



PLANNING PERMIT (AMENDED)

PLN19/0606.03

Address of the land: 60 Chandler Hwy, Alphington VIC 3078

The permit allows: In accordance with the endorsed plans:

- To construct two or more dwellings on a lot
- To construct a building and construct or carry out works
- To reduce the standard car parking requirement

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. A0098 - A0120, A0900-A0902, A0950, A0951, A 1100, A 1600-A 1605, A2050 and A2500 prepared by Elenberg Fraser dated 3 December 2021 but modified to show:
 - a. Eastern elevation of the vehicle entrance, Paper Trail and stairs as viewed from Warson Place depicting greater openings / transparency in the balustrade above the vehicle entrance from the Paper Trail to Warson Crescent, as shown on sketch plan provided on 18 October 2020;
 - b. Detailed design of the main building entrances along the western side of the Paper Trail, so that they are celebrated and properly marked;
 - c. Changes to the north west corner and northern elevation of Building A (at the gateway) to achieve a more robust and clearly defined entry to Mills Boulevard, that more clearly complements Building B on the Artisan West site. This should not increase the overall height, but could comprise a uniform street setback to all levels, and/or bringing the built form to the north-western and northern boundaries of the site;
 - d. Modify the break between Buildings A & B such that it commences at Level 5 rather than Level 6 and make consequential adjustments to the adjacent apartments;
 - e. Modify the break between Buildings B & C to achieve a minimum width clear to the sky of 9 metres and make consequential adjustments to the adjacent apartments;
 - f. To the western elevation, modify the position of the balustrades to the areas of secluded private open space that sit on podium in the breaks between Buildings A, B, C and D, so that the 'higher' balustrade in each break is set further back from Chandler Highway, in order to achieve the appearance of a uniform or similar balustrade height across each break.
 - g. Privacy screens to be annotated as fixed;
 - h. Obscure glazing to prevent overlooking to be depicted as fixed or with restricted openings, including details of any restricted openings;
 - i. Levels at site entrances to align with adjacent built footpaths described in approved Mills Boulevard civil plans (i.e. Reeds Drw. No. 22185E/G);

- j. Notation that the Paper Trail and ramp connecting to Chandler Highway will remain open at all times (i.e. without gates);
 - k. Any louvers to the car park for natural ventilation to be clearly shown on plans and elevations, with such louvers to be appropriately located and integrated into the overall design of the development;
 - l. Notation that rainwater tanks are to be connected to toilets for flushing;
 - m. Bathrooms to accessible apartments to demonstrate full compliance with either Option A or Option B in Table D4 of clause 58.05-1 of the Yarra Planning Scheme or alternative solutions to the satisfaction of the Responsible Authority;
 - n. Visitor bicycle spaces to be designed (and spaced) in accordance with AS2890;
 - o. Plan notations confirming the following infrastructure within both basements:
 - 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 tray to hold future individual outgoing circuits to electric vehicle chargers;
 - iv. Bays to be marked as 'EV ready'.
 - p. Elevations/sections depicting the north and south elevations of each building (excl. North elevation of Building A and south elevation of Building D);
 - q. Remove reference to bicycle spaces outside the subject boundaries.
 - r. any requirements as a result of the endorsed Sustainable Management Plan report pursuant to condition 13 to be shown on plans;
 - s. any requirements as a result of the endorsed Acoustic Report pursuant to condition 15 to be shown on plans;
 - t. any requirements as a result of the endorsed Environmental Wind Assessment pursuant to condition 19 to be shown on plans;
 - u. any amendments as require by the endorsed Landscape Plan pursuant to condition 21 to be shown on plans;
 - v. Detailed survey of adjacent built footpaths demonstrating alignment of levels at entry points.
2. As part of the ongoing consultant team, Elenberg Fraser 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.
 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 buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
7. All pipes, fixtures, fittings and vents servicing any building on the land must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.
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.
9. Communal roof terrace to Building D to be accessible for all residents of the development approved by this permit.
10. The Health and Wellness Centre may only be used by residents of the Former Alphington Paper Mill site (and their guests).
11. 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 (including all lobby areas) and doors, and utilities and typical tower façade 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
 - d. a sample board and coloured drawings and renders outlining colours, materials and finishes.
12. The provisions, recommendations and requirements of the endorsed Façade Strategy must be implemented and complied with to the satisfaction of the Responsible Authority.
13. 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 10 December 2021, but modified to include or show:
 - a. Deleted;
 - b. Head contractor to be ISO 14001 accredited;
 - c. Confirm glazing specified within the daylight modelling is consistent with the thermal comfort assessment and:

