520 VICTORIA STREET, 2A BURNLEY STREET & 2-30 BURNLEY STREET, RICHMOND, BURNLEY STREET WEST PRECINCT – INCORPORATED PLAN
INTRODUCTION:

This document is an Incorporated Document in the Schedule to Clause 81 of the Yarra Planning Scheme. It consists of the written provisions of this document and map marked:

- 520 Victoria Street, 2A Burnley Street and 2 - 30 Burnley Street, Richmond – Burnley Street West Precinct – Locality Map.

Pursuant to Clause 52.03 of the Scheme, the part of the land shown on the above map marked “Area of Interest”, may be developed and used in accordance with Part 1 (which relates to the development and use of part of the land for office and associated access and parking arrangements), Part 2 (which relates to residential parking provision) and Part 3 (use and development) of the specific controls contained in this document.

If there is any inconsistency between these specific controls and the general provisions of the Scheme, the specific controls will prevail.

PURPOSE:

The purpose of the specific site control is:

- To facilitate the use of land at 520 Victoria Street and 2A Burnley Street, Richmond, for office use.
- To allow use of the land at 2, 4 and 6 Burnley Street for vehicle access and car parking below ground level, associated with the office use at 520 Victoria Street and 2A Burnley Street, Richmond.
- To ensure that car parking is provided at a rate of one space per dwelling on the site at 520 Victoria Street and 2A Burnley Street and 2 – 30 Burnley Street, Richmond.
- To facilitate the use and development of 520 Victoria Street and 2A Burnley Street and 2-30 Burnley Street for a mixed use development in accordance with specified conditions and plans that form Part 3 of this Incorporated Document.

LAND DESCRIPTION:

This control applies to land comprising Volume 5519 Folio 789, Volume 5356 Folio 009 (being 520 Victoria Street and 2A Burnley Street, Richmond) and Volume 7235 Folio 937, Volume 3450 Folio 999, Volume 3609 Folio 713, Volume 8145 Folio 613, Volume 8343 Folio 197, Volume 9823 Folio 329, Volume 5857 Folio 201 & Volume 5738 Folio 487 (being 2, 4, 6, 8, 10, 12-26, 28 & 30 Burnley Street) as shown on the attached map.

CONTROL:

PART 1 (OFFICE DEVELOPMENT AND LAND USE CONTROL): 520 VICTORIA STREET, 2A BURNLEY STREET & 2, 4 AND 6 BURNLEY STREET, RICHMOND

Despite any provision to the contrary in the Yarra Planning Scheme, land comprising 520 Victoria Street and 2A Burnley Street, Richmond (part of the ‘Area of Interest’ shown on the map of this Incorporated Plan), may be developed and used for office. This is not limited to the ground floor, but includes all levels. This control is subject to:

- The grant of a planning permit, or
- A use and development in accordance with Part 3 of this Incorporated Document
Despite any provision to the contrary in the Yarra Planning Scheme, land comprising 2, 4 and 6 Burnley Street, Richmond (part of the ‘Area of Interest’ shown on the map of this Incorporated Plan) may be developed and used for the purpose of providing access and car parking for the adjoining office development at 520 Victoria Street and 2A Burnley Street. This control is subject to:

- The grant of a planning permit, or
- A use and development in accordance with Part 3 of this Incorporated Document.

PART 2 (RESIDENTIAL CAR PARKING CONTROL): 520 VICTORIA STREET AND 2A BURNLEY STREET AND 2 – 30 BURNLEY STREET, RICHMOND (ALL THE LAND)

Despite any provision to the contrary in the Yarra Planning Scheme, for land comprising 520 Victoria Street, 2A Burnley Street, and 2-30 Burnley Street, Richmond (being all the land shown on the map which forms part of this Incorporated Plan) (“the Land”):

1. The provisions of clause 52.06 of the Yarra Planning Scheme in so far as they apply to the provision of car parking for the use and/or development of land for a dwelling (other than a caretaker’s house if at least two on a lot), do not apply;

2. A proposal to use and/or develop any of the Land for a dwelling (other than a caretaker’s house if at least two on a lot) must provide car parking at the rates specified in the Table below;

Table 1 – Residential Car Parking Rates

<table>
<thead>
<tr>
<th>USE</th>
<th>CAR SPACE MEASURE</th>
<th>RATE</th>
<th>VISITOR RATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dwelling (other than Caretaker’s house if at least 2 on a lot)</td>
<td>Car spaces to each dwelling</td>
<td>1</td>
<td>0</td>
</tr>
</tbody>
</table>

3. A proposal relying on the car parking rates in Table 1 above, must include a Green Travel Plan, prepared to the satisfaction of the Responsible Authority following consultation with the Department of Infrastructure (Public Transport Division). The Plan must be prepared by a suitably qualified person and must encourage the use of non-private vehicle transport modes by the occupiers of the land. The plan must include:

- A description of the location in context of alternative modes of transport and objectives for the Green Travel Plan
- Provision of a designated ‘manager’ or ‘champion’ responsible for co-ordination and implementation of the Green Travel Plan.
- Household welcome packs – including provision of Public Transport maps, timetables and/or real time information of nearby services (including tram, train and buses) to be provided to purchasers and/or occupiers upon occupation of a dwelling.
- Full details of possible incentives and how they will be implemented (e.g. provision of Met Cards/Myki through rental/ownership of a dwelling).
- Details of bicycle parking facilities on the land and bicycle routes.
• Details of Green Travel Plan funding and management responsibilities, including ongoing monitoring and review.
• Details of annual reporting.
• Include provisions to be updated not less than every 5 years.

