all solar arrays on facades and roof, including size and number of panels and total expected kW output;
- (l) Remove the planters located along the proposed ground floor setback along the northern interface laneway ROW;
- (m) Modify and simplify the internal ground floor layout to improve visibility of all tenancies to Stephenson Street, passive surveillance and pedestrian wayfinding;
- (n) Rationalise the proposed ground floor landscaping and built form elements to establish a consistent and legible building along both street and laneway frontages;
- (o) Provide a clear paving delineation between public and private land, through contrasting paving types;
- (p) Relocate the principal building entrance and lobby to the north-west corner of the site, integrated with a setback splay;
- (q) Revise the location of the spiral staircase to improve sightlines, safety and wayfinding outcomes, ensuring the structure does not create concealed spaces or impede pedestrian circulation;
- (r) The southern ground level of the building redesigned to Infill the narrow sliver of land between the subject building and the existing building to the south and allowing for widening the entry to the end of trip facilities;
- (s) Provision of a bench seat with back and arm rest along the ground floor setback within subject site street frontage;
- (t) Show the location for the security gate to the underground car parking and locate the gate in-line with the building line, clear of the setback;
- (u) Reduce the width of building services cabinets and better integrate into the built form;
- (v) Increase the ground floor setback and associated vertical clearance along the northern boundary to achieve a minimum laneway width of 6.1 metres;

- (w) Details of the proposed interface treatment along the eastern end of the northern Right of Way;
 - (x) The width of the car park entrance dimensioned;
 - (y) The width of the internal vehicle access ramp dimensioned;
 - (z) A convex mirror at the car park entrance;
 - (aa) The width of the vehicle crossing dimensioned;
 - (bb) The column depths and setbacks dimensioned;
 - (cc) Provision of adequate vehicle passing movements for the B85 and B99 design vehicles;
 - (dd) Each ramp section for the ground clearance assessment diagram dimensioned; and
 - (ee) Any requirement of the endorsed Façade Strategy and Materials and Finishes Plan, Sustainability Management Plan, Landscape Plan, Public Realm Functional Layout Plan, Glint and Glare Assessment, Wind Assessment, CPTED report and Detailed Drainage Plan.
2. The development and food and drink 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, Edition Office or an architectural firm to the satisfaction of the Responsible Authority must be engaged to:
 - (a) oversee design and construction of the development; and
 - (b) ensure the design quality and appearance of the development is realised as shown in the endorsed plans or otherwise to the satisfaction of the Responsible Authority.
 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. Except with the prior written consent of the Responsible Authority, the ground floor restaurant/cafes authorised by this permit may only operate between 7.00am and 10.00pm.
7. Except with the prior written consent of the Responsible Authority, no more than the following maximum number of patrons are permitted within the ground floor Food and drink premises tenancies at any time as follows:
 - (a) North-west tenancy: 50 patrons;
 - (b) North-east tenancy: 30 patrons;
 - (c) South-west tenancy: 30 patrons; and
 - (d) South-east tenancy: 30 patrons.
8. Delivery and collection of goods to and from the land may only occur between 7am and 5pm Monday to Saturday, or after 9am on a Sunday or public holiday except for those allowed under any relevant Community Local Law.
9. 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.

Sustainable Management Plan

10. 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 Finding Infinity dated 10 June 2026, but modified to include or show:
 - (a) Deletion of reference to Climate Active and find an alternative carbon neutral measurement and/or certification system; and
 - (b) Update roof plans and elevations clearly showing solar arrays on facades and roof, including size and number of panels and total expected kW output.
11. The provisions, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Glint and Glare Assessment

12. Concurrent with the submission of amended plans under Condition 1, an amended Reflected Glare Assessment, to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Glare Assessment will be endorsed and will form part of this permit. The amended Glare

Assessment must be generally in accordance with the Glare Assessment prepared by Spaces At Night Pty Ltd and dated 03 June 2026, but modified to include (or show):

- (a) All design changes required under Condition 1 of this permit, as relevant.
13. The provisions, recommendations and requirements of the endorsed Glare Assessment must be implemented and complied with to the satisfaction of the Responsible Authority.