- i. is compatible with the acoustic attenuation requirements under the endorsed Acoustic report pursuant to condition 15;
 - ii. does not impact the appearance of the development as shown on the endorsed architectural drawings and within the façade strategy pursuant to condition 11,
 - d. Heating and cooling systems to achieve a 10% improvement in system efficiency based upon the dwelling sample used within the Sustainable Management Plan prepared by Cundall and dated 2 September 2019;
 - e. Details of car park ventilation to both levels of the basement car parking;
 - f. Clarification of 'construction roads' the 95% recycled material target applied, with this located within the subject site pertaining to this permit;
 - g. Demonstrate that all dwellings designed to not exceed the 21 MJ/m2 cooling loads (Le. not just sample);
 - h. 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 tray to hold future individual outgoing circuits to electric vehicle chargers.
14. The provisions, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
15. In conjunction with the submission of development plans under Condition 1, an amended Acoustic Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Acoustic Report will be endorsed and will form part of this permit. The amended Acoustic Report must be generally in accordance with the Acoustic Report prepared by Normal Disney Young dated 3 December 2021, but modified to include (or show, or address):
- a. Remove reference to report being confidential on the front page
 - b. Confirmation that Better Apartments Design Standard 016 targets of 40dBA Leq16h in all living rooms and 35 dBA Leq 8h in bedrooms has been met;
 - c. Dates of noise logging and daily graphical results provided;
 - d. Further information/explanation on how traffic noise measurement data was 'stitched' together to obtain daily average levels;
 - e. Details of traffic counts, including location of the traffic counter, the name of the organisation that undertook the counts and details for the daily counts.
 - f. Weather conditions during the monitored period noted;
 - g. The decibel correction applied to the measured levels to account for the reflections from the hording;
 - h. Specification for non-masonry façade walls, or include a statement that all façade walls exposed to significant levels of road traffic noise are to be masonry.

16. The provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.
17. Ongoing involvement of NDY or otherwise suitably qualified acoustic consultant to the satisfaction of the Responsible Authority, to advise on acoustic measures at detailed design stage of the development.
18. Prior to the occupation of the development, or at a later date as agreed in writing by the Responsible Authority, a further Acoustic Report prepared by NDY or another suitably qualified acoustic engineer, must be submitted to and approved by the Responsible Authority. Once approved by the Responsible Authority, the Acoustic Report will be endorsed and will form part of this permit. The Acoustic Report must assess whether the noise measures contained within the endorsed acoustic report required pursuant to Condition 15 have been implemented and whether they achieve the necessary noise targets contained within.
19. In conjunction with the submission of development plans under Condition 1, an amended Environmental Wind Assessment to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Environmental Wind Assessment will be endorsed and will form part of this permit. The amended Environmental Wind Assessment must be generally in accordance with the Environmental Wind Assessment prepared by MEL Consultants dated 13 July 2020 but modified to include (or show):
 - a. An assessment of the impact upon environmental wind conditions as a result of the amendments pursuant to Condition 1 of this permit.
 - b. Updated wind tunnel testing to include anticipated built form massing of adjoining sites as per the Alphington Paper Mill Development Plan for sites not yet approved i.e. Wetlap precinct.
 - c. An assessment of the environmental wind conditions within private balconies including balconies between Buildings B & C and C & D and any recommended changes needed to achieve walking criteria.
 - d. An assessment of the roof top terraces, with appropriate criteria to be met having regard to the functions of the area e.g. sitting areas.
20. The provisions, recommendations and requirements of the endorsed Environmental Wind Assessment must be implemented and complied with to the satisfaction of the Responsible Authority.
21. 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 Aspect Studios and dated 3 December 2021, 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. Notation/details confirming 'feathering of brick' paving is compatible with proposed concrete plank pavers within the Paper Trail;
 - d. Stairway from the Paper Trail dimensioned at a minimum 1.5m wide;