4. A permit can be granted to vary the number of car spaces required.

5. Before deciding on an application to vary the number of car spaces, the responsible authority must consider, as appropriate:
   (i) Any relevant parking precinct plan.
   (ii) The availability of car parking in the locality.
   (iii) The availability of public transport in the locality.
   (iv) Local traffic management.
   (v) Local amenity including pedestrian amenity.
   (vi) Any agreements to implement a green travel plan.

6. Any application for a permit to vary the number of car spaces required by this control is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

PART 3 (USE AND DEVELOPMENT CONTROL): 520 VICTORIA STREET, 2A BURNLEY STREET AND 2-30 BURNLEY STREET, RICHMOND (ALL THE LAND)

Despite any provision to the contrary in the Yarra Planning Scheme, land comprising 520 Victoria Street, 2A Burnley Street, and 2-30 Burnley Street, Richmond (all the land shown on the map of this Incorporated Plan - “the Land”) may be used and developed for “the construction of mixed use development ranging in scale between three to seven storeys (plus 2 levels of basement) including use of the land for a food and drinks premises (café), a convenience shop, a community space and office, a reduction in the car parking requirements of Clause 52.06 of the Yarra Planning Scheme and creation of access to a road in a Road Zone, Category 1 (Burnley Street)” in accordance with the conditions set out in Appendix A and generally in accordance with the table of plans (Table 2).

Table 2 – Table of Plans:

<table>
<thead>
<tr>
<th>Plan Number</th>
<th>Reference details and description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Plan 1 of 49</td>
<td>Prepared by SJB Architects, Job No 20533, Drawing No TP01 Revision 6C</td>
</tr>
<tr>
<td></td>
<td>Basement 2 Plan</td>
</tr>
<tr>
<td>Plan 2 of 49</td>
<td>Prepared by SJB Architects, Job No 20533, Drawing No TP02 Revision 6C</td>
</tr>
<tr>
<td></td>
<td>Basement 1 Plan</td>
</tr>
<tr>
<td>Plan 3 of 49</td>
<td>Prepared by SJB Architects, Job No 20533, Drawing No TP03 Revision 5C</td>
</tr>
<tr>
<td></td>
<td>Ground Floor Plan</td>
</tr>
<tr>
<td>Plan 4 of 49</td>
<td>Prepared by SJB Architects, Job No 20533, Drawing No TP04 Revision 6C</td>
</tr>
<tr>
<td></td>
<td>First Floor Plan</td>
</tr>
<tr>
<td>Plan 5 of 49</td>
<td>Prepared by SJB Architects, Job No 20533, Drawing No TP05 Revision 6C Second Floor Plan</td>
</tr>
<tr>
<td>Plan 6 of 49</td>
<td>Prepared by SJB Architects, Job No 20533, Drawing No TP06 Revision 5C Third Floor Plan</td>
</tr>
<tr>
<td>Plan 7 of 49</td>
<td>Prepared by SJB Architects, Job No 20533, Drawing No TP07 Revision 4C Fourth Floor Plan</td>
</tr>
<tr>
<td>Plan 8 of 49</td>
<td>Prepared by SJB Architects, Job No 20533, Drawing No TP08 Revision 4C Fifth Floor Plan</td>
</tr>
<tr>
<td>Plan 9 of 49</td>
<td>Prepared by SJB Architects, Job No 20533, Drawing No TP09 Revision 4C Sixth Floor Plan</td>
</tr>
<tr>
<td>Plan 10 of 49</td>
<td>Prepared by SJB Architects, Job No 20533, Drawing No TP10 Revision 4B Roof Plan</td>
</tr>
<tr>
<td>Plan 11 of 49</td>
<td>Prepared by SJB Architects, Job No 20533, Drawing No TP11 Revision 5A Sections</td>
</tr>
<tr>
<td>Plan 12 of 49</td>
<td>Prepared by SJB Architects, Job No 20533, Drawing No TP12 Revision 5C Elevations</td>
</tr>
<tr>
<td>Plan 13 of 49</td>
<td>Prepared by SJB Architects, Job No 20533, Drawing No TP13 Revision 4C Elevations</td>
</tr>
<tr>
<td>Plan 14 of 49</td>
<td>Ground floor landscape plan, Prepared by CDA Design Group Pty Ltd, Drawing No TP011, dated Mar 2010</td>
</tr>
<tr>
<td>Plan 15 of 49</td>
<td>First floor landscape plan Prepared by CDA Design Group Pty Ltd, Drawing No TP02D, dated Mar 2010</td>
</tr>
<tr>
<td>Plan 17 of 49</td>
<td>Davison Lane Service Vehicle Access Layout Plan, Prepared by Cardno Grogan Richards, Job No CG108802 Issue P6, dated 4 March 2010</td>
</tr>
<tr>
<td>Plan 17 of 49</td>
<td>Plan 18 of 49 Prepared by SJB Architects, Job No 20533, Drawing No SK06 Revision 2B Ramp Grade Plan</td>
</tr>
<tr>
<td>Plan 19 of 49</td>
<td>Davison Lane Cross Sections for Refuse Vehicle</td>
</tr>
<tr>
<td>Plan 20 of 49</td>
<td>Prepared by SJB Architects, Job No 20533, Drawing No TP04 Revision 6C First Floor Screening</td>
</tr>
<tr>
<td>Plan 21 of 49</td>
<td>Prepared by SJB Architects, Job No 20533, Drawing No TP05 Revision 6C Second Floor Screening</td>
</tr>
<tr>
<td>Plan 22 of 49</td>
<td>Rev 1B Block A (First Floor Overlooking Diagram)</td>
</tr>
<tr>
<td>Plan 23 of 49</td>
<td>Rev 1B Block A (Second Floor Overlooking Diagram)</td>
</tr>
<tr>
<td>Plan 24 of 49</td>
<td>Rev 1B Block B First Floor (Overlooking Diagram)</td>
</tr>
<tr>
<td>Plan 25 of 49</td>
<td>Rev 1B Block B Second Floor (Overlooking Diagram)</td>
</tr>
<tr>
<td>Plan 26 of 49</td>
<td>Rev 1B Block C &amp; D First Floor (Overlooking Diagram)</td>
</tr>
<tr>
<td>Plan 27 of 49</td>
<td>Rev 1B Block C Second Floor (Overlooking Diagram)</td>
</tr>
<tr>
<td>Plan 28 of 49</td>
<td>Typical Block A &amp; B Pergola Screen</td>
</tr>
<tr>
<td>Plan 29 of 49</td>
<td>Typical Block A &amp; B Pergola Screen</td>
</tr>
<tr>
<td>Plan 30 of 49</td>
<td>Typical Block C Pergola Screen</td>
</tr>
<tr>
<td>Plan 31 of 49</td>
<td>Typical Block C Pergola Screen</td>
</tr>
<tr>
<td>Plan 32 of 49</td>
<td>Prepared by SJB Architects, Job No 20533, Drawing No SK01 Revision 2 Section A</td>
</tr>
<tr>
<td>Plan 33 of 49</td>
<td>Prepared by SJB Architects, Job No 20533, Drawing No SK01A Revision 2 Section C</td>
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<td>Plan 34 of 49</td>
<td>Prepared by SJB Architects, Job No 20533, Drawing No SK02 Revision 1 Section B</td>
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<tr>
<td>Plan 35 of 49</td>
<td>Prepared by SJB Architects, Job No 20533, Drawing No SK03 Revision 1 Perspective – Block D screens</td>
</tr>
<tr>
<td>Plan 36 of 49</td>
<td>Prepared by SJB Architects, Job No 20533, Drawing No SK03A Revision 1</td>
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<td>Plan of 49</td>
<td>Description</td>
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<td>--------------------</td>
<td>-----------------------------------------------------------------------------</td>
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<tr>
<td>Plan 37</td>
<td>Materials &amp; Finishes Plan (Block A)</td>
</tr>
<tr>
<td>Plan 38</td>
<td>Materials &amp; Finishes Plan (Block B)</td>
</tr>
<tr>
<td>Plan 39</td>
<td>Materials &amp; Finishes Plan (Block C)</td>
</tr>
<tr>
<td>Plan 40</td>
<td>Materials &amp; Finishes Plan (Block D)</td>
</tr>
<tr>
<td>Plan 41</td>
<td>Materials &amp; Finishes Plan (Block A &amp; B Townhouses)</td>
</tr>
<tr>
<td>Plan 42</td>
<td>Materials &amp; Finishes Plan (Office Block) (Endorsed 24.04.10)</td>
</tr>
<tr>
<td>Plan 43</td>
<td>Staging Plan</td>
</tr>
<tr>
<td>Plan 44</td>
<td>Prepared by SJB Architects, Job No 20533, Drawing No SK-09 Revision 1,</td>
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<tr>
<td></td>
<td>Perspective Plan</td>
</tr>
<tr>
<td>Plan 45</td>
<td>Prepared by SJB Architects, Job No 20533, Drawing No SK-11 revision 2,</td>
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<tr>
<td></td>
<td>Perspective Plan</td>
</tr>
<tr>
<td>Plan 46</td>
<td>Perspective Plan (Endorsed 24.04.10)</td>
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<tr>
<td>Plan 47</td>
<td>Perspective Plan (Endorsed 24.04.10)</td>
</tr>
<tr>
<td>Plan 48</td>
<td>Perspective Plan</td>
</tr>
<tr>
<td>Plan 49</td>
<td>Prepared by SJB Architects, Job No 20533, Drawing No SK-13 Revision 02</td>
</tr>
<tr>
<td></td>
<td>Perspective Plan</td>
</tr>
</tbody>
</table>

