

PLANNING PERMIT (Amended)

Permit No: PLN17/0908

Planning Scheme: Yarra

Responsible Authority: City Of Yarra

ADDRESS OF THE LAND:

1 Latrobe Ave Alphington VIC 3078

THE PERMIT ALLOWS:

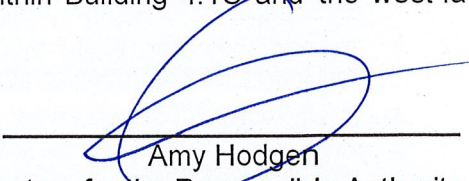
For the purpose of the following, in accordance with the endorsed plan(s).

Development of the land for the construction of townhouses and apartments and reduction in the car parking requirements generally in accordance with the Alphington Paper Mill Development Plan (Precinct 5, North)

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 DKO Architects dated 21 February 2018 and Drawing No. TP101 dated 29 November 2018 but modified to show:
 - (a) Boundary setbacks to the upper levels of Building 4.1E dimensioned, with a minimum 1.5m setback provided from the Outer Circle Street.
 - (b) Screening (or obscure glazing) in accordance with Standard B22 of Clause 55 to the following:
 - i. North-facing study nook window of Lot 20 within Building 4.1e
 - ii. South-facing Level 1 bedroom window of Lot 9 within Building 4.1d
 - iii. Southern side of the roof terrace associated with Lot 9 of Building 4.1d;
 - iv. Easternmost south-facing windows on Levels 2 and 3 of Apartment 206;
 - (c) Northern boundary fence height associated with Lot 10 of Building 4.1E to be nominated at a minimum of 1.7m high and maximum 25 permeability.
 - (d) Remove screening to the Level 3 west-facing living/kitchen windows of Building 4.1b;
 - (e) Remove screening to the Level 2, east-facing balconies of apartments within Building 4.1c;
 - (f) Remove screening to the east-facing dwellings within Building 4.1C and the west-facing dwellings within Building 4.1D

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- (g) Balconies to Units 2.13 to 2.24 within Building 4.1C to achieve a minimum dimension of 2m;
- (h) Front fences reduced to a maximum of 1.2m high with the exception of the west-facing apartments to Building 4.1C, where front fences may be up to 1.7m high with a minimum of 25 per cent openings;
- (i) Side boundary fencing adjacent to Main Street to have a maximum height of 1.8m above the footpath level.
- (j) Mailboxes for the townhouses to be clearly shown on the floor plans and elevations
- (k) Notation that all habitable rooms and shared corridors will be fitted with an operable window.
- (l) Dimension the southern setback at first floor for Building 4.1E, to be a minimum 1.5m from the southern boundary.
- (m) Future title boundaries clearly depicted in all floor plans and elevations

Materials

- (n) Rendered finishes to the dwellings facing the Paper Trail (Building 4.1a) replaced with metal cladding in varying colour finishes, with a rendered finishes to be provided to the section between generally in accordance with the revised façade sketch plans dated 7 November 2018;
- (o) Greater provision of face brick to the southern elevation of Building 4.1e generally in accordance with the revised façade sketch plans dated 7 November 2018.
- (p) Grey and Dark Grey brick finishes to be replaced with warmer/earthier tones to the satisfaction of the Responsible Authority;

Bicycle facilities/Car Parking

- (q) Resident bicycle spaces within the basement car park to be located within a secure facility;
- (r) Additional five bicycle hoops to be located along the Outer Circle Street;
- (s) Relocate the bicycle hoops within the north-south link within Superlot 4.1 closer toward the external street network ensuring that hoops (and parked bicycles) do not obstruct the walkway;
- (t) Width of the vehicle entrance to the carpark via Outer Circle Street and laneways via Latrobe Avenue to be dimensioned;
- (u) Height clearance of the vehicle entrance to the lower ground level carpark
- (v) Vehicle sightline triangles
- (w) Column depths, setbacks and clearances to walls to be dimensioned within the lower ground level carpark;
- (x) Ramp grades in the publically accessible pedestrian walkways (e.g. Pedestrian Link and Linear Park) to be designed in accordance with the Australian Standards AS 1428.1-2009 – Design for access and mobility general requirements for access – New Building Work;
- (y) Widths of adjacent road reserves to be dimensioned.

