



PLANNING PERMIT (AMENDED)

PLN20/0286

Address of the land: 30 Chandler Hwy, Alphington VIC 3078

The permit allows: Partial demolition and construction of dwellings, removal of vegetation and a reduction in visitor car parking generally in accordance with the Alphington Paper Mill Development Plan (Precinct 7A - Boiler House East and West)

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 (prepared by JCB Architects dated 17 December 2021 (Rev B) but modified to show:
 - a. Details of any proposed signage (location and design) with this signage to be consistent with any future wayfinding and signage strategy proposed for the overall site.
 - b. The existing easements to be shown on the ground floor plan, with a notation confirming that these easements will be removed via a separate application.
 - c. The following annotations to be included on all relevant plans;
 - i. Riverfront West and Outer Circle development designs by others, with indicative layouts shown ensuring levels are coordinated.
 - ii. Adjacent landscape designs and layouts shown indicatively, including Heritage Park; and
 - iii. Final landscape designs and connecting paths including all associated floor levels, ramp extents and grading to be coordinated and confirmed when adjacent development sites designs are finalised.
 - d. The location of lighting at all pedestrian entrances;
 - e. The Boiler Lane Elevation - East at 5D2-114 amended to correctly reference 'Boiler Lane' as opposed to 'Joel Terrace';
 - f. The proposed grid-design windows/screens within the southern elevation of Boiler House East to match the details (material/design/thickness) of the framing of the retained window within this wall.
 - g. Details of the proposed door design of the fire booster cabinet, with no obstruction of the footpath to occur when these doors are open i.e. openable to 180 degrees;
 - h. ** Deleted **
 - i. The addition of 1.8m high balustrades to balconies in the north-west and south-west corners of Boiler House West (as specified in the updated Wind Report required a Condition 11), along with any mitigation measures

- required for balconies on the western façade of Boiler House West to avoid damage or injury during strong wind event;
- j. The height, material and transparency of the proposed screen between Apts. 0.01 & 0.02 in Boiler House West to be annotated on drawing SD1-112;
 - k. Details on how overlooking will be managed between balconies of the following apartments, with annotations clearly outlining the height, material and transparency of any screening included on the relevant drawings;
 - i. Apts. EO.05 & EO.06;
 - ii. Apts. E1.04 & E1.05;
 - iii. Apts. 1.02 & 1.03;
 - iv. Apts. 2.02 & 2.03;
 - v. Apts. 3.02 & 3.03;
 - vi. Apts. 3.08 & 3.09.
 - l. Confirmation that all walls/balustrades between adjoining balconies will comply with Clause 58.04-2 - Internal views objective.
 - m. The deletion of Apt. EO.12, or this apartment to be consolidated with Apt. EO.11 above, with the living room/kitchen to be located on the upper level of this apartment.
 - n. All accessible bathrooms in both buildings to fully comply with the requirements outlined in either Option A or Option B of Standard B42 (Accessibility objectives) of clause 55.07-8 and Standard 017 (Accessibility objectives) of clause 58.05 of the Yarra Planning Scheme, including notes confirming the design of the bathroom door;
 - o. The living areas of Apts. EO.07, E1.07 of Boiler House East and Apts. 1.15, 2.15, 3.14 & 4.12 of Boiler House West amended to achieve full compliance with Standard B46 (Functional Layout objective) of clause 55.07-12 and Standard 025 (Functional Layout objective) of clause 58.07-1 of the Yarra Planning Scheme (i.e. excluding dining, kitchen and circulation areas), with option to amalgamate apartments to achieve compliance.
 - p. The section of the 'court bowl' at the southern end of Boiler Lane outside the subject site to be ghosted, or clearly demonstrate it is not part of the current application.
 - q. Details of the proposed retaining wall (supporting road reserve earthworks) along the northern boundary at the interface with Joel Terrace, with all retaining structures associated positioned within private title;
 - r. Grading/levels within Ledger Walk to be coordinated with access points to adjoining sites
 - s. All boundary and footpath levels along Joel Terrace to be consistent with those demonstrated in the approved civil drawings (CardnoTGM's civil drawings 'Yarrabend, Alphington Workshop Precinct Stage 4.0-3 Drawing number V1914 78-3')
 - t. The bicycle storage room within Boiler House East to be provided as a separate lockable compound in accordance with Clause 52.34-3 & Australian Standard AS2890.3.
 - u. Notations on plans that the following is to be provided:
 - i. One or more distribution boards within each car parking basement level, with capacity for the 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. Building electrical peak demand calculations can therefore be undertaken using the assessment methodology (AS/NZS3000:2018, clause 2.2.2.b.i), thus not increasing building electrical peak demand requirements beyond business as usual; and
 - iii. Wiring from the main switchboard to the distribution boards, and cable tray to hold future individual outgoing circuits to electric vehicle chargers.
 - v. Any changes required by the Structural Report at Condition 3;
 - w. Any changes required by the Conservation Management Plan at Condition 5;
 - x. Any changes required by the amended Sustainable Management Plan at Condition 9;
 - y. Any changes required by the amended Landscape Plan at Condition 11;
 - z. Any changes required by the amended Waste Management Plan at Condition 13;
 - aa. Any changes required by the amended Acoustic Report at Condition 15;
 - bb. Any changes required by the amended Wind Report at Condition 17;
 - cc. Any changes required by the Pedestrian Access Plan at Condition 19;
 - dd. Any changes required by the Streetscape Plan at Condition 21.
2. 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.

