560 Church Street, Cremorne

[Department of Transport and Planning, August 2024]

YARRA PLANNING SCHEME

Incorporated Document

This document is an incorporated document in the Yarra Planning Scheme pursuant to section 6(2)(j) of the Planning and Environment Act 1987

1.0 INTRODUCTION

This document is an Incorporated Document in the schedules to Clause 45.12 - Specific Controls Overlay (SCO) and Clause 72.04 - Incorporated Documents of the Yarra Planning Scheme (the Planning Scheme).

The land identified in Clause 3.0 of this document may be used and developed in accordance with the specific controls contained in Clauses 6.0 and 7.0 of this document.

The Minister for Planning is the Responsible Authority for administering Clause 45.12 of the Planning Scheme with respect to this Incorporated Document, except that:

(a) Yarra City Council is the Responsible Authority for the enforcement of the Incorporated Document.

(b) Yarra City Council is the Responsible Authority for matters under Division 2 of Part 9 of the *Planning and Environment Act 1987.*

2.0 PURPOSE

The purpose of this Incorporated Document is to allow the staged development of the land identified at Clause 3.0 for use as an office, residential hotel and retail premises, removal of native vegetation and a reduction in car parking, generally in accordance with the amended plans and reports approved at Clause 5.0 of this document and subject to the conditions contained at Clause 6.0 of this document.

Any matters in respect to Heritage Overlay, Schedule 240 (HO24) are to be managed through Heritage Victoria.

3.0 LAND DESCRIPTION

This document applies to the land at 560 Church Street, Cremorne which is affected by Specific Controls Overlay Schedule 19 (SCO19) as shown on Planning Scheme Map No 8SCO in the Yarra Planning Scheme and identified in Figure 1 below.

The land is formally described as:

- Lot 1 on Title Plan 128114J.
- Lot 1 on Plan of Subdivision 214127X.
- Lot 1 on Plan of Subdivision 214128V.
- Lot 1 on Title Plan 128218V (formerly known as part of Portion 6 Parish of Jika Jika).
- Lot 1on Title Plan 613126W (formerly known as part of Portion 5 Parish of Jika Jika).
- Lot 1 on Title Plan 593353Q (formerly known as part of Portion 5 Parish of Jika Jika).
- Lot 1 on Title Plan 376361D (formerly known as part of Portion 5 Parish of Jika Jika).
- Lot 1 of Title Plan 390363T (formerly known as part of Portion 5 Parish of Jika Jika).
- Lot 1 on Title Plan 694793W (formerly known as part of Portion 5 Parish of Jika Jika).
- Lot 1 on Title Plan 694570T (formerly known as part of Portion 5 AT RICHMOND Parish of Jika Jika).
- Lot 1 on Title Plan 692646W (formerly known as part of Portion 5 AT RICHMOND Parish of Jika Jika).

Figure 1 – Map of land subject to this Incorporated Document, outlined in red

4.0 EXEMPTION FROM PLANNING SCHEME REQUIREMENTS

Despite any provision to the contrary or any inconsistent provision in the scheme, no planning permit is required for, and no planning provision in the planning scheme operates to prohibit, restrict, or regulate the use and development of land for the purposes of the project as described in Clause 5.0 of this document.

Any matters in respect Heritage Overlay, Schedule 240 (HO240) are to be managed through Heritage Victoria.

5.0 THIS DOCUMENT ALLOWS:

This Incorporated Document allows the staged development of the land for use as an office, residential hotel and retail premises, removal of native vegetation and a reduction in car parking.

The use and development must be generally in accordance with the following plans and reports and modified to include any changes required by Clause 6.0 of this incorporated document:

(a) Architectural Plans prepared by Denton Corker Marshall, titled “560 Church Street”, dated 11 August 2023 and 31 May 2024.

(b) Landscape Design Report prepared by Oculus dated August 2023.

(c) Sustainable Management Plan prepared by ADP Consulting Engineering and dated 14 August 2023.

(d) Green Travel Plan prepared by Traffix Group dated April 2023.

(e) Waste Management Plan prepared by Leigh Design and dated 17 August 2023.

(f) Acoustic Report prepared by Acoustic Logic dated 5 April 2023.

