



**YARRA CITY COUNCIL  
INTERNAL DEVELOPMENT APPROVALS  
COMMITTEE  
MINUTES**

**held on Wednesday 31 January 2018 at 6.30pm  
in Meeting Rooms 1 & 2 at the Richmond Town Hall**

**I. ATTENDANCE**

Councillor Stephen Jolly (substitute for Cr Amanda Stone)  
Councillor Jackie Fristacky  
Councillor Mi-Lin Chen Yi Mei

Amy Hodgen (Co-Ordinator Statutory Planning)  
Nikolas Muhllechner (Principal Planner).  
Cindi Johnston (Governance Officer)

**II. APOLOGIES AND LEAVE OF ABSENCE**

Councillor Amanda Stone

**III. DECLARATIONS OF CONFLICT OF INTEREST (councillors and staff)**

**IV. CONFIRMATION OF MINUTES**

**Internal Development Approvals Committee Resolution:**

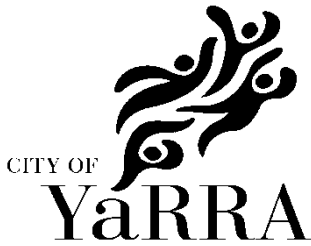
**Moved:** Councillor Jolly **Seconded:** Councillor Chen Yi Mei

That the minutes of the meeting of the Internal Development Approvals Committee held on Wednesday 17 January 2018 be confirmed.

**CARRIED**

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***"Welcome to the City of Yarra.  
Yarra City Council acknowledges the  
Wurundjeri as the Traditional Owners  
of this country, pays tribute to all  
Aboriginal and Torres Strait Islander  
people in Yarra and gives respect to  
the Elders past and present."***



## **Guidelines for public participation at Internal Development Approval Committee meetings**

### **POLICY**

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Council provides the opportunity for members of the public to address the Internal Development Approvals Committee.

The following guidelines have been prepared to assist members of the public in presenting submissions at these meetings:

- public submissions are limited to a maximum of five (5) minutes
- where there is a common group of people wishing to make a submission on the same matter, it is recommended that a representative speaker be nominated to present the views of the group
- all public comment must be made prior to commencement of any discussion by the committee
- any person accepting the chairperson's invitation to address the meeting shall confine himself or herself to the subject under consideration
- people making submissions shall address the meeting as a whole and the meeting debate shall be conducted at the conclusion of submissions
- the provisions of these guidelines shall be made known to all intending speakers and members of the public generally prior to the commencement of each committee meeting.

For further information regarding these guidelines or presenting submissions at Committee meetings generally, please contact the Governance Branch on (03) 9205 5110.

**Governance Branch  
2008**

Councillor Jolly nominated Councillor Fristacky as Chair.

There being no other nominations, Councillor Fristacky was appointed Chair.

Councillor Fristacky assumed the Chair.

## 1. INTERNAL DEVELOPMENT APPROVALS COMMITTEE

Item		Page	Res. Page
1.1	700-718 Heidelberg Road, Alphington - PLN17/0040 - Development of the land for construction of a multi-storey building, use of land for dwellings and reduction in the statutory car parking requirements	6	13
1.2	278 Gore Street, Fitzroy - PLN17/0301 - Use of the land as a Place of Assembly (Function Centre) and a reduction in the car parking requirement	21	23
1.3	202 - 204 Johnston Street, Fitzroy VIC 3065 – Planning Permit Application No. PLN17/0228	24	25
1.4	PLN17/0744 - 196 Nicholson Street, Abbotsford - Development of the land for the construction of a garage at the rear of the existing dwelling, including alterations to the front facade and part demolition.	27	28

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**1.1 700-718 Heidelberg Road, Alphington - PLN17/0040 - Development of the land for construction of a multi-storey building, use of land for dwellings and reduction in the statutory car parking requirements**

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Trim Record Number: D18/2148

Responsible Officer: Manager Statutory Planning

**RECOMMENDATION**

That having considered all objections and relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant a Planning Permit PLN17/0040 for Development of the land for construction of a multi-storey building, use of land for dwellings, reduction in the statutory car parking requirements and waiver of loading bay requirements (associated with café and shop) at 700-718 Heidelberg Road, Alphington, generally in accordance with the plans noted previously as the “decision plans” and subject to the following conditions:

1. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions, and three copies must be provided. The plans must be generally in accordance with the decision plans but modified to show:
  - (a) Deletion of Level 2 and subsequent relocation of balcony planters to maintain a staggered design.
  - (b) Provision of deep soil planting to the southern portion of the site with a width of 6m and length of 41m measured from the eastern boundary.
  - (c) Consistent treatment of the roof top terrace with the landscape plans;
  - (d) Retail tenancy relabelled as ‘shop’ on the ground floor plan;
  - (e) Relocation of bicycle hoops along Heidelberg Road to an alternative location that does not intrude the footpath
  - (f) ‘window gallery’ to be replaced with a public art installation and extending to the southern side of the vehicle entrance
  - (g) Extent of the public art installation as required by Condition 1(f) to be shown consistently on plans and elevations;
  - (h) Relocation of the ‘supply air fan room’ from the Parkview Road frontage to internally within the site, subsequently bringing forward the bicycle storage facility to align with the remainder of the façade
  - (i) Bicycle storage facility to Parkview Road, as modified by Condition 1(h), to incorporate a transparent or semi-transparent interface to Parkview Road.
  - (j) Any additional overlooking treatments to the southernmost apartments and the Level 1 communal courtyard to demonstrate there is no direct views in adjacent secluded private open space or habitable room windows within 9m;
  - (k) Details of privacy screening measures to the private balconies on Level 1 to prevent overlooking from the communal courtyard;
  - (l) Details of privacy screening proposed between the south-facing apartments north of the Level 1 courtyard;
  - (m) Dimension the width of the proposed vehicle crossovers.
  - (n) 50 per cent of dwellings within the development achieve Standard D17 (Accessibility) of Clause 58 of the Yarra Planning Scheme
  - (o) Notations to confirm common corridor spaces receive natural ventilation
  - (p) Balcony sizes of all apartments meet the minimum dimensions for the minimum areas as per Table D5 of standard D19 (Private Open Space) of Clause 58 of the Yarra Planning Scheme
  - (q) Allocation and volume of the storage cages located within the lower basement level;
  - (r) Overall storage volumes in accordance with the minimum storage volumes pursuant to Table D6 of standard D20 (Storage);

- (s) Confirmation that all apartments achieve the minimum bedroom and living area dimensions pursuant to Standard D24 of Clause 58 of the Yarra Planning Scheme;
- (t) A minimum of 40% of apartments within the development receive cross ventilation in accordance with standard D27
- (u) Operability of habitable room windows to be clearly notated
- (v) Demonstrate that existing corner building splays Heidelberg Road are not encroached by built form;
- (w) Remove reference to the waste chutes within the basement plans;
- (x) Swept path diagrams for a B99 design vehicle and the waste collection vehicle entering and exiting the site in a northerly direction, depicting the full road profile of Park Avenue, including the existing kerb outstand on the eastern side of the street.
- (y) Any amendments as required by the Amended Landscaping Plan pursuant to Condition 4
- (z) Any amendments as required by the Amended Sustainable Management Plan pursuant to Condition 6, including recommended changes to meet NCC
- (aa) Any amendments as required by the Amended Acoustic Report pursuant to condition 8
- (bb) Any amendments as required by the Wind Tunnel Study pursuant to Condition 14

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.

**Ongoing architect involvement**

3. As part of the ongoing consultant team, XO Projects 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.

**Amended Landscaping Plan Required**

4. Before the development commences, an amended Landscape Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Landscape Plan will be endorsed and will form part of this permit. The amended Landscape Plan must be generally in accordance with the Landscape Plan prepared by Urbis and dated 11 October 2017, but modified to include (or show):

- (a) Reflect amended plans pursuant to Condition 1
- (b) WSUD initiatives contained within the endorsed SMP report to be notated
- (c) Removal of the three southernmost Plane Trees along Park Avenue
- (d) Replace the two proposed *Acer platanooides* 'Crimson Sentry' trees with four *Acer negundo* 'Sensation' along Park Avenue
- (e) Increase the width of the nature strip along Parkview Road to a minimum of 1.4m.
- (f) Street paving materials consistent with Council's Public Domain Manual including:
  - (i) Sawn blue stone feature paving to entrances
  - (ii) Bluestone setts to carpark entrance thresholds

**Ongoing Landscaping Plan Requirement**

5. Before the new 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 at the cost of the permit holder and 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.

