

10 Bromham Place, Richmond

Incorporated Document, February 2013

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

INTRODUCTION

This document is an Incorporated Document in the Schedule to Clause 52.03 and the Schedule of Clause 81.01 of the Yarra Planning Scheme (the Scheme).

Despite any provision to the contrary in the Scheme, pursuant to Clause 52.03 of the Scheme the land identified in this incorporated document may be used and developed in accordance with the specific controls contained in this document.

In the event of any inconsistency between the specific controls contained in this document and any provision of the Scheme, the specific controls contained in this document will prevail.

ADDRESS OF THE LAND:

The land is known as 10 Bromham Place, Richmond and described in Certificate of Title Volume 09980 Folio 392 on Plan of Consolidation 350651R.

PURPOSE:

To facilitate development of the land for the construction of a five storey building (to be used for dwellings) and a reduction in the car parking requirements of the Yarra Planning Scheme.

THIS DOCUMENT ALLOWS:

Development of the land for the construction of a five storey building (to be used for dwellings) and a reduction in the car parking requirements of the Yarra Planning Scheme generally in accordance with the plans prepared by Carabott Holt Architects, Job No 08149, revision A, dated 3/10/2011 Drawings 04 to 13 inclusive and Drawing 23, and as shown on the plans endorsed under condition 1 of this document and including any amendment of the plans as may be approved from time to time under condition 2 of this document.

THE FOLLOWING CONDITIONS APPLY TO THIS DOCUMENT:

Endorsed Plans

1. Before the development starts, amended plans to the satisfaction of the Minister for Planning must be submitted to and approved by the Minister for Planning. When approved, the plans will be endorsed under this document. 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 Carabott Holt Architects, Job No 08149, revision A, dated 3/10/2011 Drawings 04 to 13 inclusive and Drawing 23 but modified to show:
 - a) The provision of night purging openings for passive cooling;
 - b) The location of any air conditioning units, ensuring that these are concealed from the public domain and are not located on the balconies of the apartments;
 - c) The introduction of skylights to the upper floors of the split level apartments;
 - d) The introduction of shading devices to the west-facing windows;
 - e) Any further modifications necessary to achieve a minimum energy rating of 6.6 stars under the STEPS assessment tool;

- f) An updated ESD report incorporating the above modifications (i.e. Conditions 1a to 1e);
- g) The provision and details of all acoustic and noise attenuation measures prepared by a suitably qualified acoustic engineer to protect the amenity of the dwellings, where necessary;
- h) A plan notation stating that the south-facing screens to the upper floor windows and balconies are no more than 25 per cent transparent;
- i) A landscape plan submitted and prepared by a suitably qualified and experienced person/firm, drawn to scale with dimensions and three copies provided. The landscape plan(s) must show:
 - i. the location, quantity and maturity of all proposed plants including provision of further vegetation within each ground level terrace associated with Apartments G.2, G.3 and G.4;
 - ii. the botanical name of all new planting;
 - iii. details of all proposed design features including paths, paving fencing, bollards; and
 - iv. details of all proposed watering and maintenance methods for all proposed planting, including the incorporation of grey water recycling methods, where possible;
 - v. external lighting capable of illuminating access to the basement car park, pedestrian walkway and dwelling entrances. All lighting must be located, directed, shielded and of limited intensity so that no nuisance or loss of amenity is caused to any person within and beyond the site.

Endorsed Plans

- 2. All development must accord with the endorsed plans. Any alterations must be approved by the Minister for Planning.
- 3. All new on boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.

ESD Report

- 4. Prior to completion of the development, the principles / initiatives referenced in the endorsed Environmental Sustainable Design (ESD) report prepared by Ark Resources must be implemented to the satisfaction of the Minister for Planning.

Environmental Audit

- 5. Prior to the commencement of the development, excluding remediation works necessary to obtain the audit, the applicant must provide either of the following for the whole of the land:
 - a) A Certificate of Environmental Audit in accordance with Section 53Y of the *Environment Protection Act 1970*; or
 - b) A Statement of Environmental Audit under Section 53Z of the *Environment Protection Act 1970*. This Statement must state that the site is suitable for the intended uses.

Where a Statement of Environmental Audit is provided, all the conditions of the Statement must be complied with to the satisfaction of the Minister for Planning prior to the occupation of the development. Written confirmation of compliance must be provided by either an EPA appointed Environmental Auditor or a suitably qualified environmental professional who is a member of the Australian Contaminated Land

Consultants Associated or other person acceptable to the Minister for Planning. In addition, sign off must be in accordance with any requirements in the Statement conditions regarding verification of required works.

Car Parking

6. Prior to the completion of the development, the car stackers within the basement must be installed in accordance with the manufacturer's specifications and by a suitably qualified person and be able to satisfactorily accommodate 85th percentile vehicles, with adequate vehicle turning movements into and out of each stacker, and thereafter maintained to the satisfaction of the Minister for Planning.
7. The car parking area must be used for no other purpose to the satisfaction of the Responsible Authority.