**EXPIRY:**

This control expires if any of the following circumstances applies:

- The use and development authorised by the control is not started by 31 December 2013.
520 VICTORIA STREET, 2A BURNLEY STREET AND 2-30 BURNLEY STREET, RICHMOND – LOCALITY MAP

BURNLEY STREET WEST PRECINCT INCORPORATED PLAN

[Diagram showing the map of the locality with various labels and markers, including Victoria Gardens Shopping Centre and Multi-Level Subdivision.]


**APPENDIX A**

**THE FOLLOWING CONDITIONS APPLY TO DEVELOPMENT/USE IN ACCORDANCE WITH PART 3 OF THE CONTROL:**

Endorsed plans

1. All use and development must accord with the endorsed plans. Any alterations must be approved by the Responsible Authority.

2. Floor levels shown on the endorsed plan(s) must not be altered or modified without written consent of the Responsible Authority.

3. All new on boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.

**Acoustic Treatments**

4. Prior to the commencement of the development, a report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The report must be prepared by a suitably qualified acoustic engineer to show how the requirements of State Environment Protection Policy N-1 and relevant Australian Standards will be met and must prescribe the form of acoustic treatment to:
   (a) dwellings to protect occupants from external noise sources
   (b) the mechanical plant equipment installed or constructed as part of the development; and
   (c) the loading bay.

5. The plans submitted to the Responsible Authority for endorsement must be updated to incorporate the acoustic engineer’s recommendations and, where they are recommendations of an ongoing nature, must be implemented to the satisfaction of the Responsible Authority.

**Environmentally Sustainable Principles**

6. Prior to the commencement of the development, a report prepared by a suitably qualified and experienced Environmental Sustainable Design expert must be submitted and endorsed to the satisfaction of the Responsible Authority. The report shall address the ESD principles proposed for the site including but not limited to energy, efficiency, water (retention, storage and use), waste and recycling, building materials, landscaping, crossflow ventilation, passive climate control through enclosed winter gardens / louvers and balcony overhangs, centralised floor boosted hot water system, energy and water efficient appliances and high thermal performance building skin.

**Green Travel Plan**

7. Before the residential component of the use of the land commences, a Green Travel Plan must be prepared to the satisfaction of the Responsible Authority following consultation with the Department of Infrastructure (Public Transport Division). The Plan must be prepared by a suitably qualified person and must encourage the use of non-private vehicle transport modes by the occupiers of the land. The Plan must include, but not be limited to the following:
(a) a description of the location in the context of alternative modes of transport and objectives for the Green Travel Plan;
(b) outline Green Travel Plan measures for the development including, but not limited to:
   (i) household welcome packs – tram, train and bus timetables relevant to the local area must be included in the pack of information provided to purchasers and/or occupiers upon occupation of an apartment;
   (ii) bicycle parking and facilities available on the land; and
   (iii) monitoring and review.
(c) provide a designated ‘manager’ or ‘champion’ responsible for its coordination and implementation;
(d) once approved, be provided to all new residents of the development (and subsequent owners/tenants as properties change hands);
(e) include annual reporting of results to Council; and
(f) be updated with sign-off/input from Council on a regular basis (eg. every 3-5 years) to the satisfaction of the Responsible Authority.

Transport Management

8. Prior to the occupation of the development, a car parking management plan prepared by an appropriately qualified traffic consultant must be submitted to and approved by the Responsible Authority. When approved, the car parking management plan will be endorsed and form part of the endorsed plans. The car parking management plan must address, but is not necessarily limited to, all of the following:
(a) The number and location of the car parking spaces to each use generally in accordance with the following table:

<table>
<thead>
<tr>
<th>Use</th>
<th>Car Spaces</th>
</tr>
</thead>
<tbody>
<tr>
<td>Private housing</td>
<td>355</td>
</tr>
<tr>
<td>Office</td>
<td>45</td>
</tr>
<tr>
<td>Food and drinks premises</td>
<td>5</td>
</tr>
<tr>
<td>Convenience shop 3</td>
<td>3</td>
</tr>
<tr>
<td>Community space</td>
<td>3</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>411</strong></td>
</tr>
</tbody>
</table>

(b) The management of visitor car parking spaces and security arrangements for occupants of the development, including details on how the ‘Security Line’ to the Residential Parking area is to operate and how residential visitors are to access this area.
(c) Details of way finding, cleaning, security of end of trip bicycle facilities.
(d) Policing arrangements and/or formal agreements;
(e) A schedule of all proposed signage including directional arrows and signage, informative signs indicating location of disabled bays and bicycle parking, exits, restrictions, pay parking system etc;
(f) The collection of waste and garbage including the separate collection of organic waste and recyclables, all in accordance with the Waste Management Plan required by Condition 60, and
(h) Details regarding the management of loading and unloading of goods and materials for the commercial and residential uses.
9. The car parking management plan must be implemented to the satisfaction of the Responsible Authority. No alterations may be made without the prior written approval of the Responsible Authority.