**Amended Sustainable Management Plan**

- 6. Before the development commences, an amended Sustainable Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Sustainable Management Plan will be endorsed and will form part of this permit. The amended Sustainable Management Plan must be generally in accordance with the Sustainable Management Plan prepared by SBE and dated 9 June 2017, but modified to include or show:
  - (a) Demonstrate a maximum cooling load of 21 Mj/m<sup>2</sup> for all apartments
  - (b) Removal of non-comital language (e.g. "where possible")
  - (c) Prior to occupation, proposal is to demonstrate that a minimum 10% energy efficient improvements for the non-residential areas will be achieved
- 7. The provisions, recommendations and requirements of the endorsed Sustainable Design Assessment must be implemented and complied with to the satisfaction of the Responsible Authority.

**Amended Acoustic Report**

- 8. Before the development commences, an amendment 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 Acoustic Report must be generally in accordance with the Acoustic Report prepared by Acoustic Logic dated 7 April 2017, but modified to include:
  - (a) Reference to the decision plans and any changes pursuant to condition 1
  - (b) Potential noise impacts from the car park entries to the apartments above;
  - (c) Minimum Rw rating for lightweight external walls exposed to high levels of road traffic;
  - (d) Testing of existing noise emissions of the mechanical plant at 720-724 Heidelberg Road
  - (e) Daytime targets of 35dBA Leq to be met for habitable rooms and 30dBA Leq in bedrooms at night
  - (f) Consideration of noise levels on balconies
- 9. The provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.

**Waste Management Plan**

- 10. The provisions, recommendations and requirements of the endorsed Waste Management Plan generally in accordance with the Waste Management Report prepared by RB Waste Consulting Service dated 12 January 2018 must be implemented and complied with to the satisfaction of the Responsible Authority.

**Public Art Management Plan**

- 11. Before the development commences, a Public Art Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Public Art Management Plan will be endorsed and will then form part of this permit. The Public Art Management Plan must include, but not be limited to:
  - (a) The location of the artwork (to be consistent with the endorsed development plans);
  - (b) Outline of methodology for commission;
  - (c) Details of the commissioned artist(s);
  - (d) Description of art work, including:
    - (i) Materials;
    - (ii) Colours;
    - (iii) Dimensions;



- (iv) Conceptual and site context rationale;
  - (v) Special features (for example lighting);
  - (e) Details of the installation process;
  - (f) Details of art work maintenance schedule and ongoing ownership/caretaker details;  
and
  - (g) Attribution plans (eg signage or plaque)
12. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the approved public art must be completed at no cost to Council and to the satisfaction of the Responsible Authority. Once completed, the public art must be maintained in accordance with the endorsed Public Art Management Plan to the satisfaction of the Responsible Authority.
13. Prior to the completion of the development, subject to the relevant authority's consent, the relocation of the public light poles adjacent to Allowah Terrace necessary to facilitate the development must be undertaken:
- (a) in accordance with any requirements or conditions imposed by the relevant authority;
  - (b) at the permit holder's cost; and
  - (c) to the satisfaction of the Responsible Authority.

#### **Wind Tunnel Study**

14. Before the development commences, a Wind Tunnel Study to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Wind Tunnel Study will be endorsed and will form part of this permit. The Wind Tunnel Study is to test the wind climate conditions at the following locations:
- (a) Areas discussed within the Wind Effects Statement prepared by Vipac dated 7 April 2017
  - (b) Along the Heidelberg Road façade and any recommendations to achieve an acceptable wind comfort level for outdoor seating;
  - (c) Residential lobby entry to Parkview road
  - (d) Adjacent street corners (Parkview Road & Heidelberg Road and Park Avenue & Heidelberg Road).
  - (e) Area under the pergola and any other seating areas on the roof top, with recommendations to demonstrate sitting comfort criteria if necessary.
15. The provisions, recommendations and requirements of the endorsed Wind Tunnel Study must be implemented and complied with to the satisfaction of the Responsible Authority.