Vehicle crossings and accessways

8. Prior to the completion of the development, the installation of the new vehicle crossing on Belgium Avenue:
 - a) must be constructed in accordance with the Responsible Authority's Standard Drawings and Specifications, and to the satisfaction of the Responsible Authority;
 - b) the development's finished floor levels relative to the existing footpath and road levels must be such that pedestrian and vehicular access accord with Australian Standards;
 - c) existing footpath, kerb and channel, and road pavement surface levels must not be altered.

Drainage

9. 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.
10. All 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), to Council's satisfaction.
11. All piping and ducting, other than for drainage above the ground floor of the building must be concealed.

Construction

12. Any damage to road(s) and footpath(s) or other Council infrastructure as a result of the construction of the development must be reinstated to the satisfaction of the Responsible Authority prior to the completion of the development.

Waste Management

13. Waste Management must be undertaken in accordance with the endorsed Waste Management Plan prepared by Leigh Design Pty Ltd to the satisfaction of the Responsible Authority.
14. Rubbish, including bottles and packaging material, must at all times be stored within the building and screened from external view. All waste collection and recycling collection to be undertaken in accordance with Council's Local Law No. 3.

Amenity

15. Any noise emanating from the development including plant and other equipment, must comply with the State Environment Protection Policy or any other standard recommended by the Environment Protection Authority (EPA), to the satisfaction of the Responsible Authority.

Lighting

16. The development must be provided with lighting capable of illuminating access to each car parking space, bicycle parking space, store, rubbish bin, recycling bin, pedestrian walkways, stairwells, lift, dwelling entrances and entry foyer. Lighting must be located, directed, shielded and of limited intensity so that no nuisance or loss of amenity is caused to any person within and beyond the site, to the satisfaction of the Responsible Authority.

Construction Management Plan

17. Before any development commences, a Construction Management Plan to the satisfaction of the Minister for Planning must be prepared in consultation with the Responsible Authority and submitted to and approved by the Minister for Planning. When approved, the plan will be endorsed as evidence of its approval. The plan must provide for or include the following:
 - (a) a pre-conditions survey (dilapidation report) of the subject site and all adjacent Council roads frontages and nearby road infrastructure;
 - (b) protection works necessary to road and other infrastructure (limited to an area reasonably proximate to the site);
 - (c) remediation of any damage to road and other infrastructure (limited to an area reasonably proximate to the site)
 - (d) containment of dust, dirt and mud within the site and method and frequency of clean up procedures in the event of build up of matter outside the site,
 - (e) on site facilities for vehicle washing;
 - (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 that the activities on-site pose including but not limited to: contaminated soil, materials and waste, dust, stormwater contamination from run-off and wash-waters, sediment from the site on roads, washing of concrete trucks and other vehicles and machinery, spillage from refuelling cranes and other vehicles and machinery;
 - (i) construction program ;
 - (j) preferred arrangements for trucks delivering to the site including delivery and unloading points and expected frequency;
 - (k) parking facilities for construction workers;
 - (l) measures to ensure that sub-contractors/tradespersons operate 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;and

- (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, to the satisfaction of the Responsible Authority. In this regard, consideration (amongst other matters) may be given to:
 - i. using lower noise work practice and equipment
 - ii. the suitability of the site for the use of an electric crane
 - iii. silencing all mechanical plant by the best practical means using current technology; and
 - iv. fitting all pneumatic tools operated near a residential area with an effective silencer on their air exhaust port.

Construction hours and noise

18. Except with the written consent of the Responsible Authority, demolition or construction works must only be carried out between: 7.00 am - 6.00 pm, Monday-Friday (excluding public holidays) and 9.00 am - 3.00 pm, Saturday and public holidays. No work is to be carried out on Sundays, ANZAC Day, Christmas Day or Good Friday without a specific permit. All site operations must comply with the relevant Environmental Protection Authority's Guidelines on Construction and Demolition Noise.

Expiry

19. Notwithstanding other provisions of the Scheme or these conditions, the specific controls contained in the document will expire if one of the following circumstances applies:
- a) The development is not commenced within two (2) years from the date of approval of Amendment C171 to the Yarra Planning Scheme.
 - b) The development is not completed within four (4) years from the date of approval of Amendment C171 to the Yarra Planning Scheme.
- The Minister for Planning may approve extensions to these time limits if requests are made in writing before these controls expire or within 3 months afterwards.

The site must be drained to the legal point of discharge to the satisfaction of the Responsible Authority.

All future residents and occupiers residing within the development approved under these controls will not be permitted to obtain resident or visitor parking permits.

Prior to the commencement of works the refuse collection point and on-site storage areas of the development must be resolved with Yarra City Council's Service Contracts Unit.

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