



PLANNING PERMIT (AMENDED)

PLN19/0841.02

Address of the land: 1-17 Mills Bvd, 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. TP107 (Rev I), TP200- TP306 (Rev L), TP307-TP308 (Rev I), TP404-TP416 (Rev L), TP417-TP422 (Rev I), TP500 (Rev L) prepared by DKO Architecture (Vic.) Pty Ltd dated 3 December 2021 but modified to show:
 - (a) The deletion of Level 9 from Building B (aside from the lift, stairs and lift lobby), with the rooftop above Level 8 to comprise lift and stair access, a lift lobby, communal open space, and various equipment and services.
 - (b) Dimension the clearance height of the canopy from the footpath/walkway, achieving a minimum clearance of 2.7m and a minimum setback of 0.75m from the edge of the kerb to Chandler Highway;
 - (c) Confirmation that levels of Mills Boulevard reflect approved streetscape plan (i.e. Yarrabend – Park Precinct, Mills Boulevard; Ref 22185E/G);
 - (d) Detailed survey of adjacent built footpaths demonstrating alignment of levels at entry points;
 - (e) Access doors into the lobby of Building B to not open outward;
 - (f) Location and details of lighting to all lobby areas and dwelling entrances;
 - (g) External doors and walls to Buildings A and C entrance lobbies to be composed of clear glazing;
 - (h) Location of awning windows to be clearly depicted on floor plans (consistent with elevations);
 - (i) Operable windows to be included on two or more sides of a bedroom or living room where glazing is provided;
 - (j) Location of the fire booster cabinet/s 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;

- (k) Confirmation that the location of the mailboxes for Building A is supported by Australia Post or otherwise relocated to a suitable location in accordance with the Artisan Precinct Design Guidelines of the Alphington Paper Mill Development Plan;
- (l) Confirm whether air-condenser units are required on balconies, with the location of air-condensers to be concealed from the public realm and to not obstruct/reduce minimum balcony areas and dimension pursuant to Artisan Design Guidelines of the Alphington Paper Mill Development Plan;
- (m) Operable windows to internal corridors shown on both plans and elevations to all buildings;
- (n) Measures to reduce unreasonable overlooking from the Level 5 communal terrace (as required by condition 1(y) into Apartments A5.01 and A5.05;
- (o) Bathrooms to accessible apartments to demonstrate full compliance with either Option A or Option B in Table D4 of Clause 58.05-1 or alternative solutions to the satisfaction of the Responsible Authority;
- (p) Plan notations confirming the following infrastructure:
 - 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;
- (q) Deleted;
- (r) Modification to the façade of the southern entry to the undercroft as it presents to Mills Boulevard, comprising the following:
 - i Removal or replacement of the substantial brick faced central column up to level 3 by a structure of more lightweight appearance
 - ii Replacement of the brick balustrading to the apartments at level 2 above the opening with the balustrading (EF:09) used elsewhere in this elevation.
- (s) Identify and show details of the urban arch, being the undercroft southern entrance to the central courtyard, including the finishing of the internal ceiling and walls of the urban arch;
- (t) Deleted;
- (u) Garden beds and landscaping to be contained within title boundaries and not project past site boundary;
- (v) Clearly dimension widths of paths and ramps;
- (w) Correct/clarify spot level 27,500 south of the lobby to Building B;

- (x) Show/detail tactiles and handrails as required;
 - (y) Relocate building services from the Level 5 podium to the roof top of Building A and activate the Level 5 podium of Building A as communal open space;
 - (z) Notation that the rainwater tank is to be used for toilet flushing;
 - (aa) Capacity of the solar PV array (i.e. 40kWp) clearly annotated on plans,
 - (bb) Any amendments as required by the endorsed Access Report pursuant to condition 12 to be shown on the plans;
 - (cc) any requirements as a result of the endorsed Sustainable Management Plan report pursuant to condition 14 to be shown on plans;
 - (dd) any requirements as a result of the endorsed Acoustic Report pursuant to condition 16 to be shown on plans;
 - (ee) any requirements as a result of the endorsed Environmental Wind Assessment pursuant to condition 20 to be shown on plans; and
 - (ff) any amendments as require by the endorsed Landscape Plan pursuant to condition 22 to be shown on plans.
- 2 As part of the ongoing consultant team, DKO Architecture (Vic.) Pty Ltd 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 open space terraces on Level 5 and 9 to be accessible for all residents of the development approved by this permit.