Water Sensitive Urban Design

10. Prior to the commencement of the development, a water sensitive urban design (WSUD) strategy and plans prepared by a suitably qualified consultant must be submitted and be to the satisfaction of the Responsible Authority to include how storm water is mitigated, stored, cleaned and used in the precinct and how the proposed initiatives will contribute to delivering the precinct-wide WSUD program to ‘best practice standards’.
   (a) The site should drain to the nearest Council drain of adequate depth and capacity or through its own outlet to the Yarra River which has been approved by Melbourne Water.
   (b) All water sensitive design elements including rainwater tanks, filtration systems, water retention including. a specification of works to be undertaken prior to planting including details of proposed watering and opportunities for reuse of rainwater (irrigation system) site and specifications of tanks, rain gardens and wetlands and maintenance methods proposed for all landscaped areas including river environs and terrace areas.

Drainage

11. Provision must be made for the drainage of the site including landscaped and pavement areas all to the satisfaction of the Responsible Authority.

12. The owner of the land / applicant must apply for a Legal Point of Discharge under Regulation 610 – Stormwater Drainage of the Building Regulations 2006 from Yarra Building Services Unit.

13. The drainage design for the entire site, along with hydraulic calculations, must be submitted to the Responsible Authority for assessment and approval.

14. All piping and ducting, other than for drainage above the ground floor storey of the building must be concealed.

15. Any storm water drainage within the property must be provided and be connected to the nearest Council pit of adequate depth and capacity (legal point of discharge), to Council’s satisfaction under Section 200 of the Local Government Act 1989 and Regulation 610.

Landscape Implementation and Maintenance

16. Except with the written consent of the Responsible Authority, the landscaping must be completed before the building is occupied and then maintained to the satisfaction of the Responsible Authority. Any landscaping outside the title boundary of 520 Victoria Street, 2A Burnley Street and 2 – 30 Burnley Street, Richmond must be carried out in consultation with the Responsible Authority and at the cost of the owner of the land / applicant.
17. The street tree planting in the road reserve must include water sensitive urban design techniques to ensure trees are self sufficient for watering needs. Detailed drawings must be submitted to the Responsible Authority for assessment and approval.

18. The street trees are to be planted by the Responsible Authority’s contractors ‘Sevron’ in accordance with the planting specification specified at condition 1(ag). The cost of the works must be borne by the owner of the land / applicant. All works must be completed prior to occupation of the development except with the written consent of the Responsible Authority.

19. Before construction works start, a landscaping bond or bank guarantee of no less than 5% of the total landscaping value must be paid to the responsible authority. This bond will be returned in full no later than 6 months after the satisfactory completion of these works and subject to an inspection by the Responsible Authority.

Vehicle Crossings and Accessways

20. Any damaged road(s) and footpath(s) and other infrastructure adjacent to the development site as a result of the construction works must be reinstated to the satisfaction of the Responsible Authority.

21. Any portions of redundant vehicle crossing must be broken out and removed and reinstated with kerbing and paving of the surrounding area. The cost of these works must be borne by the owner of the land / applicant.

22. The proposed new vehicle crossings are to be constructed in accordance with City of Yarra Standard Drawings and Specifications and must show:
   (a) the proposed vehicle crossing shall be constructed in accordance with City of Yarra Standard Drawings and Specifications;
   (b) the crossing edges are to be 3.0 metre radials as per VicRoads’ specifications;
   (c) the development’s finished floor levels relative to the existing footpath and road levels must be such that pedestrian and vehicular access accord with Australian Standards;
   (d) existing footpath, kerb and channel, and road pavement surface levels must not be altered; and
   (e) the design and construction of the proposed vehicle crossing must also satisfy the requirements of Council’s Community Amenity unit’s Vehicular Access into Properties (Info Sheet and application Form) before a vehicle crossing permit can be issued.

23. The development’s finished floor levels for pedestrian access and car parking areas must be such that pedestrian and vehicular access accords with Australian Standards.

24. Existing footpath, kerb and channel, and road pavement surface levels must not be altered unless with the approval of the Responsible Authority.

25. The owner of the land / applicant must not commence any civil infrastructure works on any Public Highway without obtaining official consent from the Responsible Highway Authority.