(g) Memorandum dated 2 May 2023 and Wind Tunnel Model Report prepared by MEL Consultants dated May 2023.

For avoidance of doubt, any plans and reports endorsed by the Minister for Planning or Yarra City Council pursuant to any clause of this document may be amended with the written consent of the Minister for Planning or Yarra City Council, as appropriate.

6.0 THE FOLLOWING REQUIREMENTS APPLY TO THIS DOCUMENT

Amended Architectural Plans

6.1 Before the development commences (excluding demolition and site remediation, amended plans for that stage must be submitted to and approved by the Minister for Planning in consultation with Yarra City Council, as appropriate. When approved, the plans will be endorsed and will then form part of this Incorporated Document. The plans must be drawn to scale with dimensions. The plans must be generally in accordance with the architectural plans prepared by Denton Corker Marshall, titled "560 Church Street", dated 11 August 2023 and 31 May 2024 (unless otherwise agreed in writing by the Minister for Planning) but modified to show:

a) A Staging Plan

<u>Stage 1</u>

b) Bulk excavation and basement retention drawings.

c) Any changes required by:

- Clause 6.9 – A Tree Protection and Management Plan

<u>Stage 2</u>

d) Detailed dimensions for all floor plans, including (but not limited to) internal building dimensions (for each building and basement levels), laneway/pedestrian accessway widths, building setbacks, loading bay dimensions, vehicle accessway widths, disabled car parking spaces, minimum corridor widths, minimum terrace widths, store, plant and services.

e) A minimum 2.2m headroom clearance along the main accessway and ramped accessway to the car parking areas.

f) Disabled car parking spaces designed to meet AS 2890.6.

g) Parking spaces dimensions and clearance to walls/columns in accordance with clause 52.06.

h) Detailed dimensions of waste storage areas and bin sizes.

i) Detailed dimensions for all elevations and sections, including canopy heights heights/widths, vehicle accessway widths, floor to ceiling heights, balustrade heights, maximum wall heights and plant and services.

j) A vehicle crossing ground clearance check for the new vehicle crossing by the applicant's designer to confirm that a B99 design vehicle can enter and exit the property without scraping out.

k) Dimensions of bicycle storage spaces, and relevant access ways noted to demonstrate compliance with Australian Standard AS2890.3.

l) The proposed visitor bicycle parking spaces annotated to be installed in accordance with the relevant Standard.

m) Provision for wayfinding signs to be installed at the site to direct both employees and visitors to bicycle parking areas, in accordance with AS

2890.3.

n) Provision of electrical wiring of all car parking areas to be 'EV ready' with a 40A single phase electrical sub circuit installed to these areas for this purpose.

o) Confirmation of the provision of electric vehicle charging points.

p) Full visibility splays provided to the Adelaide Street vehicle exits.

q) Provision of a schedule of materials and finishes.

r) Provision of a development summary.

s) Plan notations for street tree protection.

t) Any changes required by:

- Clause 6.4 – Façade Strategy and Materials and Finishes Plan
- Clause 6.6 – Landscape Plan
- Clause 6.13 – Sustainability Management Plan
- Clause 6.16 – Wind Assessment
- Clause 6.18 – Acoustic Report
- Clause 6.20 – Waste Management Plan
- Clause 6.30 – Head, Transport for Victoria.

6.2 The use and development as shown on the endorsed plans must not be altered or modified unless with the prior written consent of the Minister of Planning.

Ongoing architect involvement

6.3 As part of the ongoing progress and development of the site, Denton Corker Marshall, or another architectural firm to the satisfaction of the Minister for Planning 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 Minister for Planning.

Façade Strategy and Materials and Finishes Plan

6.4 Concurrent with the submission of amended architectural drawings required by Clause 6.1, Stage 2, a Façade Strategy and Materials and Finishes Plan to the satisfaction of the Minister for Planning must be submitted to and approved by the Minister for Planning. When approved, the plan will be endorsed and will form part of this document. This must detail:

(a) Elevations at a scale of 1:20 or 1:50 illustrating typical podium details, entries and doors, and utilities and typical town 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;

(d) All external façade material and finishes must be of a type that does not reflect more than 20% of visible light when measured at an angle of incidence normal to the glass surface, or otherwise to the satisfaction to the Minister for Planning.