Waste Management Plan

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

Landscape Plan

16. 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 Edition Office and dated 16 June 2026, but modified to include (or show):
- (a) All design changes required under Condition 1 of this permit, as relevant;
 - (b) Integrate additional planters with greenery in the upper levels of the atrium space.
 - (c) Provide dimensions and soil volumes for all planted areas (L x W x soil depth) to ensure sufficient soil is provided to support plant growth.
 - (d) Tree planter details – including materials, dimensions, drainage and lining materials, and tree anchors where required. Trees should be planted in a minimum soil depth of 700mm, with sufficient soil volume to support long term growth. A reputable industry source should be used to calculate the soil volume required, such as: Elke Soil Volume Simulator <https://www.elkeh.com.au/soils/> or similar.
 - (e) Load bearing weights for the building structure is to be checked and confirmed by a suitably qualified structural engineer against the saturated bulk density of soil media, planter box and plant mass being proposed; and
 - (f) Provide detail drawings for built elements such as furniture and planters, including:
 - (i) Cross sections showing the width and depth of planter boxes and planting, including growing media, irrigation, drainage, water proofing and tree anchors;
 - (ii) Dimensions (particularly soil depth and width for planted area and planters);
 - (iii) Proposed materials, including drainage method and lining; and
 - (iv) For above ground planted areas (particularly rooftop terraces and green roofs), wind-resistant mulch is to be used.
17. 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

18. Before the development commences, the permit holder must make a one-off contribution of \$9,000 (inclusive of GST and subject to annual CPI increase) to the Responsible Authority to be used for new street tree plantings within Cremorne.

Public Realm Plan: Functional Layout

19. 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) Layout plan indicating all existing and proposed features and surface levels;
 - (b) Show all existing and proposed streetscape infrastructure including (but not limited to) light poles, drains and street signs;
 - (c) Clearly dimensioned elements including pedestrian paths and parking bays;
 - (d) All existing and proposed levels and surface grades;
 - (e) Demonstrate a seamless / DDA compliant levels transition across all proposed footpaths pavements;
 - (f) 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;
 - (g) Pavements must meet Council and all relevant Australian standards including for slip resistance;
 - (h) All existing and proposed drainage infrastructure including any existing or proposed drainage pits and trench grates;
 - (i) Reconstruction of all footpaths adjacent to the property in accordance with Council standards and Department of Transport's requirements;
 - (j) Any existing and proposed service pits within the footpath area must be adjusted to match the reconstructed footpath grades; and
 - (k) Anti-skate measures must be incorporated into the design of relevant elements, ensuring they are discreetly integrated and do not contribute to material damage or increased maintenance requirements.

Public Realm Plan: Detailed Design Plans

20. 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 19) 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.

21. Before the building is occupied, all associated works shown on the endorsed detailed design plans for the public realm (as required by Condition 20) must be fully constructed and completed to the satisfaction of the Council's Civil Engineering Department and at no cost to the Responsible Authority.
22. 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

23. Before the development commences, an amended Wind Impact Assessment to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Wind Impact Assessment will be endorsed and will form part of this permit. The amended Wind Impact Assessment must be generally in accordance with the Wind Impact Assessment prepared by MEL Consultants and dated 03 October 2026, but modified to include (or show):
 - (a) All design changes required under Condition 1 of this permit, as relevant.
24. The provisions, recommendations and requirements of the endorsed Wind Impact Assessment must be implemented and complied with to the satisfaction of the Responsible Authority.

Green Travel Plan

25. Before the use commences, an amended Green Travel Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Green Travel Plan will be endorsed and will form part of this permit. The amended Green Travel Plan must be generally in accordance with the Green Travel Plan prepared by Ratio and dated 29 June 2026, but modified to include or show:
 - (a) All design changes required under Condition 1 of this permit, as relevant.

Detailed Drainage Plan

26. Concurrent with the submission of Condition 1 plans, or by such later date as approved in writing by the Responsible Authority, a Detailed Drainage Plan of all drainage works 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 Detailed Drainage Plan must show, but not be limited to, the following:
 - (a) Details of internal finished floor levels (FFL) aligned to the proposed DDA compliant footpath levels at the interface with the property boundary;
 - (b) Any civil and landscape aspects within the public realm;
 - (c) Any associated drainage works; and,
 - (d) Details of any re-located street infrastructure,

All at the permit holders cost and to the satisfaction of the Responsible Authority.