#### **Public realm and Infrastructure**

16. Within three months of commencement of the development, the owner of the site must submit detailed engineering documentation to the satisfaction of the Responsible Authority and approved by the Responsible Authority and at the full cost of the owner showing the following:
- (a) Redesign of Park Avenue to accommodate the proposed vehicle crossovers and turning circle movements
  - (b) Reconstruction of the kerb and channel along Parkview Road, Heidelberg Road and Park Avenue
  - (c) Resheeting of the pavement along Parkview Road immediately outside the property's frontage

#### **Timing of works**

17. Before the building is occupied, all works required by condition 14 must be fully constructed and completed at the full cost of the owner to the satisfaction of the Responsible Authority.

#### **Relocated assets**

18. Prior to the completion of the development, subject to the relevant authority's consent, the relocation of the power pole on Park Avenue adjacent to the proposed vehicle entrance necessary to facilitate the development must be undertaken:

- (a) in accordance with any requirements or conditions imposed by the relevant authority;
- (b) at the permit holder's cost; and
- (c) to the satisfaction of the Responsible Authority.

**Damage to Council Infrastructure**

19. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated:

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

**Vehicle Crossovers**

20. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any new vehicle crossing must be constructed:

- (a) in accordance with any requirements or conditions imposed by Council;
- (b) at the permit holder's cost; and
- (c) to the satisfaction of the Responsible Authority.

21. 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.

**PTV Condition**

22. The permit holder must take all reasonable steps to ensure that disruption to bus operations along Heidelberg Road are kept to a minimum during the construction of the development. Foreseen disruptions to bus operations and mitigation measures must be communicated to Public Transport Victoria fourteen (14) days prior.

**Lighting**

23. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating accesses to the car park, dwelling entrances and the residential lobby 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.

24. 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.

25. 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.

26. 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**

27. Before the development commences, a Construction Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will form part of this permit. The plan must provide for:

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

During the construction:

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

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

**Time Expiry**

29. This permit will expire if:

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

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

Notes:

A building permit maybe required before development is commenced. Please contact Council's Building Services on 9205 5585 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 5585 for further information.

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

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.

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

A 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 5585 to confirm.

The permit holder must obtain approval from the relevant authorities to remove and/or build over the easement(s).

## Submissions

The Applicant, Mr Jamie Govenlock, and Architect, Ms Eriko Watanabe addressed the Committee. The following people also addressed the Committee:

Mr Michael Long;

Mr Todd Perry;

Mr Richard Everingham;

Mr Bruce Cochrane;

Ms Sally Tomkin;

Mr Bruce Hartnett;

Mr Michael Meszaros; and

Mr Brad Marsh.

## **INTERNAL DEVELOPMENT APPROVALS COMMITTEE RESOLUTION**

**Moved:** Councillor Jolly

**Seconded:** Councillor Fristacky

That having considered all objections and relevant planning policies, the Committee resolves to issue a Notice of Decision to Grant a Planning Permit PLN17/0040 for Development of the land for construction of a multi-storey building, use of land for dwellings, reduction in the statutory car parking requirements and waiver of loading bay requirements (associated with café and shop) at 700-718 Heidelberg Road, Alphington, generally in accordance with the plans noted previously as the “decision plans” and subject to the following conditions:

1. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions, and three copies must be provided. The plans must be generally in accordance with the decision plans but modified to show:
  - (a) Deletion Levels 2, 3 and 4 while retaining the residential community facility to achieve a maximum height of five storeys in accordance with the urban design objective of 17.2 with the reasons including but not limited to the proposal’s limited offsets justifying a height in excess of 5 to 6 storeys achieving a less dominate urban scale consistent with its location within a neighbourhood activity centre subject to a heritage overlay, its proximity to a residential neighbourhood zone and while located in proximity, not located within a strategic redevelopment site;
  - (b) Provision of deep soil planting to the southern portion of the site to at least 15% of the site in accordance with standard D10;
  - (c) Consistent treatment of the roof top terrace with the landscape plans;
  - (d) Retail tenancy relabelled as ‘shop’ on the ground floor plan;
  - (e) Relocation of bicycle hoops along Heidelberg Road to an alternative location that does not intrude the footpath
  - (f) ‘window gallery’ to be replaced with a public art installation and extended on Park Avenue to include the deleted car park space entry and exit point and the nature of that public art to be developed in consultation with the relevant council department and local resident groups and resident organisations, with consideration of the former uses of the site and the WW2 history;
  - (g) Extent of the public art installation as required by Condition 1(f) to be shown consistently on plans and elevations;
  - (h) Relocation of the ‘supply air fan room’ from the Parkview Road frontage to internally

within the site, subsequently bringing forward the bicycle storage facility to align with the remainder of the façade

- (i) Bicycle storage facility to Parkview Road, as modified by Condition 1(h), to incorporate a transparent or semi-transparent interface to Parkview Road.
- (j) Any additional overlooking treatments to the southernmost apartments and the Level 1 communal courtyard to demonstrate there is no direct views in adjacent secluded private open space or habitable room windows within 9m;
- (k) Details of privacy screening measures to the private balconies on Level 1 to prevent overlooking from the communal courtyard;
- (l) Details of privacy screening proposed between the south-facing apartments north of the Level 1 courtyard;
- (m) Dimension the width of the proposed vehicle crossover;
- (n) 50 per cent of dwellings within the development achieve Standard D17 (Accessibility) of Clause 58 of the Yarra Planning Scheme;
- (o) Notations to confirm common corridor spaces receive natural ventilation;
- (p) Balcony sizes of all apartments meet the minimum dimensions for the minimum areas as per Table D5 of standard D19 (Private Open Space) of Clause 58 of the Yarra Planning Scheme;
- (q) Allocation and volume of the storage cages located within the lower basement level;
- (r) Overall storage volumes in accordance with the minimum storage volumes pursuant to Table D6 of standard D20 (Storage);
- (s) Confirmation that all apartments achieve the minimum bedroom and living area dimensions pursuant to Standard D24 of Clause 58 of the Yarra Planning Scheme;
- (t) A minimum of 40% of apartments within the development receive cross ventilation in accordance with standard D27;
- (u) Operability of habitable room windows to be clearly notated;
- (v) Demonstrate that existing corner building splays Heidelberg Road are not encroached by built form;
- (w) Remove reference to the waste chutes within the basement plans;
- (x) Delete the vehicle entrance from Park Avenue;
- (y) Any amendments as required by the Amended Landscaping Plan pursuant to Condition 4;
- (z) Any amendments as required by the Amended Sustainable Management Plan; pursuant to Condition 6, including recommended changes to meet NCC;
- (aa) Any amendments as required by the Amended Acoustic Report pursuant to condition 8;
- (bb) Any amendments as required by the Wind Tunnel Study pursuant to Condition 14; and
- (cc) Minimum setback of 5m from Heidelberg Road to the top two levels.

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.

***Ongoing architect involvement***

3. As part of the ongoing consultant team, XO Projects 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.

***Amended Landscaping Plan Required***

4. Before the development commences, an amended Landscape Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Landscape Plan will be endorsed and will form part of this permit.  
The amended Landscape Plan must be generally in accordance with the Landscape Plan prepared by Urbis and dated 11 October 2017, but modified to include (or show):

- (a) Reflect amended plans pursuant to Condition 1 on deep soil planting for tree provision within this space;
- (b) WSUD initiatives contained within the endorsed SMP report to be notated;
- (c) Removal of the three southernmost Plane Trees along Park Avenue;
- (d) Replace the two proposed *Acer platanoides* 'Crimson Sentry' trees with four *Acer negundo* 'Sensation' along Park Avenue;
- (e) Increase the width of the nature strip along Parkview Road to a minimum of 1.4m; and
- (f) Street paving materials consistent with Council's Public Domain Manual including:
  - (i) Sawn blue stone feature paving to entrances
  - (ii) Bluestone setts to carpark entrance thresholds

**Ongoing Landscaping Plan Requirement**

5. Before the new 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 at the cost of the permit holder and 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.