(e) A materials schedule and coloured drawings and renders outlining colours, materials and finishes and measures to limit (to the extent possible) graffiti adhesion on walls to the street, including doors, perforations, and upper levels (where necessary).

Use

6.5 Except with the prior written consent of the Minister for Planning, the residential hotel use authorised by this permit may only operate between the following hours:

(a) Monday to Sunday: 24 hours a day.

Landscaping

6.6 Concurrent with the submission of amended architectural drawings required by Clause 6.1, Stage 2, an amended Landscape Plan to the satisfaction of the Minister for Planning in consultation with Yarra City Council must be submitted to and approved by the Responsible Authority. When approved, the Landscape Plan will be endorsed and will form part of this permit. The Landscape Plan must be generally in accordance with the Landscape Plan prepared by Landscape Design Report prepared by Oculus dated August 2023 but modified to show:

(a) clarification of soil depth, slab set down and wall heights and of “deep soil” planters.

(b) provide typical details for the proposed irrigation.

(c) provide details of public art, furniture and all materials and surfaces on the ground level.

(d) provide a maintenance schedule, including tasks details and frequency; for multi-storey development and planting, maintenance access will need to be provided for.

6.7 Before the development is occupied, or by such later date is approved in writing by the Minister for Planning, the landscaping works shown on the endorsed Landscape Plan must be carried out and completed to the satisfaction of the Yarra City Council. 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;

(c) replacing any dead, diseased, dying, or damaged plants.

to the satisfaction of the Minister for Planning, in consultation with the Yarra City Council.

Tree Protection

6.8 Concurrent with the submission of amended architectural drawings required by Clause 6.1, Stage 1, a Tree Protection and Management Plan (TPMP) must be submitted to and approved by the Minister for Planning in consultation with Yarra City Council. The TPMP must be prepared to the satisfaction of the Minister for Planning by an arborist with a minimum AQF level 5 qualification and must detail tree protection and management actions prior to, during, and post works (including demolition). The TPMP is required:

(a) To maintain and protect the condition of all existing street trees, unless otherwise agreed to by Yarra City Council.

(b) To comply with AS 4970–2009 Protection of trees on a development sites (Australian Standard AS 4970–2009).

6.9 The provisions, recommendations and requirements of the endorsed Tree Protection and Management Plan must be complied with and implemented thereafter to the satisfaction of the City of Yarra.

6.10 The retained street trees must not be removed or damaged to the satisfaction of the Yarra City Council.

6.11 Prior to the commencement of works associated with Clause 6.1, Stage 1, temporary fencing must be erected around any tree shown for retention on the endorsed plans to define a Tree Protection Zone (TPZ) that is to satisfaction of the Yarra City Council.

6.12 Prior to the commencement of any works associated with Clause 6.1, Stage 1, a security bond of $5,000 (total) for the street trees must be paid to the Yarra City Council. The security bond:

(a) must be provided in a manner, and on terms, to the satisfaction of the Yarra City Council;

(b) may be held by the Yarra City Council until the works are completed to the satisfaction of the Yarra City Council;

(c) in accordance with the requirements of this Incorporated Document;

(d) otherwise to the satisfaction of the Yarra City Council.

The bond is not to be released until Yarra City Council's Arborist has inspected the trees at the completion of the development.

Sustainability

6.13 Concurrent with the submission of amended architectural drawings required by Clause 6.1, Stage 2, an amended Sustainability Management Plan, generally in accordance with the Sustainability Management Plan prepared by ADP Consulting Engineering, dated 14 August 2023 must be submitted to and approved by the Minister for Planning, in consultation with the City of Yarra.

6.14 Prior to the commencement of works associated with Clause 6.1, Stage 2, evidence must be submitted to the satisfaction of the Minister for Planning in consultation with Yarra City Council, that demonstrates the project (workplace and chestnut buildings only) has been registered to seek a minimum 5 Star Green Star Design and As-Built rating (or equivalent) with the Green Building Council of Australia.