- 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
 - (d) a sample board and coloured drawings outlining colours, materials and finishes.
- 11 The provisions, recommendations and requirements of the endorsed Façade Strategy must be implemented and complied with to the satisfaction of the Responsible Authority.
- 12 Before the development commences, an Access Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Access Report will be endorsed and will form part of this permit. The Access Report must be prepared by a suitably qualified Access Consultant and include, but not be limited to, the following:
- (a) Provide an access evaluation of the publicly accessible areas including the main lobby entries to all buildings, the north south connection from the northern access street to Mills Boulevard, the walkway along the eastern boundary and the communal open space areas and the bicycle storage area;
 - (b) Recommendations to ensure safe, dignified and equitable access is provided in accordance with the Disability Discrimination Act (DDA).
- 13 The provisions, recommendations and requirements of the endorsed Access Report must be implemented and complied with to the satisfaction of the Responsible Authority.
- 14 Before the development commences, 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) Recycled content be specified for concrete and steel;
 - (b) All timber to be FSC certified;
 - (c) Windows to internal corridors to be operable;
 - (d) Heating and cooling to be within one star of the most efficient or 85% of best energy performing unit available at the time of construction;
 - (e) 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;
 - (f) Greater detail of the daylight model, clearly demonstrating that it has accurately accounted for solid sections to balconies and external walls.
- 15 The provisions, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
 - 16 Before the development commences, 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 Acoustic Logic and dated 6 December 2021, but modified to include (or show, or address):
 - (a) Demonstrate compliance with Better Apartments Design Standard D16 targets of 40dBA Leq 16h in all living rooms and 35 dBA Leq 8h in bedrooms.
 - 17 The provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.
 - 18 Ongoing involvement of Acoustic Logic 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.
 - 19 Prior to the occupation of the development, or at a later date as agreed in writing by the Responsible Authority, a post-occupancy Acoustic Report prepared by Acoustic Logic or another suitably qualified acoustic engineer, must be submitted to and approved by the Responsible Authority. Once approved by the Responsible Authority, the post-occupancy Acoustic Report will be endorsed and will form part of this permit. The post-occupancy Acoustic Report must assess whether the noise measures contained within the endorsed acoustic report required pursuant to Condition 16 have been implemented and whether they achieve the necessary noise targets contained within.
 - 20 Before the development commences, 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 23 July 2020 but modified to include (or show):

- (a) An assessment of the impact upon environmental wind conditions as a result of the amended plans pursuant to Condition 1 of this permit;
 - (b) Demonstrate compliance with the walking criteria for Location 'T1' without the reliance on vegetation;
 - (c) Demonstrate compliance with the walking criteria for the Level 5 podium of Building A;
 - (d) Demonstrate compliance with the sitting criteria in areas designed for sitting in communal spaces and
 - (e) An assessment of the environmental wind conditions within private balconies.
- 21 The provisions, recommendations and requirements of the endorsed Environmental Wind Assessment must be implemented and complied with to the satisfaction of the Responsible Authority.
- 22 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 Concept Plan prepared by MDG and dated 1 December 2021, but modified to include (or show):
- (a) Consistency with the architectural drawings pursuant to Condition 1;
 - (b) Any amendments as required by the endorsed Access Report pursuant to condition 12;
 - (c) Level 5 podium green roof of Building A redesigned as a communal roof terrace with addition planting and landscaping details.
 - (d) Screen planting to minimise views from the Level 5 podium into Apartments A5.01 and A5.05;
 - (e) Location and details of lighting to illuminate the pedestrian entry adjacent to the vehicle entry and within the main southern entry and Building D entrance atrium consistent with the Condition 1 plans;
 - (f) Details of the endorsed Heritage Interpretation Strategy pursuant to Condition 24;
 - (g) Location and details of wayfinding signage;
 - (h) Pavement material within the northern setback integrated with the pavement materials of the private road to the north;
 - (i) Details of pavement hierarchies with consistent application (e.g. signifying private residential, lobby entries, public accessways);
 - (j) Large feature tree(s) within the central courtyard, with use of strata cells or similar;
 - (k) Relative Levels (RL) at all building entries and street interfaces;