Crime Prevention Through Environmental Design Report

27. Before the development commences, a Crime Prevention Through Environmental Design (CPTED) Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the CPTED Report will be endorsed and will form part of this permit.
28. The provisions, recommendations and requirements of the endorsed CPTED Report must be implemented and complied with to the satisfaction of the Responsible Authority.

Development Infrastructure Levy

29. 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

30. 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.
31. 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,
 - (c) to the satisfaction of the Responsible Authority.
32. 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,
 - (b) to the satisfaction of the Responsible Authority.
33. Before the building is occupied or by such later date as approved in writing by the Responsible Authority, the footpath along the property's Stephenson Street frontage must be re-sheeted in asphalt and the Laneway ROW to be constructed as asphalt pavement with a bluestone pitcher invert channel:
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority(s).
34. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the kerb and channel along the property's Stephenson Street frontage must be reconstructed:
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority(s).
35. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the half-width road pavement along the property's Stephenson Street frontage must be reconstructed:

- (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority(s).
36. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development 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.
37. 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.
38. Any on-street parking reinstated as a result of development works must be approved by Council's Parking Management unit.
39. 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.
40. All tactiles, handrails, ramps and landings to be accommodated within the subject site boundary and not protrude outside the subject site's title boundaries.

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.
46. The uses must comply at all times with the EPA noise regulations that apply to commercial developments (the EPA Noise Protocol).

Construction Hours

47. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
 - (a) before 7am or after 6pm on a Monday to Friday;
 - (b) before 9am or after 3pm on a Saturday;
 - (c) on a Sunday;
 - (d) on Anzac Day, Good Friday, Christmas Day;
 - (e) on the Monday after Christmas Day if Christmas Day is a Saturday; or
 - (f) on the Tuesday after Christmas Day if Christmas Day is a Sunday.

Construction Management Plan

48. 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:
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- (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.

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

Expiry

50. 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.

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

The applicant is to liaise with the Relevant Power Authority regarding the removal of the power pole along Stephenson Street. All costs associated with the removal of power pole and streetlamp, and reinstatement of public streetlighting will be the responsibility of the developer.

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

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

That Council:

1. Note the officer report and the application material.
2. Delegate the Manager Development Services to write to the Department of Transport and Planning outlining:
 - (a) Council's position that the proposal is not supported on the following grounds:
 - (i) The scale of the development fails to recognise and reinforce the pattern of development and character of the street, and fails to meet the design objectives and building envelope requirements of Schedule 51 of the Design and Development Overlay;
 - (ii) The proposed vehicle access arrangement would detract from streetscape activation and pedestrian amenity along Stephenson Street, contrary to the design objectives of Schedule 51 of the Design and Development Overlay; and
 - (iii) The ground floor layout is poor, with two for the cafe tenancies having no street frontage, poor wayfinding and sense of address and a poorly defined and non-functional rear outdoor space.
 - (b) DTP are recommended to obtain expert advice in relation to:
 - (i) Wind – to review/verify provided wind assessment; and
 - (ii) Acoustics – to assess the potential noise impacts to/from the site.
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:

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 Edition Office, Rev TP1, dated 16/06/2026, but modified to show:
 - (a) Deletion of 5 storeys between levels 1 and 14;
 - (b) Building separation requirements of DDO51 met for the southern elevation;
 - (c) All building structures including awnings and architectural elements to be entirely within title boundaries;
 - (d) Any awnings integrated with the building design and maximise passive surveillance with concealed drainage infrastructure and without exposed gutters or downpipes visible from the public realm;
 - (e) Vehicle access to the basement level relocated to the northern side of the development, accessed from the ROW;