6.15 Prior to the full occupation of the development, a report from the author of the endorsed sustainable management plan, or similarly qualified person or company, must be submitted to the Minister for Planning in consultation with Yarra City Council. The report must be to the satisfaction of the Minister for Planning and must confirm that all measures specified in the sustainable management plan have been implemented in accordance with the approved plan.

6.16 The provisions, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Yarra City Council.

6.17 Within 24 months of full occupation of the development, or by such later date as is approved by the Minister for Planning certification must be submitted to the satisfaction

of the Minister for Planning in consultation with Yarra City Council, that demonstrates that the building has achieved a minimum 5 Star Green Star Design and As-Built rating (or equivalent).

Wind

6.18 Concurrent with the submission of amended architectural drawings required by Clause 6.1, Stage 2, an amended Wind Impact Assessment, generally in accordance with the Wind Impact Assessment prepared by MEL Consultants dated May 2023 must be submitted to and approved by the Minister for Planning, in consultation with the City of Yarra.

6.19 The provisions, recommendations and requirements of the endorsed Wind Assessment Report must be implemented and complied with to the satisfaction of the Yarra City Council.

Acoustic

6.20 Concurrent with the submission of amended architectural drawings required by Clause 6.1, Stage 2, an amended Acoustic Report, generally in accordance with the Acoustic Report prepared by Acoustic Logic, dated 5 April 2023 must be submitted to and approved by the Minister for Planning, in consultation with the City of Yarra.

6.21 The provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Yarra City Council.

Waste Management Plan

6.22 Concurrent with the endorsement of amended architectural drawings required by Clause 6.1, Stage 2, an amended Waste Management Plan, generally in accordance with the Waste Management Plan prepared by Leigh Design, dated 17 August 2023 must be submitted to and approved by the Minister for Planning, in consultation with the City of Yarra.

6.23 The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Yarra City Council.

Public Lighting Plan

6.24 Within six months of the commencement of the works associated with Clause 6.1, Stage 2, or by such later date as is approved by the Minister for Planning, a Public Lighting Plan to the satisfaction of the Minister for Planning must be submitted to and approved by the Minister for Planning in consultation with Yarra City Council. The Public Lighting Plan must address lighting along the curtilage of the building and the entrances and the internal pedestrian laneway within the site. When approved, the Public Lighting Plan will be endorsed and will form part of this Incorporated Document.

The Public Lighting Plan must provide for:

(a) all pedestrian access to the proposed development must be lit by public lighting installations as specified in the Australian Standard AS 1158.3.1:2020 Lighting for roads and public spaces.

(b) new poles and luminaires must be sourced from the relevant power authority's standard energy efficient luminaires list and comply with relevant CitiPower technical requirements;

(c) consultation with affected property owners to be undertaken by the developer with respect to the location of any new pole/s and light/s (if required);

(d) light spillage into the windows of existing and proposed residences must be avoided or minimised and should comply with the requirements of Australian Standard AS 4282 - 2019 Control of the obtrusive effects of outdoor lighting;

(e) the locations of any new light poles must not obstruct vehicular access into private properties;

(f) A maintenance regime for the lighting scheme within the curtilage of the property;

(g) The use of energy efficient luminaries and/or solar lighting technologies to reduce carbon emission if possible.

6.25 The provisions, recommendations and requirements of the endorsed Public Lighting Plan must be implemented and complied with at no cost to Yarra City Council and to the satisfaction of the Yarra City Council.

Green Travel Plan

6.26 Prior to the full occupation of the development, an amended Green Travel Plan, generally in accordance with the Green Travel Plan prepared by Traffix Group dated April 2023 must be submitted to and approved by the Minister for Planning in consultation with Yarra City Council. When approved, the Green Travel Plan will be endorsed and will form part of this Incorporated Document

6.27 The provisions, recommendations and requirements of the endorsed Green Travel Plan must be implemented and complied with to the satisfaction of the Yarra City Council.

Car Parking

6.28 Before the full development is occupied, or by such later date as approved in writing by the Minister for Planning in consultation with Yarra City Council, the area set aside on the endorsed plans for the car parking spaces, access lanes, driveways and associated works must be:

(a) Constructed and available for use in accordance with the endorsed plans;

(b) Formed to such levels and drained so that they can be used in accordance with the endorsed plans;

(c) Treated with an all-weather seal or some other durable surface;

(d) Line-marked or provided with some adequate means of showing the car parking spaces; all to the satisfaction of the Minister for Planning.

