



PLANNING PERMIT (AMENDED)

PLN19/0931

Address of the land: 1 Latrobe Ave, Alphington VIC 3078

The permit allows: In accordance with the endorsed plans:

- Development of the Land for a multi-storey apartment building and townhouses; and
- a reduction of the statutory car parking requirements.

The following conditions apply to the 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 Drawing Ref. TP02 TP04, TP10-TP16, TP20- TP23, TP30-TP31, TP40-TP45, TP60-TP69, TP100-TP 124, TP200-TP201, TPTP107, TP200-TP201, TP300-TP307 prepared by Techne Architecture dated 12 March, 13 March & 16 March 2020 but modified to show:
 - a. The following changes as demonstrated in the Sketch Plans (dated 8 December 2020);
 - i. The glazed wall between the entrance ramp and lobby of the Wetlap building;
 - ii. The additional glazing within the façade of the residential entrance to the Wetlap building;
 - iii. The additional windows and amended materiality of the southern walls of Lofts 6 & 12;
 - iv. The increased scale of the waste storage area in the basement;
 - v. The relocation of the switch room from the northern boundary to the basement, and the relocation of the water meter from the northern boundary to the southern boundary;
 - vi. The removal of the separate 'studies' in apartments G4, 1.4, 2.4 & 3.4;
 - vii. The reduced room depth (to a maximum of 9m) for Loft Type 2;
 - viii. The addition of wheel stops in each of the Loft apartment car parking spaces;
 - ix. All changes to the basement and car parking layout including;
 1. Dimensions of internal headroom clearances for all entrances/doorways and car parking spaces;
 2. Column depths and setbacks;
 3. Clearance to walls; and
 4. Blind aisle extensions.
 - b. Amended drawings TP12- TP16 to demonstrate a minimum 1.5m setback from the western boundary for Levels 1-5 of the Loft apartments;
 - c. The location of screening for bedroom windows in Apartment G1, 1.1, 2.1, 3.1 & 4.1 to be shown consistently on all floor plans and elevations;
 - d. The height of the internal screening between balconies/roof terraces to be notated on the plans (with a minimum height of 1.8m provided);

- e. The southern side of the roof terrace associated with TH1 to be screened in accordance with Clause 55.04-6 of the Yarra Planning Scheme;
- f. The internal ramp adjacent to the Wetlap building pedestrian lobby to have a minimum width of 1.5m;
- g. The amendment of the dimensions of the walkways associated with the Loft apartments from 1.275 to 1.5 metres with the balance of the walkway at 1.8 metres in width;
- h. Location and details of lighting to all lobby areas and dwelling entrances;
- i. Details of signage and line marking to assist in providing a safe pedestrian 'walkway' between the Paper Square Park and the Paper Trail (via the internal accessway);
- j. The maximum height of fencing along the western frontage of the Loft apartments to be 2.6m;
- k. Location of the substation concealed from the public realm or otherwise suitably integrated into the development unless confirmation is provided by the relevant authorities that these services are not required;
- l. Location of air-condensers for all apartments and townhouses, with these to be concealed from the public realm and located away from proposed plantings;
- m. Location of individual mailboxes for each townhouse;
- n. The provision of a minimum of 6 cubic metres of storage for each townhouse;
- o. Bathrooms to accessible apartments to demonstrate full compliance with either Option A or Option B in Table D4 of clause 58.05-1, with a minimum of 50% of a apartments (inclusive of Wetlap and Loft apartments) to meet this Standard;
- p. The location of the EV charging space within the basement;
- q. Electric Vehicle infrastructure as follows:
 - i. One or more distribution boards within each basement level with capacity for future installation of 2 pole Residual Current Circuit Breakers with Overcurrent Protection (RCBOs) sufficient to supply 1 x 7kW (32amps) electric vehicle charger for each parking space;
 - ii. A scalable load management system to ensure electric vehicles are only charged when the building electrical load is below the nominated peak demand;
 - iii. Wiring from the main switchboard to the distribution boards, and cable tra to hold future individual outgoing circuits to electric vehicle chargers.
- r. any requirements as a result of the endorsed Sustainable Management Plan report pursuant to condition 11 to be shown on plans; and
- s. any amendments as require by the endorsed Landscape Plan pursuant to condition 13 to be shown on plans.

Ongoing Architect Involvement

- 2. As part of the ongoing consultant team, techne Architecture 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.

General

3. The 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.
4. Finished floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.
5. Before the buildings are 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.
6. All the buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
7. All pipes, fixtures, fitting 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.
8. Before the buildings are occupied, any wall located on a boundary facing public property must be treated with a graffiti proof finish to the satisfaction of the Responsible Authority.