Community Space
26. An area of no less than 80sqm to be provided at ground level immediately adjacent to Williams Reserve within the approved development at 520 Victoria Street and 2A Burnley Street, Richmond for the purpose of a community space. Before any use starts in a building accommodating the community space, a plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority showing the internal fit of that building for the purposes of a community space. Once approved, the plan will be endorsed and will then form part of the endorsed plans. All costs associated with the preparation of the plan and the internal fit out works must be borne by the owner of the land / applicant. The Community space is to be managed by the Responsible Authority and/or any other entity approved by the Responsible Authority in writing for the sole purpose of a community space for the life of the building at no cost to either the Responsible Authority or the Responsible Authority’s approved manager.

Davison Lane Widening

27. Before the use(s) start, Davison Lane must be widened from the intersection at Coles Terrace for a length of approximately 171.0m generally in accordance with CDA Design Plan TP01 - A dated 1 June 2009 and reconstructed including the consequential construction of footpaths, lighting and associated drainage infrastructure for this length to enable the support of an 8.8m garbage truck to the satisfaction of the Responsible Authority.

28. Before the development starts, or as otherwise agreed in writing by the Responsible Authority, detailed engineering design drawings to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the engineering design drawings will be endorsed and will then form part of the endorsed plans. The Davison Lane road widening, footpath construction, construction works, lighting and associated drainage infrastructure and works must be designed and constructed in accordance with the Responsible Authority’s standards and all relevant Austroads Standards.

29. The works described in condition 26 must be completed to the satisfaction of the Responsible Authority prior to the issuance of a Certificate of Occupancy.

30. All costs associated with the Davison Lane road widening, footpath construction, reconstruction work and associated drainage infrastructure and works must be borne by the owner of the land / applicant.

Coles Terrace

31. Before the uses start, Coles Terrace must be reconstructed from the intersection of Davison Lane and Burnley Street including any associated drainage infrastructure and works to the satisfaction of the Responsible Authority.

32. All costs associated with the Coles Terrace reconstruction and associated drainage infrastructure and works (underground connection between 520 Victoria and 2A Burnley Street and 2 – 30 Burnley Street, Richmond) must be borne by the owner of the land / applicant.
33. Before the development starts, or as otherwise agreed in writing by the Responsible Authority, detailed engineering design drawings to the satisfaction of the Responsible Authority must be submitted and approved by the Responsible Authority and VicRoads. The Coles Terrace reconstruction and associated drainage infrastructure and works (including the underground connection between 520 Victoria and 2A Burnley Street and 2 – 30 Burnley Street, Richmond) must be designed and constructed in accordance with the Responsible Authority’s standards and all relevant Austroads Standards.

34. The approved Coles Terrace reconstruction works referred to in condition 31 must be undertaken and completed prior to the issuance of a Certificate of Occupancy.

35. Before any works associated with the underground connection between 520 Victoria and 2A Burnley Street and 2 – 30 Burnley Street, Richmond, all required licenses, agreements and insurance must be submitted to the Responsible Authority, and at no cost to the Responsible Authority.

Southern access way

36. Before the occupation of the development, the Southern Access-way must be constructed and the removable bollards to Davison Lane installed to the satisfaction of the Responsible Authority.

37. All costs associated with the construction of the Southern Access-way and the installation of the bollards and any other associated works including any modifications to public assets owned or controlled by the Responsible Authority must be borne by the owner of the land / applicant.

38. The southern access-way must be maintained as a private road with unfettered pedestrian and bicycle public access at all times

39. The removable bollards located at the western end of the Southern access-way may only to be removed for the purpose of garbage collection or for use by emergency vehicles.

Main Vehicular access way

40. The removable bollards located at the western end of the main vehicular access-way may only be removed for the purpose of garbage collection or for use by emergency vehicles.

Road Infrastructure Works

41. Prior to the occupation of the development, all the footpaths and kerb and channel surrounding and adjacent to the subject development must be reconstructed in accordance with the Responsible Authority’s engineering standards and requirements and to the satisfaction of the Responsible Authority.

General Parking Areas
42. No fewer than 411 car parking spaces (and 190 bicycle parking spaces) must be provided on the land at all times.

43. The development must provide a minimum of 2 showers and change rooms for use by all employees of the commercial components of the development.

44. The area set aside for the parking of vehicles, together with the associated access lanes as delineated on the endorsed plan must:
   (a) be provided and completed to the satisfaction of the Responsible Authority prior to the commencement of the development hereby permitted;
   (b) thereafter be maintained to the satisfaction of the Responsible Authority;
   (c) be made available for such use at all times and not used for any other purpose;
   (d) be properly formed to such levels that it can be used in accordance with the endorsed plan; and
   (e) be drained and sealed with an all weather seal coat.

45. Prior to the occupation of any dwelling, car parking must be allocated to each apartment in accordance with the transport management plan (Condition 9).

Food and Drink Premises (Café)

46. Except with the written consent of the Responsible Authority, no more than 100 patrons may be present within the food and drink premises (café) at any one time.