6.29 Prior to the full occupation of the development, a Car Park Management Plan to the satisfaction of the Minister for Planning must be submitted to and approved by the Minister for Planning in consultation with Yarra City Council. When approved, the Car Park Management Plan will be endorsed and will form part of this Incorporated Document. The Car Park Management Plan must address, but not be limited to, the following:

(a) the number and location of car parking spaces, including DDA spaces;

(b) the management of car parking spaces and security arrangements for employees of the development;

(c) details of way-finding, cleaning and security of end of trip bicycle facilities;

(d) policing arrangements and formal agreements;

(e) a schedule of all proposed signage including directional arrows and signage, informative signs indicating location of disabled bays and bicycle parking, exits, restrictions, pay parking system etc;

(f) details regarding the management of loading and unloading of goods and materials;

(g) (g) Instructions to employees and patrons that they must only use the car parking facilities provided on site or which are otherwise available to the public.

6.30 The provisions, recommendations and requirements of the endorsed Car Park Management Plan must be implemented and complied with to the satisfaction of the Minister for Planning.

6.31 Before the development is occupied, or by such later date as approved in writing by the Minister for Planning, a notice showing the location of car parking must be placed in a clearly visible position near the entry to the land. The notice must be maintained thereafter to the satisfaction of the Yarra City Council.

Head, Transport for Victoria Conditions

6.32 Concurrent with the submission of amended architectural drawings required by Clause 6.1, Stage 2, or by such later date as is approved by the Minister for Planning, amended plans to the satisfaction of the Head, Transport for Victoria must be submitted to and approved by the Minister for Planning in consultation with the Head, Transport for Victoria. When approved, the plans will be endorsed and will form part of this Incorporated Document. The plans must be generally in accordance with the plans submitted but modified to show:

(a) self-enforcing left in left out access arrangement at the intersection of Adelaide Street with Church Street including associated signs and line marking.

6.33 Prior to the occupation of the development, the intersection of Adelaide Street and Church Street as shown on the approved plans must be completed to the satisfaction of and at no cost to the Head, Transport for Victoria.

6.34 The permit holder must avoid disruption to tram operation along Church Street during the construction of the development. Any planned disruptions to tram operation during construction and mitigation measures must be communicated to and approved by the Head, Transport for Victoria and Yarra Trams a minimum of thirty-five days (35) prior.

6.35 The permit holder must ensure that all track, tram, and overhead infrastructure is not 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.

Public Realm Plan

6.36 Within six months of commencement of the works associated with Stage 2, or by such later date as is approved by the Minister for Planning, Detailed Design plans (Civil and Landscape) for the Church Street, Adelaide Street and Chestnut Street outside the site's property frontages must be prepared, submitted and approved by the Minister for Planning in consultation with Yarra City Council. When approved, the plan will be endorsed and will then form part of the Incorporated Document. The Detailed Design plans must include, but not be limited to, the following:

(a) Detailed layout plan indicating all existing and proposed features and surface levels;

(b) The reinstatement of footpaths, kerb and channel and portion of any damaged road outside the property's frontage damaged by the construction of the development;

(c) Longitudinal sections along the property boundary, back of kerb and invert of the channel;

(d) Cross sections from property boundary to one more from the nearside kerb alignment in Church Street and the property boundary at 5 metre intervals indicating existing and proposed levels at changes in grade;

(e) Stormwater drainage in accordance with the approved Stormwater Management plan, including design computations, longitudinal sections, pit schedule and details;

(a) Detailed layout (size, depth, location) of existing and proposed service utilities, including private property connections to each type;

(b) Traffic lane widths in Adelaide Street and Chestnut Street, crossovers, road alignments in Adelaide Street and Chestnut Street, line marking, on-street parking and signage in Adelaide Street and Chestnut;

(c) Street tree planting and species;

(d) Street lighting and street furniture (bins, seating, directional signage, bicycle racks) as required;

(e) DDA compliant pedestrian crossings;

(f) Drop off/collection arrangements for the hotel;

(g) All surfaces in dedicated paths of travel must be designed in accordance with DDA requirements;

(h) Distinct delineation between public and private land along all interfaces;

(i) All private aspects / infrastructure must be located within the private property boundary and not protrude into the public road reserve;

(j) Existing surface levels must not be altered unless approved by the Minister for Planning, in consultation with Yarra City Council. To obtain DDA compliant surface grades the finished surface levels within the private property must be adjusted.