- (f) Deletion of all works within the laneway including removal of notations/landscaping etc and deletion of works outside the eastern boundary;
- (g) Employee bicycle spaces to be located within a secure lockable compound, separate from the visitor bicycle spaces and wholly within the title boundaries;
- (h) All visitor and employee bicycle parking spaces must be provided at a horizontal bicycle rail, in compliance with Clause 52.34-3 and Australian Standard AS2890.3;**
- (i) Provision of employee bicycle parking spaces for cargo bikes and bikes with trailers;**
- (j) Access pathways to bicycle parking to be increased in width to 2.5m to demonstrate compliance with Australian Standard AS2890.3;
- (k) Dimensions of all bicycle storage spaces noted to demonstrate compliance with Australian Standard AS2890.3 or to the satisfaction of the Responsible Authority;
- (l) At least 5 electric bicycle charging points to be provided for employee bicycle parking spaces;
- (m) Roof plans and elevations clearly showing all solar arrays on facades and roof, including size and number of panels and total expected kW output;
- (n) Remove the planters located along the proposed ground floor setback along the northern interface laneway ROW;
- (o) Modify and simplify the internal ground floor layout to improve visibility of all tenancies to Stephenson Street, passive surveillance and pedestrian wayfinding;
- (p) Rationalise the proposed ground floor landscaping and built form elements to establish a consistent and legible building along both street and laneway frontages;
- (q) Relocate the principal building entrance and lobby to the north-west corner of the site, integrated with a setback splay;
- (r) Revise the location of the spiral staircase to improve sightlines, safety and wayfinding outcomes, ensuring the structure does not create concealed spaces or impede pedestrian circulation;
- (s) The southern ground level of the building redesigned to Infill the narrow sliver of land between the subject building and the existing building to the south and allowing for widening the entry to the end of trip facilities;
- (t) Show the location for the security gate to the underground car parking and locate the gate in-line with the building line, clear of the setback;
- (u) Reduce the width of building services cabinets and better integrate into the built form;
- (v) Increase the ground floor setback and associated vertical clearance along the northern boundary to achieve a minimum laneway width of 6.1 metres;
- (w) Details of the proposed interface treatment along the eastern end of the northern Right of Way;
- (x) Ground floor 1.5m setback to Stephenson Street is to be unobstructed, with no projections or structures in the setback area, including on the boundaries;**

- (y) **Stairwells to be unenclosed to common areas (no stairwell doors to common areas). If this is not possible, stairwell walls and doors to common areas are to be glazed, if possible;**
 - (z) **A minimum 1m x 1m corner splay must be provided at all levels of the building at the corner of the street and laneway;**
 - (aa) The width of the car park entrance dimensioned;
 - (bb) The width of the internal vehicle access ramp dimensioned;
 - (cc) A convex mirror at the car park entrance;
 - (dd) The width of the vehicle crossing dimensioned;
 - (ee) The column depths and setbacks dimensioned;
 - (ff) Provision of adequate vehicle passing movements for the B85 and B99 design vehicles;
 - (gg) Each ramp section for the ground clearance assessment diagram dimensioned; and
 - (hh) Any requirement of the endorsed Façade Strategy and Materials and Finishes Plan, Sustainability Management Plan, Landscape Plan, Public Realm Functional Layout Plan, Glint and Glare Assessment, Wind Assessment, CPTED report and Detailed Drainage Plan.
2. The development and food and drink 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, Edition Office or an architectural firm to the satisfaction of the Responsible Authority must be engaged to:
 - (a) oversee design and construction of the development; and
 - (b) ensure the design quality and appearance of the development is realised as shown in the endorsed plans or otherwise to the satisfaction of the Responsible Authority.
 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. Except with the prior written consent of the Responsible Authority, the ground floor restaurant/cafes authorised by this permit may only operate between 7.00am and 10.00pm.
7. Except with the prior written consent of the Responsible Authority, no more than the following maximum number of patrons are permitted within the ground floor Food and drink premises tenancies at any time as follows:
 - (a) North-west tenancy: 50 patrons;
 - (b) North-east tenancy: 30 patrons;
 - (c) South-west tenancy: 30 patrons; and
 - (d) South-east tenancy: 30 patrons.
8. Delivery and collection of goods to and from the land may only occur between 7am and 5pm Monday to Saturday, or after 9am on a Sunday or public holiday except for those allowed under any relevant Community Local Law.
9. 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.