Staging

9. Before development commences, a Staging plan must be submitted to and be approved to the satisfaction of the Responsible Authority. The Staging Plan must include, but not limited to, plans and information detailing any public realm works, proposed temporary treatment and use of vacant land. The development must proceed in order of the stage as shown on the endorsed plan(s), unless otherwise agreed to in writing by the Responsible Authority.

Façade Strategy

10. In conjunction with the submission of development plans under Condition 1, a Façade Strategy and Materials and Finishes Plan to the satisfaction of the Responsible Authority must be submitted to and be approved by the Responsible Authority. When approved, the Façade Strategy and Materials and Finishes Plan will be endorsed and will then form part of this permit. This must detail:
 - a. elevation drawings at a scale of 1 :20 illustrating typical podium details, entries and doors, and utilities and typical tower facade details;
 - b. section drawings to demonstrate façade systems, including fixing details and joints between materials or changes in form;
 - c. information about how the façade will be maintained, including any vegetation; and a sample board and coloured drawings outlining colours, materials and finishes.

Sustainable Management Plan

11. In conjunction with the submission of development plans under Condition 1, an amended Sustainable Management Plan (SMP) 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 SMP must be generally in accordance with the Sustainable Management Plan prepared by Cundall and dated 21 January 2021, but modified to include or show:

- a. All dwellings designed to not exceed the 21 MJ/m² cooling loads;
- b. Demonstrate compliance with BESS section 1.1 by providing daylight modelling to a select sample of living areas including kitchens.
- c. Electric Vehicle infrastructure as follows:
 - i. One or more distribution boards within each basement level with capacity for future installation of 2 pole Residual Current Circuit Breakers with Overcurrent Protection (RCBOs) sufficient to supply 1 x 7kW (32amps) electric vehicle charger for each parking space;
 - ii. A scalable load management system to ensure electric vehicles are only charged when the building electrical load is below the nominated peak demand; and
 - iii. Wiring from the main switchboard to the distribution boards, and cable tray to hold future individual outgoing circuits to electric vehicle chargers.

12. The provision, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Landscaping

13. In conjunction with the submission of development plans under condition 1, 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 Concept Plan prepared by MDG and dated 22 December 2020, but modified to include (or show):
- a. Consistency with the architectural drawings pursuant to Condition 1;
 - b. Location and details of lighting to illuminate the publicly accessible walkways, communal courtyards, building and dwelling entries;
 - c. A fully resolved levels and grading plan to demonstrate that overland flow is addressed accordingly;
 - d. Show any required tactiles and handrails, to be accommodated within title boundaries;
 - e. Confirmation that the clear width of the ramp along the shared interface with the Townhouses and Paper Square Park will be a minimum width of 1.5m, with the location of the required handrails shown;
 - f. Confirmation that the full extent of the entrance ramp to the Wetlap building will have integrated access to the Paper Trail;
 - g. Confirmation of seating proposed in front of the pedestrian entrance to the Wetlap building (if any);
 - h. Any exposed drainage infrastructure (e.g. trench grates) and confirmation on how irrigation and drainage to the garden beds, trellis and planter landscaping will be provided;
 - i. Nominated plant species, including plant quantities for individual planters;
 - j. Confirmation that no plant species are listed on DELWP's listing of environmental weed species; and

- k. Maintenance program for all landscaped areas, garden beds (with particular reference to the eastern garden beds of the Wetlap building) and climbing plant species, planter boxes on balconies and terraces.
14. Before the building is occupied, or such later date as is approved by the Responsible Authority, the landscaping works shown on the endorsed landscaping plan must be carried out and completed to the satisfaction of the Responsible Authority. The landscaping shown on the endorsed plans 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;
 - c. Functioning irrigation system to all planted areas, and
 - d. replacing any dead, diseased, dying or damaged plants, all to the satisfaction of the Responsible Authority.

Lighting

15. Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating pedestrian walkways and dwelling entrances must be provided. Lighting must be:
- a. located;
 - b. directed;
 - c. shielded; and
 - d. of limited intensity,
 - e. to the satisfaction of the Responsible Authority.

Waste Management Plan

16. Before the development commences, an amended Waste Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Waste Management Plan will be endorsed and will form part of this permit. The amended Waste Management Plan must be generally in accordance with the Waste Management Plan prepared by Irwin Consu and dated 17 December 2020, but modified to include:
- a. Any changes required as a result of the amended plans pursuant to Condition 1.
17. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Green Travel Plan

18. Before the development commences, an amended Green Travel Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Green Travel Plan will be endorsed and will form part of this permit. The amended Green Travel Plan must be generally in accordance with the Green Travel Plan prepared by GTA Consultants and dated 16 December 2019, but modified to include or show:
- a. Updated visitor and residential bicycle layout and provision; and
 - b. Any other changes as a result of the amended plans pursuant to Condition 1.