47. The food and drink premises (café) must only operate between the hours of 7.00 am and 10.00 pm on any day unless with the further written consent of the Responsible Authority.

48. The outdoor area associated with the food and drink premises (café) must only operate between the hours of 8.00 am to 8.00 pm on any day, unless with the further written consent of the Responsible Authority.

49. Noise emissions from the food and drink premises (café) must comply with any relevant State environmental protection policy or any other standard recommended by the Environment Protection Authority.

50. Except with the written consent of the Responsible Authority music must not be played outside of the premises.

51. Bottles must not be emptied into garbage bins after 10:00pm on any night, or before 7:00am on any day unless the activity is inaudible from within any nearby residential premises.

Convenience shop premises

52. The convenience shop use hereby permitted must only operate between the hours of 6.00 am to 10.00 pm unless with the further written consent of the Responsible Authority.
53. Noise emissions from the convenience shop hereby approved must comply with the State Environment Protection Policy or any other standard recommended by the Environment Protection Authority.

Noise

54. Noise emanating from the development, including plant and other equipment, must comply with the State Environment Protection Policy N-1.

General amenity conditions

55. Alarms associated with the commercial premises must be directly connected to a security service and must not produce noise beyond the premises.

56. The amenity of the area must not be detrimentally affected by the use or development, 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.

Lighting

57. The development must be provided with external lighting capable of illuminating access to each car parking space, motorcycle parking space, bicycle parking space, store, rubbish bin, recycling bin, pedestrian walkways, stairwells, lift, dwelling entrances and entry foyer. Lighting must be located, directed, shielded and of limited intensity so that no nuisance or loss of amenity is caused to any person within and beyond the site, to the satisfaction of the Responsible Authority.

Waste Management

58. Prior to the occupation of the dwellings the owner of the land / applicant must submit a waste management plan in consultation with and to the approval of the Responsible Authority. Once approved the waste management plan must be complied with. Collection must be undertaken by private contractors or by Yarra City Council subject to agreement. The Waste Management Plan must include, but is not limited to, the following information:
   (i) weekly collection frequency (with not more than twice weekly if sufficiently justified);
   (ii) waste weekly quantities in cubic metres of garbage and recycling that will be generated;
   (iii) waste containers to accommodate the waste generated;
   (iv) appropriately sized bin storage area;
   (v) details of path of access for collection vehicles to the collection point, including turning templates for the vehicle;
   (vi) the actual collection process and procedures; and
   (vii) details as to how owners and occupiers of the dwellings are made aware of the collection agreement.
Rubbish, including bottles and packaging material, must at all times be stored within the building and screened from external view. All waste collection and recycling collection to be undertaken by private contractors between the hours specified in Council’s Local Law No. 3.

Environmental audit

Prior to the occupation of any building authorised by this Incorporated Plan:
(a) any conditions specified in a Statement of Environmental Audit relied upon by the owner of the land / applicant (including any conditions of an ongoing nature) must be complied with to the written satisfaction of the environmental auditor who issued the Statement or other auditor accredited to make Statements under Section 53Z of the Environment Protection Act 1970; and
(b) the owner of the land / applicant must submit to the Responsible Authority a copy of a statement from such auditor verifying compliance with the conditions or, in the event of a condition of an ongoing nature, that the conditions are being complied with.

Any ongoing groundwater management and abatement of groundwater contamination must be in accordance with all requirements of any Clean Up Notice issued by the Environment Protection Authority under section 62A of the Environment Protection Act 1970, or any other relevant written notice or direction issued by the Environment Protection Authority, to the satisfaction of the Environment Protection Authority.

A copy of the certificate of environmental audit and/or statement, and the complete audit report and audit area plan must be submitted to the Responsible Authority.

The use and/or development/buildings and works allowed by this Incorporated Plan must comply with the directions and conditions of any statement of environmental audit issued for the land.

Prior to the occupation of dwellings a letter must be submitted to the Responsible Authority by an Environmental Auditor accredited with the Environmental Protection Authority, to advise that all construction and remediation works necessary and required by an environmental audit or statement have been carried out.

Soil removal

Any handling and disposal of contaminated site soil must be in accordance with the requirements of any statement of environmental audit issued for the land, the requirements of the Environment Protection Authority and the Environment Protection Act 1970.