**Amended Sustainable Management Plan**

6. Before the development commences, an amended Sustainable Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Sustainable Management Plan will be endorsed and will form part of this permit. The amended Sustainable Management Plan must be generally in accordance with the Sustainable Management Plan prepared by SBE and dated 9 June 2017, but modified to include or show:

- (a) Demonstrate a maximum cooling load of 21 Mj/m<sup>2</sup> for all apartments
- (b) Removal of non-comital language (e.g. "where possible")
- (c) Prior to occupation, proposal is to demonstrate that a minimum 10% energy efficient improvements for the non-residential areas will be achieved

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

**Amended Acoustic Report**

8. Before the development commences, an amendment 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 Acoustic Report must be generally in accordance with the Acoustic Report prepared by Acoustic Logic dated 7 April 2017, but modified to include:

- (a) Reference to the decision plans and any changes pursuant to condition 1
- (b) Potential noise impacts from the car park entries to the apartments above;
- (c) Minimum Rw rating for lightweight external walls exposed to high levels of road traffic;
- (d) Testing of existing noise emissions of the mechanical plant at 720-724 Heidelberg Road
- (e) Daytime targets of 35dBA Leq to be met for habitable rooms and 30dBA Leq in bedrooms at night
- (f) Consideration of noise levels on balconies

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

**Waste Management Plan**

10. The provisions, recommendations and requirements of the endorsed Waste Management Plan generally in accordance with the Waste Management Report prepared by RB Waste Consulting Service dated 12 January 2018 must be implemented and complied with to the satisfaction of the Responsible Authority.

**Public Art Management Plan**

11. Before the development commences, a Public Art Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Public Art Management Plan will be endorsed and will then form part of this permit. The Public Art Management Plan must include, but not be limited to:

- (a) The location of the artwork (to be consistent with the endorsed development plans);
- (b) Outline of methodology for commissioning;
- (c) Details of the commissioned artist(s);
- (d) Description of art work, including:
  - (i) Materials;
  - (ii) Colours;
  - (iii) Dimensions;
  - (iv) Conceptual and site context rationale;
  - (v) Special features (for example lighting);
- (e) Details of the installation process;
- (f) Details of art work maintenance schedule and ongoing ownership/caretaker details; and
- (g) Attribution plans (eg signage or plaque)

12. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the approved public art must be completed at no cost to Council and to the satisfaction of the Responsible Authority. Once completed, the public art must be maintained in accordance with the endorsed Public Art Management Plan to the satisfaction of the Responsible Authority.

13. Prior to the completion of the development, subject to the relevant authority's consent, the relocation of the public light poles adjacent to Allowah Terrace necessary to facilitate the development must be undertaken:

- (a) in accordance with any requirements or conditions imposed by the relevant authority;
- (b) at the permit holder's cost; and
- (c) to the satisfaction of the Responsible Authority.

**Wind Tunnel Study**

14. Before the development commences, a Wind Tunnel Study to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Wind Tunnel Study will be endorsed and will form part of this permit. The Wind Tunnel Study is to test the wind climate conditions at the following locations:

- (a) Areas discussed within the Wind Effects Statement prepared by Vipac dated 7 April 2017
- (b) Along the Heidelberg Road façade and any recommendations to achieve an acceptable wind comfort level for outdoor seating;
- (c) Residential lobby entry to Parkview road
- (d) Adjacent street corners (Parkview Road & Heidelberg Road and Park Avenue & Heidelberg Road).
- (e) Area under the pergola and any other seating areas on the roof top, with recommendations to demonstrate sitting comfort criteria if necessary.



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

**Public realm and Infrastructure**

16. Within three months of commencement of the development, the owner of the site must submit detailed engineering documentation to the satisfaction of the Responsible Authority and approved by the Responsible Authority and at the full cost of the owner showing the following:
  - (a) Reconstruction of the kerb and channel along Parkview Road, Heidelberg Road and Park Avenue
  - (b) Resheeting of the pavement along Parkview Road immediately outside the property's frontage

**Timing of works**

17. Before the building is occupied, all works required by condition 14 must be fully constructed and completed at the full cost of the owner to the satisfaction of the Responsible Authority.