- e. Greater openings/transparency of the balustrade above the vehicle entrance from the Paper Trail to Warson Crescent as depicted in the sketch plan provided on 18 October 2020 by Elenberg Fraser;
 - f. Front fences to dwellings facing the Paper Trail to be 1.7m in height with 25% openings;
 - g. Details of proposed grading and drainage strategy for open areas;
 - h. Sections through the podium to illustrate coordination with structural design and viability of landscape design;
 - i. Show all tactile pavers and handrails, ensure these are contained within title boundaries;
 - j. ** Deleted **
 - k. Details of the endorsed Heritage Interpretation Strategy pursuant to Condition 23;
 - l. Deleted;
 - m. A third tree added within the garden bed at north-west corner of the site, unless insufficient soil volume is available;
 - n. Further details of proposed junction/interface between the Shared User Path and the proposed bluestone paving (on basement roof slab) along Chandler Highway to ensure a seamless levels transition is achieved;
 - o. Demonstrate that the basement roof slab is concealed by the planter boxes, i.e. no stepping between the Shared User Path and the planter boxes.
 - p. Greater detail regarding soil volume calculations in garden beds, including details of subsurface drainage layers;
 - q. Aside from the area surrounding the onsen, there is to be at least 90% local native plant species;
 - r. Location and details of wayfinding signage;
 - s. Replace loose gravel in south eastern corner adjacent Joel Terrace with a more static material;
 - t. Landscaping within any land available on the eastern side of the Chandler Highway Road reserve along the frontage of the Outer Circle buildings to be planted by the permit holder if acceptable to the Department of Transport and the Responsible Authority;
 - u. Maintenance program for all landscaped areas, lawns, garden beds and climbing plant species, planter boxes on balconies and terraces.
22. 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;
 - d. replacing any dead, diseased, dying or damaged plants, all to the satisfaction of the Responsible Authority.
23. **Within 6 months of the commencement of the development, or at some other time agreed to by the responsible authority,** a Heritage Interpretation Strategy to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Heritage Interpretation Strategy will

form part of this permit. The Heritage Interpretation Strategy must be prepared by a suitably qualified heritage consultant and include/show:

- a. Within the 'Paper Trail' north-south link and other publicly accessible areas, site heritage interpretation signage, entry markers, re-used/recycled materials, artwork associated with the heritage interpretation signage generally in accordance with the endorsed Conservation Management Plan under Volume 2 of the Alphington Paper Mill Development Plan.

24. 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,
to the satisfaction of the Responsible Authority.
25. 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 Consult and dated 6 December 2021, but modified to include
 - a. Any changes required as a result of the amended plans pursuant to Condition 1.
26. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
27. 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 5 September 2019, but modified to include or show:
 - a. Updated visitor bicycle space provision, and
 - b. Any other changes as a result of the amended plans pursuant to Condition 1.
28. The provisions, recommendations and requirements of the endorsed Green Travel Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Department of Transport (Conditions 29-33)

29. Unless otherwise agreed in writing with the Head, Transport for Victoria (TN) before the commencement of the development, excluding excavation, piling, site preparation works, amended plans must be submitted to and approved by the Responsible Authority. The plans must be drawn to scale with dimensions and an electronic copy must be provided. The plans must be generally in accordance with the plans submitted with the application but modified to show:

- a. new/updated bus shelter and all associated infrastructure in an agreed location on Grange Road (development side [south bound]);
 - b. the inclusion of Passenger Information Displays (PIDS) in the vicinity of the bus stop;
 - c. the bus stop clear of any street furniture and obstacles; and
 - d. a design compliant with the Disability Discrimination Act 1992 (Cth); all to the satisfaction of the TN.
30. Prior to the occupation of the development, all works outlined on the endorsed plans for the updated bus stop, must be completed at no cost to and to the satisfaction of the Head, Transport for Victoria.
31. Prior to the occupation of the development, the Head, Transport for Victoria must be provided with GPS co-ordinates of the bus stop(s) and high-resolution photos (300dpi) of the bus stop (streetscape perspective including the entire stop) to the satisfaction of the Head, Transport for Victoria.
32. The permit holder must take all reasonable steps to ensure that disruption to bus operation along Chandler Highway is kept to a minimum during the construction of the development. Foreseen disruptions to bus operations and mitigation measures must be communicated to Head, Transport for Victoria eight (8) weeks prior by telephoning 1800 800 007 or emailingbus.stop.relocations@transport.vic.gov.au
33. The permit holder must ensure that public transport infrastructure is not altered without the consent of the Head, Transport for Victoria or damaged. Any damage to public transport infrastructure must be rectified to the satisfaction of the Head, Transport for Victoria at the full cost of the permit holder.
34. Unless otherwise agreed by the Responsible Authority, prior to the 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. Upon completion of the development, the Owner must provide unfettered 24 hour access:
 - i. to the Paper Trail;
 - ii. from the Paper Trail to Warson Place;
 - iii. Along the ramp connection from Chandler Highway to the proposed street to the south-east;
 - b. The owner is responsible for maintaining the Outer Circle Paper Trail at the cost of the owners of the site and to the satisfaction of the Yarra City Council;
 - c. The owner(s) must obtain and maintain insurance, approved by Yarra City Council, for the public liability and indemnify Yarra City Council against all claims resulting from any damage, loss, death or injury in connection with the public accessing the land described in condition 34(a).

