

PLANNING PERMIT

Permit No: PLN16/1027

Planning Scheme: Yarra

Responsible Authority: City Of Yarra

ADDRESS OF THE LAND:

242 Bridge Rd Richmond VIC 3121

copy

THE PERMIT ALLOWS:

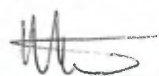
In accordance with the endorsed plans:

- Ground floor use of dwelling.
- Part demolition of an existing building and construction of a five storey addition.
- Reduction in car parking requirements.

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

- 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 plans prepared by EleveliPlus, TP00-TP02, TP06-TP09, TP12-18, TP18A, TP25, Rev D, dated 17.01.18, but modified to show:
 - (a) On TP02, under the heading "Development Summary" deletion of the reference to "including roof terrace" after the words "5 levels average above natural ground level (N.G.L.)".
 - (b) An amended car parking layout to accommodate disabled access in accordance with EleveliPlus plan TP06 – Revision E dated 29.01.18.
 - (c) An amended living room layout as depicted in EleveliPlus plan TP09 Revision F dated 29.01.18, or similar arrangement to locate the kitchen area closer to the window line.
 - (d) A schedule of colours and materials with photographic quality depiction of all external materials and finishes;

Date: 01 March 2018



Katrina Thomas
Signature for the Responsible Authority

- (e) Material '9' being obscure glazing or otherwise providing no more than 25% visual transparency;
 - (f) Window operation to ensure all habitable rooms contain at least one operable window;
 - (g) Specifications for the proposed car stacker and swept path diagrams for the B85 design vehicle demonstrating vehicle turning movements into and out of the individual stacker platforms with the on-street car parking on the north side of Alban Street depicted/superimposed on the swept path diagrams;
 - (h) Adjustable, external screening to all exposed, west-facing windows;
 - (i) All windows within the east facing void against the adjoining property (246 Bridge Rd) to be a minimum of 1700mm above finished floor level and only openable via awning system hinged from the top and opening to a maximum of 7 degrees.
 - (j) The void area facing east increased in dimension to at least 11.85m x 1.6m, with its northern edge commencing from not less than 600mm north of Grid line D on ElivliPlus plan TP 07, continuing south, so as to retain clearance to all four of the first floor glass brick windows of the adjoining property.
 - (k) Any changes necessary to accommodate the realignment and the reconstruction of the stormwater drain at the east end of Alban Street as set out in condition 9.
 - (l) Notation that four car parking spaces are to be maintained for use of the two dwellings.
- 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.

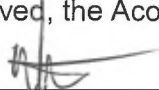
Sustainable Management Plan

- 3 Before the plans are endorsed, an amended Sustainability Management Plan (SMP) to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Sustainability Management Plan will be endorsed and will form part of this permit. The amended SMP must be generally in accordance with the SMP prepared by GIW and dated 7 October, 2016, but modified to:
- (a) Reflect the approved height and design of the building.
 - (b) Demonstrate that all dwellings have a cooling load less than 30 MJ/m²/pa.
 - (c) Delete the terminology 'where appropriate' and definitively list all commitments to be met.
- 4 The provisions, recommendations and requirements of the endorsed Sustainability Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Acoustic

- 5 Before the plans are endorsed, an amended Acoustic Report to the satisfaction of the Responsible Authority must be prepared by a suitably qualified acoustic engineer and must be submitted to and approved by the Responsible Authority. When approved, the Acoustic Report

Date: 01 March 2018



 Katrina Thomas
 Signature for the Responsible Authority

will be endorsed and will form part of this permit. the amended acoustic report must be generally in accordance with the report by SLR and dated 7 February, 2017 but modified to show/address:

- (a) The endorsed floor layout.
 - (b) Details of the octave-band spectrum used to calculate glazing requirements.
 - (c) Details of the noise attenuated fresh air vent;
 - (d) Details regarding the proposed 100mm gap between apartment walls and the existing building at 252 Church Street where music is played at a dance studio.
- 6 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

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

Infrastructure Works

- 8 Before the development commences engineering drawings of the drain realignment and the reconstruction of the east end of Alban Street must be submitted to and approved by the Responsible Authority.
- 9 Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the drain realignment and reconstruction at the east end of Alban Street must be completed:
- (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
- 10 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.

Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.

- 11 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.

Date: 01 March 2018



Katrina Thomas
Signature for the Responsible Authority

- 12 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.