**Relocated assets**

18. Prior to the completion of the development, subject to the relevant authority's consent, the relocation of the power pole on Park Avenue adjacent to the proposed vehicle entrance necessary to facilitate the development must be undertaken:
  - (a) in accordance with any requirements or conditions imposed by the relevant authority;
  - (b) at the permit holder's cost; and
  - (c) to the satisfaction of the Responsible Authority.

**Damage to Council Infrastructure**

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

**Vehicle Crossovers**

20. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any new vehicle crossing must be constructed:
  - (a) in accordance with any requirements or conditions imposed by Council;
  - (b) at the permit holder's cost; and
  - (c) to the satisfaction of the Responsible Authority.
21. 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.

**PTV Condition**

22. The permit holder must take all reasonable steps to ensure that disruption to bus operations along Heidelberg Road are kept to a minimum during the construction of the development. Foreseen disruptions to bus operations and mitigation measures must be communicated to Public Transport Victoria fourteen (14) days prior.

**Lighting**

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

Responsible Authority, external lighting capable of illuminating accesses to the car park, dwelling entrances and the residential lobby 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.

- 24. 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.
- 25. 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.
- 26. 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***

- 27. Before the development commences, a Construction Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will form part of this permit. The plan must provide for:
  - (a) a pre-conditions survey (dilapidation report) of the land and all adjacent Council roads frontages and nearby road infrastructure;
  - (b) works necessary to protect road and other infrastructure;
  - (c) remediation of any damage to road and other infrastructure;
  - (d) containment of dust, dirt and mud within the land and method and frequency of clean up procedures to prevent the accumulation of dust, dirt and mud outside the land,
  - (e) facilities for vehicle washing, which must be located on the land;
  - (f) the location of loading zones, site sheds, materials, cranes and crane/hoisting zones, gantries and any other construction related items or equipment to be located in any street;
  - (g) site security;
  - (h) management of any environmental hazards including, but not limited to, :
    - (i) contaminated soil;
    - (ii) materials and waste;
    - (iii) dust;
    - (iv) stormwater contamination from run-off and wash-waters;
    - (v) sediment from the land on roads;
    - (vi) washing of concrete trucks and other vehicles and machinery; and
    - (vii) spillage from refuelling cranes and other vehicles and machinery;
  - (i) the construction program;
  - (j) preferred arrangements for trucks delivering to the land, including delivery and unloading points and expected duration and frequency;
  - (k) parking facilities for construction workers;
  - (l) measures to ensure that all work on the land will be carried out in accordance with the Construction Management Plan;

- (m) an outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services;
- (n) an emergency contact that is available for 24 hours per day for residents and the Responsible Authority in the event of relevant queries or problems experienced;
- (o) the provision of a traffic management plan to comply with provisions of AS 1742.3-2002 Manual of uniform traffic control devices - Part 3: Traffic control devices for works on roads.
- (p) a Noise and Vibration Management Plan showing methods to minimise noise and vibration impacts on nearby properties and to demonstrate compliance with Noise Control Guideline 12 for Construction (Publication 1254) as issued by the Environment Protection Authority in October 2008. The Noise and Vibration Management Plan must be prepared to the satisfaction of the Responsible Authority. In preparing the Noise and Vibration Management Plan, consideration must be given to:
  - (i) using lower noise work practice and equipment;
  - (ii) the suitability of the land for the use of an electric crane;
  - (iii) silencing all mechanical plant by the best practical means using current technology;
  - (iv) fitting pneumatic tools with an effective silencer;
  - (v) other relevant considerations; and
  - (vi) any site-specific requirements.

During the construction:

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

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

### **Time Expiry**

29. This permit will expire if:

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

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

Notes:

A building permit maybe required before development is commenced. Please contact Council's Building Services on 9205 5585 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 5585 for further information.

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

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.

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

A 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 5585 to confirm.

The permit holder must obtain approval from the relevant authorities to remove and/or build over the easement(s).

**CARRIED UNANIMOUSLY**