The owner, or other person in anticipation of becoming the owner, must meet all 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.

35. * Within six (6) months of the commencement of the development authorised by PLN19/0931, or such other time as agreed to in writing by the Responsible Authority, 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. The substation forming part of the development approved by Planning Permit PLN19/0606 affecting land at 60 Chandler Highway, Alphington is required for the ongoing and permanent provision of electricity to the land in PLN19/0931 except with prior written approval of the Responsible Authority and the Power Authority (Jemena).
- b. The substation must be constructed and energised to the satisfaction of the power authority (Jemena) before occupation of the development approved in PLN 19/0931, including the entry into any leases, easements or other agreements required by the power authority (Jemena) to enable energisation to proceed.

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.

36. An Environmental Management Plan, with aim for a minimum 80 per cent recycled construction waste, to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority prior to the commencement of development or at a later date approved in writing by the Responsible Authority.

37. Unless the development is exempt pursuant to clause 4.0 of Schedule 1 of the DCPO, prior to the commencement of the development, 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 Development Infrastructure Levy within a time specified in the agreement.

38. Unless the development is exempt pursuant to clause 4.0 of Schedule 1 of the DCPO, prior to the issue of a building permit, the Community 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 Community Infrastructure Levy within a time specified in the agreement.

39. Prior to the issue of a building permit, the Community 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 Community Infrastructure Levy within a time specified in the agreement.

40. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the road (Le. Warson Crescent) providing vehicle access to the site from Latrobe Avenue 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.
41. 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.
42. 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.
43. 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.
44. 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. a Noise and Vibration Management Plan showing methods to minimise noise and vibration impacts on nearby properties and to demonstrate compliance with Noise Control Guideline 12 for Construction (Publication 1254) as issued by the Environment Protection Authority in October 2008. The Noise and Vibration Management Plan must be prepared to the satisfaction of the Responsible Authority. In preparing the Noise and Vibration Management Plan, consideration must be given to:
 - i. using lower noise work practice and equipment;
 - ii. the suitability of the land for the use of an electric crane;
 - iii. silencing all mechanical plant by the best practical means using current technology;
 - iv. fitting pneumatic tools with an effective silencer;
 - v. other relevant considerations; and
- r. any site-specific requirements.
- 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.

45. 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.

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

47. 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.

48. This permit as it relates to development (buildings and works) will expire if one of the following circumstances applies:

- a. The development is not started within three (3) years of the issue date of this permit.
- b. The development is not completed within five (5) years of the issue date of this permit.

In accordance with section 69 of the Planning and Environment Act 1987, an application may be submitted to the responsible authority for an extension of the periods referred to in this condition.

NOTES:

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.

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.

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

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. 92055555 to confirm.

The site is located within an Environmental Audit Overlay. Pursuant to Clause 45.03 of the Yarra Planning Scheme, the requirements of the Environmental Audit Overlay must be met prior to the commencement of development permitted under the permit.

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. 92055555 to confirm.

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

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

THIS PERMIT HAS BEEN AMENDED AS FOLLOWS:

Date of amendment	Brief description of amendment
1 June 2022 (PLN19/0606.01)	Pursuant to Sections 73 and 74 of the Planning and Environment Act 1987, amend the permit by deletion of Condition 21m for the requirement of a bicycle wheel channel along the stairs from the Paper Trail and the addition of a new condition 35 requiring a Section 173 Agreement specifying shared usage of the substation between Precinct 5 (PLN19/0931) & Precinct 6 (PLN19/0606).
28 November 2023 (PLN19/0606.02)	<p>Pursuant to Sections 73 and 74 of the Planning and Environment Act 1987, the permit has been amended to:</p> <ul style="list-style-type: none">• Delete Condition 13(a) relating to the provision of an Environmental Management Plan in conjunction with the endorsed Sustainable Management Plan• Introduce a new Condition 36 requiring the endorsement of the Environmental Management Plan as a standalone requirement. <p>Delete Condition 21(l) to remove reference of the green wall from the requirements of the amended Landscape Plan</p>
14 March 2023 (PLN19/0606.03)	Pursuant to Sections 73 and 74 of the Planning and Environment Act 1987, the permit has been amended to amend Condition 23 to allow for the Heritage Interpretation Strategy to be approved within 6 months post-commencement of the development (in lieu of before the commencement).

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](#).