6.37 Before the development is occupied, or by such later date as approved in writing by the Minister for Planning, the works shown on the endorsed Public Realm Plan(s) required by clause 6.31 must be carried out at the developer of the lands cost and completed to the satisfaction of the Yarra City Council.

6.38 Before the development is occupied, or by such later date as approved in writing by the Minister for Planning, any damage to public infrastructure (footpath, kerb and channel, etc) caused by connection works for underground utility services, must be reconstructed:

(a) at the developer of the land's cost;

(b) to the satisfaction of the Yarra City Council.

6.39 Before the development is occupied, or by such later date as approved in writing by the Minister for Planning, any damage to public infrastructure resulting from the development must be reinstated:

(a) at the developer of the land's cost;

(b) to the satisfaction of the Yarra City Council.

6.40 Before the development is occupied, or by such later date as approved in writing by the Minister for Planning the relocation of any service poles, structures or pits necessary to facilitate the development must be undertaken:

(a) at the developer of the land's cost;

(b) to the satisfaction of the Yarra City Council.

6.41 Before the development is occupied, or by such later date as approved in writing by the Minister for Planning, any redundant vehicular crossing must be demolished and re-instated as standard footpath and kerb and channel:

(a) at the developer of the land's cost;

(b) to the satisfaction of the Yarra City Council.

6.42 Before the development is occupied, or by such later date as approved in writing by the Yarra City Council, the removal of any kerbside parking sensors and any reinstatement of parking sensors will require the Developer of the land to pay Yarra City Council the cost of each parking sensor taken out from the kerb/footpath/roadway. Any costs associated with the reinstatement of road infrastructure due to the removal of the parking sensors must also be borne by the Developer of the land.

Civil work and drainage design plans

6.43 Within six months of commencement of works associated with Clause 6.1, Stage 2, or by such later date as is approved by the Minister for Planning, Civil Work and Drainage Design Plans prepared to the satisfaction of the Minister for Planning must be submitted to and approved by the Minister for Planning in consultation with Yarra City Council. Once the plan is approved, it will be endorsed and will then form part of the permit. The Civil Work and Drainage Design Plans must provide:

(a) Be consistent with the public realm plan required under clause 6.34.

(b) Provide for all civil and drainage works that are required to the abutting road frontages, as part of the development and proposed public realm works;

(c) Include a stormwater analysis and catchment plan as it relates to the development, proposed public realm works and drainage scheme, and calculation of design flow depths in the roadside channels to ensure no ‘ponding’ or retention of water in the roadways;

(d) Be in accordance with the City of Yarra’s engineering standards and requirements;

(e) Be DDA compliant to the satisfaction of Yarra City Council;

(f) Show all existing and proposed street fixtures and furniture including but not limited to service authority assets, street lighting, signs and line-marking abutting the development;

(g) Surface material finishes shown and specified to the satisfaction of the Minister for Planning;

(h) Provide street lighting in accordance with Council standards.

6.44 Before the development is completed or at a later date as agreed in writing by Minister for Planning, all associated works shown on the endorsed Stormwater Analysis, Catchment and Drainage Plan must be fully constructed and completed by the

developer of the land, all to the satisfaction of the Yarra City Council.

General

6.45 The amenity of the area must not be detrimentally affected by the use or development, including through:

(a) the transport of materials, goods, or commodities to or from land;

(b) the appearance of any buildings, works or materials;

(c) the emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, wastewater, waste products, grit, or oil;

(d) the presence of vermin;

to the satisfaction of the Yarra City Council.

6.46 The loading and unloading of vehicles and the delivery of goods to and from the land must be conducted entirely within the land to the satisfaction of the Yarra City Council.

6.47 Except with the prior written consent of the Yarra City Council, delivery, and collection of goods to and from the land may only occur between 7am and 10pm Monday to Saturday, or after 9am on a Sunday or public holiday except for those allowed under any relevant local law.