19. The provisions, recommendations and requirements of the endorsed Green Travel Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
20. Before the development commences, the provision of a schedule outlining the overall number and location of visitor bicycle parking spaces proposed within the Workshop Precinct.

Road Infrastructure

21. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, vehicle access from Joel Terrace 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.
22. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any damaged roads, footpaths and other road related infrastructure adjacent to the development site as a result of the construction works, including trenching and excavation for utility service connections, must be reconstructed:
 - a. at the permit holder's cost; and
 - b. to the satisfaction of the Responsible Authority.
23. Before the buildings are occupied, the footpaths, kerbs, channels and roadways adjacent to the site are to be constructed to the satisfaction of the Responsible Authority.

Car Parking

24. 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. line-marked or provided with some adequate means of showing the car parking spaces;
 - d. to the satisfaction of the Responsible Authority.

Substation

25. * Before the building is occupied, the substation forming part of the development approved by Planning Permit PLN19/0606 affecting land at 60 Chandler Highway, Alphington, must be constructed and energised to the satisfaction of the power authority (Jemena) and the Responsible Authority, including any leases, easements or other agreements required by the power authority (Jemena) to enable energisation.

Developer Contributions

26. Unless the development is exempt pursuant to clause 4.0 of Schedule 1 of the DCPO, prior to the issue of a building permit, commencement of the development, or issue of a Statement of Compliance (whichever occurs first) the Development Infrastructure Levy must be paid to Yarra City Council in accordance with the approved Development Contributions Plan, or the Owner must enter into an agreement with Yarra City Council to pay the amount of the levy within a time specified in the agreement.

Construction Management

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. measures to maintain the access and integrity of the continuous bike path along Heidelberg Road;
 - o. 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;
 - p. 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;
 - q. 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
- r. any site-specific requirements.
 - i. During the construction:
- s. any stormwater discharged into the stormwater drainage system must be in compliance with Environment Protection Authority guidelines;
- t. 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;
- u. vehicle borne material must not accumulate on the roads abutting the land;
- v. the cleaning of machinery and equipment must take place on the land and not on adjacent footpaths or roads; and
- w. all litter (including items such as cement bags, food packaging and plastic strapping) must be disposed of responsibly.

28. If required, the Construction Management Plan may be approved in stages. Construction of each stage must not commence until a Construction Management Plan has been endorsed for that stage, to the satisfaction of the Responsible Authority.

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

30. 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.

Time Expiry

31. 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.

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

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

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

A local law permit (e.g. Asset Protection Permit, Road Occupation Permit) may be required before development is commenced. Please contact Council's Construction Management Branch on Ph. 9205 5555 to confirm.

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

The applicant must apply for a Legal Point of Discharge under Regulation 610 - Stormwater Drainage of the Building Regulations 2006 from Yarra Building Services unit. 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), or to Council's satisfaction under Section 200 of the Local Government Act 1989 and Regulation 610.

Prior of the commencement of the development, the permit holder must provide Council with the location of all future assets within the road reserve. Offsets, depths and gaps in between services must comply with the requirements of new 2016 version of the Code of Practice - Management of Infrastructure in Road Reserves.

Prior to the issue of a building permit for the development allowed by this permit, the Community Infrastructure Levy must be paid to Yarra City Council in accordance with the approved Development Contributions Plan.

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

Date of order	
27 May 2021	Planning Permit PLN19/0931 was issued in accordance with the order of the Victorian Civil and Administrative Tribunal, reference P1813/2020 via consent.

THIS PERMIT WAS AMENDED AS FOLLOWS:

Date of amendment	Brief description of amendment
1 June 2022	Pursuant to Sections 73 and 74 of the <i>Planning and Environment Act 1987</i> , amend the permit to include a new permit condition 25 regarding the use of the substation in Precinct 6 (PLN 19/0606)

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 Administration 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 five 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 must be lodged with the [Victorian Civil and Administrative Tribunal \(VCAT\)](#).
- An application for review must be made on the relevant form which can be obtained from [Victorian Civil and Administrative Tribunal \(VCAT\)](#) and must 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 also be served on the responsible authority.

Information about the VCAT process, applications for review and the fees payable to the Victorian Civil and Administrative Tribunal you can look at Council's website <https://www.yarracity.vic.gov.au/services/planning-and-development/decisions-and-appeals>, [download the Planning proceedings at VCAT factsheet](#) (PDF) or visit the [VCAT website](#).