Structural Report

3. Before the demolition commences, a Structural Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Structural Report will be endorsed and will form part of this permit. The Structural Report must be prepared by a suitably qualified structural engineer, or equivalent, and demonstrate the means by which the retained portions of building, with particular reference to the chimney attached to Boiler House East, will be supported during demolition and construction works to ensure their retention.
4. The provisions, recommendations and requirements of the endorsed Structural Report must be implemented and complied with to the satisfaction of the Responsible Authority.

Conservation Management Plan

5. Before the demolition commences, a Conservation Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Conservation Management Plan will be endorsed and will form part of this permit. The Conservation Management Plan must include, but not be limited to, the following:

- a. Fully dimensioned and accurately measured plans at a scale of no less than 1 :50 prepared by a suitably qualified heritage practitioner/architect, detailing:
 - i. The proposed reconstruction, restoration or works to the existing walls and roof, with notations clearly outlining any changes from existing conditions or use of new materials; and
 - b. A written description of the demolition and construction methods to be used.
6. The provisions, recommendations and requirements of the endorsed Conservation Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Facade Strategy

7. Before the development commences, 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.
8. The provisions, recommendations and requirements of the endorsed Façade Strategy must be implemented and complied with to the satisfaction of the Responsible Authority.

Sustainability Management Plan

9. Before the development commences, an amended Sustainability Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Sustainability Management Plan will be endorsed and will form part of this permit. The amended Sustainability Management Plan must be generally in accordance with the Sustainability Management Plan prepared by Cundall and dated 10 December 2021, but modified to include or show:
 - a. The provision of one or more distribution boards within each car parking basement level, with capacity for the 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;
 - b. The provision of a scalable load management system, to ensure electric vehicles are only charged when the building electrical load is below the nominated peak demand. Building electrical peak demand calculations can therefore be undertaken using the assessment methodology

- (AS/NZS3000:2018, clause 2.2.2.b.i), thus not increasing building electrical peak demand requirements beyond business as usual; and
- c. The provision of wiring from the main switchboard to the distribution boards, and cable tray to hold future individual outgoing circuits to electric vehicle chargers.
10. The provisions, recommendations and requirements of the endorsed Sustainability Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Landscaping Plan

11. 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 Acre Landscape Architects and dated 7 December 2021, but modified to include or show;
- a. Any changes required by Condition 1;
 - b. * The provision of increased landscaping along the western side of Boiler Lane in lieu of landscaping on the eastern side of Boiler Lane;
 - c. The provision of available soil volume per tree in relation to proposed tree species for each individual proposed tree;
 - d. Confirmation of suitable mulch type for all elevated planters;
 - e. All plant species, including plant quantities for each individual planters and planted area;
 - f. Confirmation that no plant species are listed on DELWP's listing of environmental weed species;
 - g. A detailed maintenance program accurately reflecting proposed landscape elements for all landscaped areas, garden beds, climbing plant species and planter boxes on balconies and terraces; and,
 - h. A detailed irrigation plan and irrigation management program for all landscaped areas, garden beds, climbing plant species and planter boxes on balconies and terraces.
12. 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.

Waste Management

13. 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 3 December 2021, but modified to include:
 - a. Swept path diagrams demonstrating access can be efficiently achieved for the nominated waste collection vehicle.
14. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Acoustic Report

15. 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 29 November 2021, but modified to include:
 - a. The provision of internal noise levels in both buildings to achieve the following:
 - i. Not greater than 35dB(A) for bedrooms, assessed as an LAeq,8h from 10pm to 6am.
 - ii. Not greater than 40dB(A) for living areas, assessed LAeq, 16h from 6am to 10pm.
 - b. A maximum noise level for the carpark gate at a reference distance, to ensure that it does not cause sleep disturbance, and complies with the Noise Protocol, Part 1.
16. The provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.