6.48 The development must comply at all times with the noise limits specified in the Environment Protection Regulations under the Environment Protection Act 2017 and the incorporated Noise Protocol (Publication 1826.4, Environment Protection Authority, May 2021).

6.49 Finished floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Minister for Planning.

6.50 Before the building is occupied, any wall located on a boundary facing public property must be treated with a graffiti proof finish to the satisfaction of the Yarra City Council.

6.51 Before the building is occupied, or by such later date as approved in writing by the Minister for Planning, all new on-boundary walls must be cleaned and finished to the satisfaction of the Yarra City Council.

6.52 All buildings and works must be maintained in good order and appearance to the satisfaction of the Yarra City Council.

6.53 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 Minister for Planning.

6.54 Before the building is occupied, or by such later date as approved in writing by the Minister for Planning, 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;

(d) Of appropriate intensity;

(e) to the satisfaction of the Minister for Planning.

Development Contributions

6.55 Prior to the commencement of works associated with Clause 6.1, Stage 2 the

Development Infrastructure Levy must be paid to Yarra City Council in accordance with the approved Development Contributions Plan, or the Owner must enter into an agreement with Yarra City Council to pay the amount of the levy within a time specified in the agreement.

Construction Management Plan

6.56 Before the development commences for both Stages (excluding demolition and site remediation), a Construction Management Plan to the satisfaction of the Minister for Planning must be submitted to and approved by the Minister for Planning in consultation with Yarra City Council. When approved, the plan will be endorsed and will form part of this Incorporated Document. The plan must provide for, as appropriate for that Stage:

(a) a pre-conditions survey (dilapidation report) of the land and all adjacent Yarra City 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;

(vii) spillage from refueling cranes and other vehicles and machinery;

(i) the construction program;

(j) preferred arrangements for trucks delivering to the land, including delivery, and unloading points and expected duration and frequency;

(k) parking facilities for construction workers;

(l) measures to ensure that all work on the land will be carried out in accordance with the Construction Management Plan;

(m) an outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services;

(n) an emergency contact that is available for 24 hours per day for residents and the Minister for Planning 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 Minister for Planning. 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; other relevant considerations;

(v) any site-specific requirements.

(q) During the construction:

(i) any stormwater discharged into the stormwater drainage system must be in compliance with Environment Protection Authority guidelines;

(ii) 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;

(iii) vehicle borne material must not accumulate on the roads abutting the land;

(iv) the cleaning of machinery and equipment must take place on the land and not on adjacent footpaths or roads;

(v) all litter (including items such as cement bags, food packaging and plastic strapping) must be disposed of responsibly.

6.57 The provisions, recommendations and requirements of the endorsed Construction Management Plan must be implemented and complied with to the satisfaction of the Yarra City Council.

6.58 Except with the prior written consent of the Minister for Planning, 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;
(c) Sundays, ANZAC Day, Christmas Day, and Good Friday at any time.

6.59 Any plans and reports endorsed by the Minister for Planning pursuant to any condition of this Incorporated Document may be amended with the written consent of the Minister for Planning.

7.0 EXPIRY OF THIS SPECIFIC CONTROL

7.1 The development of the land permitted under this Incorporated Document must:

(a) Commence within two years of the gazettal date of Amendment C319yara to the

planning scheme.

(b) Be completed within six years of the gazettal date of Amendment C319yara to the planning scheme.

7.2 The uses permitted under this Incorporated Document must commence within six years of the gazettal date of Amendment C319yara to the planning scheme.

7.3 The Minister for Planning may extend the period for commencement if a request is made in writing before the time for commencement expires or within six months afterwards.

7.4 The Minister for Planning may extend the date for the completion of the development if a request is made in writing before the time for completion expires or within 12 months after the time for completion expires and the development is started lawfully before the approval expired.

7.5 This Incorporated Document will expire twelve months after the date of the issuing of the Certificate of Occupancy for the last stage of the development or as otherwise agreed in writing by the Minister for Planning.

7.6 Upon expiry of the specific control, the land may be used and developed only in accordance with the provisions of the planning scheme in operation at that time.

END OF DOCUMENT