Reports

- (z) Any amendments as required by the endorsed sustainability management plan including:
 - i. Glazing types
 - ii. solar hot water systems to all townhouses;
 - iii. location and volume of raingardens
 - iv. organic waste

Staging

2. Before the development starts, 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

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of vacant land. The development must proceed in order of the stages as shown on the endorsed plan(s), unless otherwise agreed to in writing by the Responsible Authority.

Layout not altered

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.

Maintenance

4. Before the dwelling approved by this permit is occupied, or by such later date as approved in writing by the Responsible Authority, all screening and other measures to prevent overlooking relating to that dwelling 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.
5. Before a dwelling approved by this permit is occupied, or by such later date as approved in writing by the Responsible Authority, all new on-boundary walls relating to that dwelling must be cleaned and finished to the satisfaction of the Responsible Authority.
6. Within 30 days of the endorsement of plans, or by such later date as approved in writing by the Responsible Authority, samples of external brick finishes to be provided to the satisfaction of the responsible authority.

Landscaping Plan

7. 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 MDG Landscape Architects and dated 1 June 2017, but modified to include (or show):
 - a) Any changes as a consequence of Condition 1;
 - b) Private gardens, paths and fencing to not project beyond the title boundaries along Main Street or the Paper Trail;
 - c) Vehicle sightline triangles, with confirmation that vegetation/fencing etc. will not obstruct views;
 - d) Height, location and material of any retaining walls proposed;
 - e) Cross sections through the north-west walkway within Superlot 4.2 to demonstrate Crime Prevention Through Environmental Design (CPTED) principles are achieved;
 - f) Relocation of the bicycle hoops within the north-south link within Superlot 4.1 closer toward the external street network ensuring that hoops (and parked bicycles) do not obstruct the walkway;
 - g) Use of landscaping rather than bollards to restrict vehicular access from the laneways to the north-south walkway;
 - h) Greater detail on the location of proposed planting
 - i) Include strata cells to increase soil volume around proposed trees
 - j) Provision for above ground irrigation in lieu of sub-surface drippers;
 - k) Additional seating and tree planting along the north-south and east-west walkways of Superlot 4.2.

to the satisfaction of the Responsible Authority.

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8. Before the buildings are occupied within the relevant stage, or by such later date as approved in writing by the Responsible Authority, the landscaping works shown on the endorsed Landscape Plan must be carried out and completed to the satisfaction of the Responsible Authority. The landscaping shown on the endorsed Landscape Plan must be maintained by:
- (a) implementing and complying with the provisions, recommendations and requirements of the endorsed Landscape Plan;
 - (b) not using the areas set aside on the endorsed Landscape Plan for landscaping for any other purpose; and
 - (c) replacing any dead, diseased, dying or damaged plants,
- to the satisfaction of the Responsible Authority.

Environmentally Sustainable Design

9. Before the development commences, an amended Sustainable Design Assessment to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Sustainable Design Assessment will be endorsed and will form part of this permit. The amended Sustainable Design Assessment must be generally in accordance with the Sustainable Design Assessment prepared by Lucid and dated 13 February 2018, but modified to include or show:
- (a) Sample NatHERS ratings including cooling loads;
 - (b) Updated daylight analysis with clear glazing in lieu of tinted glazing to external windows, except as required to achieve NatHERS ratings, to the satisfaction of the Responsible Authority.
 - (c) Solar hot water to be provided to all townhouses;
 - (d) Raingardens to be consistent with the STORM report (i.e. 16sqm)
 - (e) Total rainwater tank volume consistent between the SMP and BESS assessment.
 - (f) Provision for an organic waste management system for Superlot 4.1
10. The provisions, recommendations and requirements of the endorsed Sustainable Design Assessment must be implemented and complied with to the satisfaction of the Responsible Authority.