Car parking

- 13 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.
- 14 Four car parking spaces must be designated and maintained for use of the two dwellings.

Lighting

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


Privacy screening

- 16 Before the development is occupied, or by such later date as approved in writing by the Responsible Authority, all screening and other measures to prevent overlooking as shown on the endorsed plans must be installed to the satisfaction of the Responsible Authority. Once installed the screening and other measures must be maintained to the satisfaction of the Responsible Authority.

General

- 17 The amenity of the area must not, to the satisfaction of the Responsible Authority, be detrimentally affected by the use, including through:

Date: 01 March 2018



Katrina Thomas
Signature for the Responsible Authority

- (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.
 - (d) The presence of vermin.
- 18 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.

Construction hours

- 19 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

- 20 Before the development commences, a Construction Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will form part of this permit. The plan must provide for (as appropriate):
- (a) a pre-conditions survey (dilapidation report) of the land and all adjacent Council 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;

Date: 01 March 2018



 Katrina Thomas
 Signature for the Responsible Authority

- 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.

Permit expiry

21 This permit will expire if:

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

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

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.

Date: 01 March 2018



 Katrina Thomas
 Signature for the Responsible Authority

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).

THIS PERMIT WAS ISSUED AT THE DIRECTION OF VCAT AS FOLLOWS:

Date of Order

1 March 2018

Planning Permit PLN16/1027 was issued in accordance with the order of the Victorian Civil and Administrative Tribunal, reference: P2068/2017.

Date: 01 March 2018



Katrina Thomas

Signature for the Responsible Authority

PLANNING PERMIT

IMPORTANT INFORMATION ABOUT THIS PERMIT

WHAT HAS BEEN DECIDED?

The Responsible Authority has issued a permit.

(Note: This is not a permit granted under Division 5 or 6 of Part 4 of the **Planning and Environment Act 1987**.)

WHEN DOES A PERMIT BEGIN?

A permit operates:

- from the date specified in the permit; or
- if no date is specified, from—
 - (i) the date of the decision of the Victorian Civil and Administrative Tribunal, if the permit was issued at the direction of the Tribunal; or
 - (ii) the date on which it was issued, in any other case.

WHEN DOES A PERMIT EXPIRE?

1. A permit for the development of land expires if—
 - the development or any stage of it does not start within the time specified in the permit; or
 - the development requires the certification of a plan of subdivision or consolidation under the Subdivision Act 1988 and the plan is not certified within two years of the issue of the permit, unless the permit contains a different provision; or
 - the development or any stage is not completed within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit or in the case of a subdivision or consolidation within 5 years of the certification of the plan of subdivision or consolidation under the **Subdivision Act 1988**.
2. A permit for the use of land expires if—
 - the use does not start within the time specified in the permit, or if no time is specified, within two years after the issue of the permit; or
 - the use is discontinued for a period of two years.
3. A permit for the development and use of land expires if—
 - the development or any stage of it does not start within the time specified in the permit; or
 - the development or any stage of it is not completed within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit; or
 - the use does not start within the time specified in the permit, or, if no time is specified, within two years after the completion of the development; or
 - the use is discontinued for a period of two years.
4. If a permit for the use of land or the development and use of land or relating to any of the circumstances mentioned in section 6A(2) of the **Planning and Environment Act 1987**, or to any combination of use, development or any of those circumstances requires the certification of a plan under the **Subdivision Act 1988**, unless the permit contains a different provision—
 - the use or development of any stage is to be taken to have started when the plan is certified; and
 - the permit expires if the plan is not certified within two years of the issue of the permit.
5. The expiry of a permit does not affect the validity of anything done under that permit before the expiry.

WHAT ABOUT REVIEWS?

- The person who applied for the permit may apply for a review of any condition in the permit unless it was granted at the direction of the Victorian Civil and Administrative Tribunal, in which case no right of review exists.
- An application for review must be lodged within 60 days after the permit was issued, unless a notice of decision to grant a permit has been issued previously, in which case the application for review must be lodged within 60 days after the giving of that notice.
- An application for review is lodged with the Victorian Civil and Administrative Tribunal.
- An application for review must be made on relevant form which can be obtained from the Victorian Civil and Administrative Tribunal, and be accompanied by the applicable fee.
- An application for review must state the grounds upon which it is based.
- A copy of an application for review must be served on the responsible authority.
- Details about applications for review and the fees payable can be obtained from the Victorian Civil and Administrative Tribunal.