Wind Report

17. Before the development commences, an amended Wind Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Wind Report will be endorsed and will form part of this permit. The amended Wind Report must be generally in accordance with the Wind Report prepared by MEL Consultants and dated 8 December 2021, but modified to include:
 - a. Details on how dwelling entrances at ground level and balconies in the levels above addressing Chandler Highway will be designed to avoid damage and/or personal injury during strong wind events;
 - b. Confirmation that all terraces in the south-west and north-west corners of Boiler House West achieve the 'walking criterion' via the introduction of

additional mitigation measures, with the specific terraces requiring higher balustrades to be identified.

18. The provisions, recommendations and requirements of the endorsed Wind Report must be implemented and complied with to the satisfaction of the Responsible Authority.

Pedestrian Access Plan

19. Before the development commences, a Pedestrian Access Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Pedestrian Access Plan will be endorsed and will form part of this permit. The Pedestrian Access Plan must include the following;

- a. Pedestrian accessibility within the intersection of Boiler Lane and Joel Terrace, with all levels and grading details provided;
- b. A paving and surface material plan of the entire site;
- c. The provision of any required ramp landings, tactiles, and handrails to facilitate DDA access (accommodated within the title boundary);
- d. Any exposed drainage infrastructure (e.g. trench grates);
- e. All landscape buffers within the subject site boundary abutting Heritage Park should be clearly demonstrated and clarified on the plans;
- f. All linkages into Heritage Park; and,
- g. DDA compliant levels and grading transition between Boiler House East and Heritage Park.

20. The provisions, recommendations and requirements of the endorsed Pedestrian Access Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Streetscape Plan

21. Before the development commences, a Streetscape Plan for the interface between the Chandler Highway footpath and western boundary of the subject site to the satisfaction of the Responsible Authority and Department of Transport must be submitted to and approved by the Responsible Authority. When approved, the Streetscape Plan will be endorsed and will form part of this permit. The Streetscape Plan must include the following;

- a. All proposed landscaping between the completed footpath and title boundary;
- b. Proposed paving and surface materials for walkways between the completed footpath and front entrances;
- c. Details on how drainage will be managed, and any proposed drainage infrastructure;
- d. Details on how public and private land will be delineated.

The provisions, recommendations and requirements of the endorsed Streetscape Plan must be implemented and complied with to the satisfaction of the Responsible Authority Green Travel Plan

22. The provisions, recommendations and requirements of the endorsed Green Travel Plan (prepared by GTA Consultants and dated 16 December 2021) must be implemented and complied with to the satisfaction of the Responsible Authority.

Ongoing architect involvement

23. As part of the ongoing consultant team, Jackson Clements Burrows Architects or an architectural firm to the satisfaction of the Responsible Authority must be engaged to:
- a. oversee design and construction of the development; and
 - b. ensure the design quality and appearance of the development is realised as shown in the endorsed plans or otherwise to the satisfaction of the Responsible Authority

General

24. The communal roof terrace of Boiler House West to be accessible to all residents of the development approved under this permit.
25. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating access to the pedestrian and vehicular entrances must be provided on the subject site. Lighting must be:
- a. located;
 - b. directed;
 - c. shielded; and
 - d. of limited intensity
- to the satisfaction of the Responsible Authority.
26. Before the development is occupied, or by such later date as approved in writing by the Responsible Authority, all screening and other measures to prevent overlooking 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.
27. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
28. Before the building is 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.
29. Before the building is occupied, any wall located facing public land must be treated with a graffiti proof finish to the satisfaction of the Responsible Authority.
30. All pipes, fixtures and fittings servicing any building on the land must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.

Car parking

31. 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, driveway and associated works must be:
- Constructed and available for use in accordance with the endorsed plans.
 - Formed to such levels and drained so that they can be used in accordance with the endorsed plans.
 - Line-marked or provided with some adequate means of showing the car parking spaces.
 - to the satisfaction of the Responsible Authority.

Civil Works

32. Except with the prior written consent of the Responsible Authority, Joel Terrace must be constructed to the satisfaction of the Responsible Authority prior to the occupation of the development.
33. * Except with the prior written consent of the Responsible Authority, within six months of the commencement of the development, the concept landscape design for Heritage Park must be endorsed. The landscape concept plan to include/show:
- Location, species, quantity, mature height and spread of all proposed planting
 - Details of any planting, including height, materials, depth of planting media, irrigation, drainage and grading.
 - Plan showing all various paving treatments and proposed surface materials.
 - Details of all park furniture, other structures, lighting and play elements.
 - Structural report and certification including any structural modifications required to make any retained existing heritage elements save and fit for purpose
34. 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:
- Unless otherwise agreed by the Responsible Authority, prior to occupation of the development, Heritage Park must be completed to the satisfaction of the Responsible Authority;
 - Prior to commencement of works within Heritage Park, for construction drawings for all elements within Heritage Park including all required structural certifications, relevant safety and accessibility audits, technical specifications, schedule of works and bill of quantities must be submitted and approved by the Responsible Authority.
 - Any staging of Heritage Park must be detailed, submitted and agreed in writing by the Responsible Authority.
 - The cost of any incomplete works (including any associated labour and maintenance) at the time of occupation of the development to be reserved as bonds, bank guarantees or similar to the satisfaction of the Responsible Authority