- (l) Details of tactile and handrails as required; Drainage pits and associated RL details;
 - (m) Any exposed drainage infrastructure (e.g. trench grates);
 - (n) Nominated plant species, including plant quantities for each location;
 - (o) Maintenance program for all landscaped areas, lawns, garden beds and climbing plant species, planter boxes on balconies and terraces; and
 - (p) Details of mulch, confirming suitability of mulch on higher levels is suitable to withstand environmental conditions such as wind erosion.
- 23 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.
- 24 **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 north-south link and other publicly accessibly 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.
- 25 Within 6 months of the commencement of the development, or at some other time agreed to by the responsible authority, details of the public artwork to be provided in the urban arch of Building B shown on the endorsed plans to the satisfaction of the Responsible Authority **and** details (images, dimensions, illumination) of art installations within the southern main pedestrian entrance and Building D entrance atrium must be submitted to and approved by the Responsible Authority. When approved, the details of the public artwork will be endorsed and will then form part of the permit. The cost of the public artwork is to be borne by the owner or occupier of the land. The artwork must be installed before any part of the development is occupied except with the prior written consent of the Responsible Authority all to the satisfaction of the Responsible Authority. The public artwork as approved must then maintained to be the satisfaction of the Responsible Authority.

- 26 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.
- 27 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 27 July 2020, but modified to include:
- (a) Any changes required as a result of the amended plans pursuant to Condition 1.
- 28 The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
- 29 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 26 November 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.
- 30 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 31-35)

- 31 Unless otherwise agreed in writing with the Head, Transport for Victoria (TfV) 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 (west side north 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 TfV.

- 32 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.
- 33 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.
- 34 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 emailing bus.stop.relocations@transport.vic.gov.au
- 35 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.
- 36 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 to the north-south pedestrian link;
 - (b) The owner is responsible for maintaining the north-south pedestrian link at the cost of the owners of the site and to the satisfaction of the Yarra City Council; and
 - (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 35(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.

- 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 Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, vehicle access from Mills Boulevard 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.
- 40 Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, pedestrian access adjacent to the eastern boundary to the ground level dwellings and lobbies of Buildings C and D from Mills Boulevard 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 buildings 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) a schedule of all proposed signage including directional, informative and dynamic signs indicating location and availability of visitor car parking, bicycle parking, exits, restrictions etc;
 - (b) the management of the visitor car parking spaces and security arrangements for occupants of the development, including details on how residential visitors are to access car parking; and
- 44 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; and
- (c) line-marked or provided with some adequate means of showing the car parking spaces.

to the satisfaction of the Responsible Authority.

45 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.

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

- 48 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.
- 49 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. 9205 5555 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. 9205 5555 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
2 March 2023 (PLN19/0841.01)	<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 1(t) relating to a walkway outside of the subject site• Delete Condition 1(q) relating to the requirement for art installation details; and <p>Subsequent amendment to Condition 25 to require details of the approved art installations.</p>
14 March 2023 (PLN19/0841.02)	<p>Pursuant to Sections 73 and 74 of the Planning and Environment Act 1987, the permit has been amended to amend Condition 24 to allow for the endorsement of the Heritage Interpretation Strategy within 6 months of the development commencing.</p>

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](#).