Sustainable Management Plan

10. 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 Finding Infinity dated 10 June 2026, but modified to include or show:
 - (a) Deletion of reference to Climate Active and find an alternative carbon neutral measurement and/or certification system; and
 - (b) Update roof plans and elevations clearly showing solar arrays on facades and roof, including size and number of panels and total expected kW output.
11. The provisions, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Glint and Glare Assessment

12. Concurrent with the submission of amended plans under Condition 1, an amended Reflected Glare Assessment, to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Glare Assessment will be endorsed and will form part of this permit. The amended Glare

Assessment must be generally in accordance with the Glare Assessment prepared by Spaces At Night Pty Ltd and dated 03 June 2026, but modified to include (or show):

- (a) All design changes required under Condition 1 of this permit, as relevant.
13. The provisions, recommendations and requirements of the endorsed Glare Assessment must be implemented and complied with to the satisfaction of the Responsible Authority.

Waste Management Plan

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

Landscape Plan

16. 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 Edition Office and dated 16 June 2026, but modified to include (or show):
- (a) All design changes required under Condition 1 of this permit, as relevant;
 - (b) Integrate additional planters with greenery in the upper levels of the atrium space.
 - (c) Provide dimensions and soil volumes for all planted areas (L x W x soil depth) to ensure sufficient soil is provided to support plant growth.
 - (d) Tree planter details – including materials, dimensions, drainage and lining materials, and tree anchors where required. Trees should be planted in a minimum soil depth of 700mm, with sufficient soil volume to support long term growth. A reputable industry source should be used to calculate the soil volume required, such as: Elke Soil Volume Simulator <https://www.elkeh.com.au/soils/> or similar.
 - (e) Load bearing weights for the building structure is to be checked and confirmed by a suitably qualified structural engineer against the saturated bulk density of soil media, planter box and plant mass being proposed;
 - (f) Provide detail drawings for built elements such as furniture and planters, including:
 - (i) Cross sections showing the width and depth of planter boxes and planting, including growing media, irrigation, drainage, water proofing and tree anchors;
 - (ii) Dimensions (particularly soil depth and width for planted area and planters);
 - (iii) Proposed materials, including drainage method and lining; and
 - (iv) For above ground planted areas (particularly rooftop terraces and green roofs), wind-resistant mulch is to be used; and
 - (g) Provision of external vertical greenery, and provision of details of irrigation systems and any other associated maintenance requirements.**

17. 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

18. Before the development commences, the permit holder must make a one-off contribution of \$9,000 (inclusive of GST and subject to annual CPI increase) to the Responsible Authority to be used for new street tree plantings within Cremorne.

Public Realm Plan: Functional Layout

19. 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) Layout plan indicating all existing and proposed features and surface levels;
 - (b) Show all existing and proposed streetscape infrastructure including (but not limited to) light poles, drains and street signs;
 - (c) Clearly dimensioned elements including pedestrian paths and parking bays;
 - (d) All existing and proposed levels and surface grades;
 - (e) Demonstrate a seamless / DDA compliant levels transition across all proposed footpaths pavements;
 - (f) 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;
 - (g) Pavements must meet Council and all relevant Australian standards including for slip resistance;
 - (h) All existing and proposed drainage infrastructure including any existing or proposed drainage pits and trench grates;
 - (i) Reconstruction of all footpaths adjacent to the property in accordance with Council standards and Department of Transport's requirements;
 - (j) Any existing and proposed service pits within the footpath area must be adjusted to match the reconstructed footpath grades; and
 - (k) Anti-skate measures must be incorporated into the design of relevant elements, ensuring they are discreetly integrated and do not contribute to material damage or increased maintenance requirements.

Public Realm Plan: Detailed Design Plans

20. 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 19) 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.
21. Before the building is occupied, all associated works shown on the endorsed detailed design plans for the public realm (as required by Condition 20) must be fully constructed and completed to the satisfaction of the Council's Civil Engineering Department and at no cost to the Responsible Authority.
22. 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

23. Before the development commences, an amended Wind Impact Assessment to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Wind Impact Assessment will be endorsed and will form part of this permit. The amended Wind Impact Assessment must be generally in accordance with the Wind Impact Assessment prepared by MEL Consultants and dated 03 October 2026, but modified to include (or show):
 - (a) All design changes required under Condition 1 of this permit, as relevant.
24. The provisions, recommendations and requirements of the endorsed Wind Impact Assessment must be implemented and complied with to the satisfaction of the Responsible Authority.