Waste Management

11. 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 Leigh Design and dated 29 June 2018, but modified to include:
- (a) Organic waste management for Superlot 4.1
12. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Construction Management Plan

13. 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.

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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.

During the construction:

- (p) any stormwater discharged into the stormwater drainage system must be in compliance with Environment Protection Authority guidelines;
 - (q) 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;
 - (r) vehicle borne material must not accumulate on the roads abutting the land;
 - (s) the cleaning of machinery and equipment must take place on the land and not on adjacent footpaths or roads; and
 - (t) all litter (including items such as cement bags, food packaging and plastic strapping) must be disposed of responsibly.
14. The provisions, recommendations and requirements of the endorsed Construction Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

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15. 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.

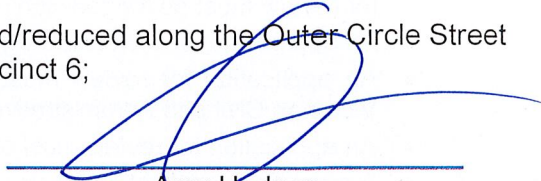
Infrastructure

16. Before the buildings are occupied with the relevant stage, 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 (including single full-width pavement areas to avoid construction joins as required by the Responsible Authority):
- (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
17. Before the buildings are occupied within the relevant stage, 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.
18. Before the buildings are occupied within the relevant stage, 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.

Car Parking Management Plan

19. Before the buildings within Superlot 4.1 are occupied, a Car Park Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Car Park Management Plan will be endorsed and will form part of this permit. The Car Park Management Plan must address, but not be limited to, the following:
- (a) Provision of the following minimum onsite parking allocation rates:
 - i. 2 spaces per 3 bedroom dwelling;
 - ii. 1 space per 2 bedroom dwelling;
 - iii. 1 spaces for residential visitors;
 - (b) Details on how potential conflicts will be managed/reduced along the Outer Circle Street having regard to the future vehicle access to Precinct 6;

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- (c) a schedule of all proposed signage including directional arrows and signage, informative signs indicating location of bicycle parking, exits, restrictions etc;
- (d) the management of the visitor car parking space and security arrangements for occupants of the development, including details on how residential visitors are to access car parking; and
- (e) Any tandem parking spaces allocated to a single dwelling.

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

Outer Circle Street Streetscape Plan

20. Within 6 months of commencement of the development or at a later date as agreed in writing by the Responsible Authority, an Outer Circle Street Streetscape plan must be submitted and approved by the Responsible Authority. When approved, the Outer Circle Street Plan will be endorsed and will form part of this permit. The Outer Circle Street Plan to include (or show):
- (a) Minimum road reserve width of 13.5m including:
 - i. Minimum footpath widths of 1.5m and
 - ii. Minimum carriageway width of 5.5m
 - (b) On-street car spaces dimensioned and designed in accordance with Australian Standard AS 2890.5 – 1993, unless otherwise specified by the Responsible Authority;
 - (c) Planting Schedule of all proposed trees, shrubs and ground covers including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant;
 - (d) Urban Design elements including but not limited to paving for all publically accessible spaces, lighting and seating and bicycle hoops;
 - (e) Any water sensitive urban design features;
 - (f) Staging of streetscape works (if required);
 - (g) Interim concept plan to enable access to the site based on existing conditions (if required; and
 - (h) Provision for underground power, unless an alternative arrangement is agreed with the Responsible Authority.