- e. Upon full completion of Heritage Park and following the maintenance period to the satisfaction of the Responsible Authority, Heritage Park is to be vested with Council;
- f. The cost of the design and construction of Heritage Park, including all landscape works, any park furniture/equipment, drainage, repair or removal of any existing structural elements and associated infrastructure is to be borne by the permit applicant;
- g. Unfettered 24-hour public access through Boiler Lane and Ledger Walk must be provided to the satisfaction of the Responsible Authority upon completion of the development.
- h. Boiler Lane and Ledger Walk to be maintained in good order to the satisfaction of the Responsible Authority.

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.

- 35. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.
- 36. Before the building is occupied, 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;
 - a. at the permit holder's cost; and
 - b. to the satisfaction of the Responsible Authority.
- 37. Any services poles, structures or pits that interfere with the proposal must be adjusted, removed or relocated at the permit holder's expense after seeking approval from the relevant authority.
- 38. Before the buildings are occupied, 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.
- 39. Before the development commences, a report prepared by a qualified Traffic engineer must be submitted and approved by the Responsible Authority. The report must include:
 - a. Swept path diagrams to demonstrate whether there is a sufficient vehicle turning area at the southern end of Boiler Lane within the title boundaries (i.e. excluding the section of the court bowl outside the title boundaries)
 - b. In the event that there is not a sufficient turning area, detail measures to prevent vehicle access beyond the garage entrance on Boiler Lane until such time as the balance of the court bowl is constructed.
- 40. The provisions, recommendations and requirements of the endorsed Traffic Report must be implemented and complied with to the satisfaction of the Responsible Authority.

Development Contributions

41. 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.
42. 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.

Construction Management Plan

43. 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 Construction Management Plan will be endorsed and will form part of this permit. The Construction Management 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 programme;
 - 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;
- p. 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
- q. Any site-specific requirements.

44. During the construction:

- a. any stormwater discharged into the stormwater drainage system must be in compliance with Environment Protection Authority guidelines;
- b. stormwater drainage system protection measures must be installed as required to ensure that no solid waste, sediment, sand, soil, clay or stones from the land enters the stormwater drainage system;
- c. vehicle borne material must not accumulate on the roads abutting the land;
- d. the cleaning of machinery and equipment must take place on the land and not on adjacent footpaths or roads; and
- e. all litter (including items such as cement bags, food packaging and plastic strapping) must be disposed of responsibly.
- f. 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.

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

Construction hours & noise

46. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
- a. Monday to Friday (excluding public holidays) before 7:00am or after 6:00pm;
 - b. Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday) before 9:00am or after 3:00pm.
 - c. Sundays, ANZAC Day, Christmas Day and Good Friday at any time

Expiry

47. This permit will expire if:

- a. the development is not commenced within two years of the date of this permit; or
- b. the development is not completed within four years of the date of this permit.

The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires or within six months afterwards for commencement or within twelve months afterwards for completion.

Notes:

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

This site is subject to a Heritage Overlay. A planning permit may be required for any further external works.

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

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

A local law permit may be required for tree removal. Please contact Council's Compliance Branch on 9205 5555.

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.

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 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.

The permit holder must obtain approval from the relevant authorities to build over the easement.

A vehicle crossing permit is required for the construction of the vehicle crossing(s). Please contact Council's Construction Management Branch on 9205 5555 for further information.

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
08 February 2023 PLN20/0286.01	Pursuant to Section 72 of the <i>Planning and Environment Act 1987</i> , the permit has been amended to allow for the following: -Realignment of Boiler Lane -Delete Condition 1(h) which previously read as follows; <ul style="list-style-type: none">• Location and section details of the proposed raingarden; -Amend Condition 11(b) which previously read as follows: <ul style="list-style-type: none">• The provision of trees or planter boxes along the eastern side of Boiler Lane.
10 March 2023	The permit has been amended to allow Condition 33 (Heritage Concept Landscape Plan) to be endorsed within six months of the commencement of the development (as opposed to prior to the commencement of the development).

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](#).