The landowner and all its successors in title or transferees must, upon release for private sale of the parent lot or each of the lots, created by the subdivision, include in the vendor’s statement pursuant to section 32 of the Sale of Land Act 1962 annexed to the contract of sale for the sale of the land, a copy of the endorsed development plans and conditions of the Incorporated Plan and must identify that the land is subject to an Environmental Audit Overlay, and that an Environmental Audit is required to be submitted to the Responsible Authority prior to the construction, above 2.4m, of the basement, footings and floor slabs and “blockwork” for external and party walls.
Construction Management Plan

67. Before any development starts, 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 as evidence of its approval. The plan must provide for or include the following:
   (a) a pre-conditions survey (dilapidation report) of the subject site and all adjacent Council roads frontages and nearby road infrastructure;
   (b) protection works necessary to road and other infrastructure (limited to an area reasonably proximate to the site);
   (c) remediation of any damage to road and other infrastructure (limited to an area reasonably proximate to the site);
   (d) containment of dust, dirt and mud within the site and method and frequency of clean up procedures in the event of build up of matter outside the site;
   (e) on site facilities for vehicle washing;
   (f) methods for management of noise and general nuisance;
   (g) site security;
   (h) waste and stormwater treatment;
   (i) construction program;
   (j) preferred routes for trucks delivering to the site;
   (k) parking facilities for construction workers;
   (l) delivery and unloading points and expected frequency;
   (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) traffic management measures to comply with provisions of AS 1742.3-2002 Manual of uniform traffic control devices - Part 3: Traffic control devices for works on roads.

Construction

68. During the construction, the following must occur:
   (a) any stormwater discharged into the stormwater drainage system to comply with EPA guidelines;
   (b) stormwater drainage system protection measures must be installed as required to ensure that no solid waste, sediment, sand, soil, clay or stones from the premises enters the stormwater drainage system;
   (c) vehicle borne material must not accumulate on the roads abutting the site;
   (d) the cleaning of machinery and equipment must take place on site and not on adjacent footpaths or roads;
   (e) all litter (including items such as cement bags, food packaging and plastic strapping) must be disposed of responsibly; and
   (f) all site operations must comply with the EPA Publication TG302/92.

69. The development, once commenced, must be completed to the satisfaction of the Responsible Authority.

Department of Transport
70. Prior to the first occupation of the residential component of the development a Green Travel Plan must be prepared by a suitably qualified person to the satisfaction of the Director of Transport. The GTP must:
   (a) describe the location in the context of alternative modes of transport and objectives for the GTP;
   (b) outline GTP commitments for the development including, but not limited to:
      (i) New resident welcome packs;
      (ii) Possible incentives (e.g. provision of Metcards/Myki);
      (iii) Cycle parking and facilities available;
      (iv) GTP management; and
      (v) Monitoring and Review.
71. Once approved the GTP must form part of the endorsed plans or any ongoing management Plan for the site (Such as Owners Corporation Rules) to ensure the plan continues to be implemented by occupants of the building to the satisfaction of the Responsible Authority.

VicRoads Conditions
72. Amended plans are to be submitted to the satisfaction of VicRoads and for endorsement by the Responsible Authority, incorporating minimum 2.75m wide lanes for the northern access egress lanes, and a No Right Turn sign at the southern access facing southbound on Burnley Street;
73. Prior to the commencement of use, the applicant is required to remodel the existing traffic signals at the intersection of Burnley Street and the Victoria Gardens access to incorporate the subject site’s northern access. The owner of the land / applicant is required to fund all works associate with the traffic signal remodel;
74. Prior to the commencement of any works on site, functional layout plans of the required traffic signal remodel and associated SIDRA analysis are to be submitted to and approved by VicRoads;
75. Any modifications to the building layout as a result of the approved signal remodel plans shall be incorporated into amended plans and submitted to and approved by VicRoads;
76. To the satisfaction of and at no cost to VicRoads and the Responsible Authority the proposed southern crossover to Burnley Street shall be constructed to a minimum width of 5.5 metres at the property boundary, flared 60 degrees with 3 metre radial turnouts and 1.0 metre clearance to any fixed objects, signage, trees, power poles, pits etc in the road reserve;
77. At no cost to VicRoads and the Responsible Authority, the developer shall be responsible for the relocation of any road furniture and other services that may be required in this work;
78. Any redundant crossovers to the site from Burnley Street and Victoria Street shall be removed and the kerb and channel, footpath and nature strip reinstated to the satisfaction of and at no cost to the Roads Authority or the Responsible Authority;
79. There shall be no gates or obstructions to traffic flow within 10m of the site boundary;

80. All mitigating works are to be completed at no cost to and to the satisfaction of VicRoads and the Responsible Authority;

81. A separate application is required for any proposed signage;

82. Work site traffic management practices must be in accordance with the Australian Standard A.S. 1742.3-2002 “Manual of uniform traffic control devices – Part 3: Traffic control devices for works on roads”;

83. A traffic management plan as required under Australian Standard A.S. 1742.3-2002 is required to be submitted to and approved by VicRoads prior to any works within Burnley Street or Victoria Street.

84. All VicRoads requirements are also to be submitted to and approved in writing by the Responsible Authority.

Construction hours and noise

85. Except with the written consent of the Responsible Authority, demolition or construction works must only be carried out between: 7.00 am – 6.00 pm, Monday-Friday (excluding public holidays) and 9.00 am – 3.00 pm, Saturday and public holidays. No work is to be carried out on Sundays, ANZAC Day, Christmas Day or Good Friday without a specific permit. All site operations must comply with the relevant Environmental Protection Authority's Guidelines on Construction and Demolition Noise.