Lighting Design

21. Within 3 months of commencement of the development or at a later date as agreed in writing by the Responsible Authority, a Lighting Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The Lighting Plan must address lighting within the internal streets and other publicly accessible areas and the entrances to the approved dwellings. When approved, the Lighting Plan will be endorsed and will form part of this permit. The Lighting Plan must provide for:
- (a) A lighting scheme designed for new open public roads within the curtilage of the property that complies with uniformity requirements as per Australian Standard AS1158.3.1;
 - (b) The control of light spillage into the windows of existing and proposed residences to comply with the requirements of AS 4282 – 1997, "Control of the obtrusive effects of outdoor lighting";
 - (c) The locations of any new light poles so as not to obstruct access into private garages/off and on street parking places;
 - (d) Lighting to all walkways and external common areas in accordance with Australian Standard AS 1158.3.1;
 - (e) Lighting to all primary pedestrian access points to a residential property to satisfy at least level P4 as per Australian Standard AS 1158.3.1;
 - (f) A maintenance regime for the lighting scheme within the curtilage of the property.

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- (g) The use of energy efficient luminaries and/or solar lighting technologies to reduce carbon emission if possible.
22. The provisions, recommendations and requirements of the endorsed Lighting Plan must be implemented and complied with at no cost to Council and to the satisfaction of the Responsible Authority.
23. Before the buildings are occupied within the relevant stage, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating pedestrian walkways and dwelling entrances of that stage must be provided. Lighting must be:
- (a) located;
 - (b) directed;
 - (c) shielded; and
 - (d) of limited intensity,

to the satisfaction of the Responsible Authority

Section 173 Agreement

24. Unless otherwise agreed by the Responsible Authority, prior commencement of the development authorised by this permit, the owner (or another person in anticipation of becoming the owner) must enter into an agreement with the Responsible Authority under section 173 of the *Planning and Environment Act 1987*, which provides for the following:
- (a) Streetscape works including all paving, planting and drainage in accordance with the approved Outer Circle Streetscape Plan required pursuant to condition 19 of this permit to be carried out and completed to the full cost of the permit applicant;
 - (b) Before the occupation of the development approved by this permit, the Outer Circle Street must be substantially completed to the satisfaction of the Responsible Authority;
 - (c) The cost of carrying out these works to be bonded, unless otherwise agreed with Council; and
 - (d) Unfettered 24 hours public access through the to be maintained within Outer Circle Street;

The owner, or other person in anticipation of becoming the owner, must meet all of the expenses of the preparation and registration of the agreement, including the Responsible Authority's costs and expenses (including legal expenses) incidental to the preparation, registration and enforcement of the agreement.

Public Transport Victoria

25. The permit holder must take all reasonable steps to ensure that disruption to bus operation along Heidelberg Road is kept to a minimum during the construction of the development. Foreseen disruptions to bus operations during construction and mitigation measures must be communicated to Public Transport Victoria eight (8) weeks prior by emailing customerservice@ptv.gov.au.

Expiry

26. 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.

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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 5095 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 5095 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 5585 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.

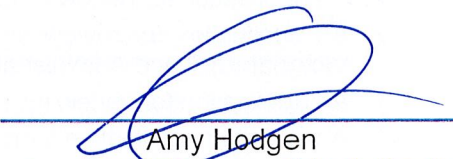
The applicant must apply for a Legal Point of Discharge under Regulation 610 – Stormwater Drainage of the Building Regulations 2006 from Yarra Building Services unit. Any storm water drainage within the property must be provided and be connected to the nearest Council pit of adequate depth and capacity (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.

THIS PERMIT HAS BEEN AMENDED AS FOLLOWS:

Date of Amendment	Brief Description of Amendment
18/04/2019	Pursuant to Section 73 and 74 of the Planning and Environment Act 1987, the permit conditions amended as follows : <ul style="list-style-type: none">• Delete condition 1(aa)• Modify condition 1(p) to remove works 'with samples to be provided'• Add new condition 6 to require brick material samples to be provided within 30 days of endorsed plans• Renumber remaining conditions accordingly
20/09/2019	Pursuant to Section 73 and 74 of the <i>Planning and Environment Act</i> 1987 amend Conditions 20 and 21 to allow the requirements of these conditions to be satisfied post commencement.

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