Green Travel Plan

25. Before the use commences, an amended Green Travel Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Green Travel Plan will be endorsed and will form part of this permit. The amended Green Travel Plan must be generally in accordance with the Green Travel Plan prepared by Ratio and dated 29 June 2026, but modified to include or show:
 - (a) All design changes required under Condition 1 of this permit, as relevant.

Detailed Drainage Plan

26. Concurrent with the submission of Condition 1 plans, or by such later date as approved in writing by the Responsible Authority, a Detailed Drainage Plan of all drainage works 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 Detailed Drainage Plan must show, but not be limited to, the following:
 - (a) Details of internal finished floor levels (FFL) aligned to the proposed DDA compliant footpath levels at the interface with the property boundary;

- (b) Any civil and landscape aspects within the public realm;
- (c) Any associated drainage works; and,
- (d) Details of any re-located street infrastructure,

All at the permit holders cost and to the satisfaction of the Responsible Authority.

Crime Prevention Through Environmental Design Report

- 27. Before the development commences, a Crime Prevention Through Environmental Design (CPTED) Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the CPTED Report will be endorsed and will form part of this permit.
- 28. The provisions, recommendations and requirements of the endorsed CPTED Report must be implemented and complied with to the satisfaction of the Responsible Authority.

Development Infrastructure Levy

- 29. 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

- 30. 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.
- 31. 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,
 - (c) to the satisfaction of the Responsible Authority.
- 32. 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,
 - (b) to the satisfaction of the Responsible Authority.
- 33. Before the building is occupied or by such later date as approved in writing by the Responsible Authority, the footpath along the property's Stephenson Street frontage must be re-sheeted in asphalt and the Laneway ROW to be constructed as asphalt pavement with a bluestone pitcher invert channel:
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority(s).
- 34. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the kerb and channel along the property's Stephenson Street frontage must be reconstructed:
 - (a) at the permit holder's cost; and

- (b) to the satisfaction of the Responsible Authority(s).
- 35. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the half-width road pavement along the property's Stephenson Street frontage must be reconstructed:
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority(s).
- 36. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development 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.
- 37. 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.
- 38. Any on-street parking reinstated as a result of development works must be approved by Council's Parking Management unit.
- 39. 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.
- 40. All tactiles, handrails, ramps and landings to be accommodated within the subject site boundary and not protrude outside the subject site's title boundaries.

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.
- 46. The uses must comply at all times with the EPA noise regulations that apply to commercial developments (the EPA Noise Protocol).

Construction Hours

- 47. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
 - (a) before 7am or after 6pm on a Monday to Friday;
 - (b) before 9am or after 3pm on a Saturday;
 - (c) on a Sunday;
 - (d) on Anzac Day, Good Friday, Christmas Day;
 - (e) on the Monday after Christmas Day if Christmas Day is a Saturday; or
 - (f) on the Tuesday after Christmas Day if Christmas Day is a Sunday.

Construction Management Plan

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

Section 173 Agreement (Stephenson Street 1.5m unobstructed ground floor setback/ footpath)

- 50. Within six months of the commencement of works the owner (or another person in anticipation of becoming the owner) must enter into an agreement with the Responsible Authority under section 173 of the Planning and Environment Act 1987, which provides for the following:**
- (a) The Owner must provide unfettered 24-hour public access over that part of the land to be used for the 1.5m unobstructed ground floor setback/ footpath to Stephenson Street; and**
 - (b) The owner is responsible for maintaining at all times the areas that are private land open to the public described in condition 50(a) at the cost of the owners of the site and to the satisfaction of the Responsible Authority.**

The owner, or other person in anticipation of becoming the owner, must meet all of the expenses of the preparation and registration of the agreement, including the reasonable costs borne by the Responsible Authority.

Expiry

51. This permit will expire if:

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

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

Notes

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.

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

The applicant is to liaise with the Relevant Power Authority regarding the removal of the power pole along Stephenson Street. All costs associated with the removal of power pole and streetlamp, and reinstatement of public streetlighting will be the responsibility of the developer.

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

CALL FOR A DIVISION

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

Against: Nil

CARRIED UNANIMOUSLY

7. Confidential Planning Decisions Committee Reports

Nil.

8. Close of Business

Conclusion

The meeting concluded at 7.07pm

Confirmed on Tuesday 27 October 2026.

Mayor