

PLANNING PERMIT

Permit No.: PA1700215

Yarra Planning Scheme

Responsible Authority: Minister for Planning

ADDRESS OF THE LAND:

607-627 VICTORIA STREET
ABBOTSFORD

THE PERMIT ALLOWS:

Buildings and works to allow early works to undertake site preparation measures for the approved Development Plan DP1500043

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT

1. Prior to the commencement of building and works, amended plans must be submitted to and be approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be generally in accordance with the decision plans with the following plans updated to remove details of future basement works and show bulk excavation, retention piles and capping beams only:
 - a) Drawing No. SJB-A-EW06, dated 12.05.17, Revision C and Drawing No. SJB- A-EW07, dated 12.05.17, Revision B, prepared by SJB Architects.
 - b) Drawing No. S015, S016, S017 and S020 prepared by Webber Design Structural Engineering, dated Jan 2016, Revision C2.
2. The development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.
3. Within three (3) months of the commencement of works, or as otherwise agreed to with Yarra City Council, the owner of the land must enter into an agreement pursuant to Section 173 of the *Planning and Environment Act 1987* with Yarra City Council. The agreement must provide the following:
 - a) if the land remains vacant for 6 months after completion of the works;
 - b) activity associated with the works ceases for a period of 6 months; or
 - c) activity associated with the works ceases for an aggregate of 6 months after commencement of the construction.

the owner must construct temporary works on the land to the satisfaction of Yarra City Council to ensure that an active street frontage and/or landscaping is provided at the site frontages.

Before the construction of any temporary works start (as per above), details of the works must be submitted to and be to the satisfaction of Yarra City Council. Temporary works may include:

- a) The construction of temporary buildings for short-term community or commercial use. Such structures shall include the provision of an active street frontage; or
- b) Landscaping of the site or buildings and works for the purpose of public recreation and open space.

The owner of the land must pay all of Yarra City Council's reasonable legal costs and expenses related to this agreement, including preparation, execution and registration on title.

- 4. No construction works are to be undertaken, or any materials stored, in Walmer Street without the prior approval from Yarra City Council.
- 5. Before the commencement of works approved as part of this permit, a Construction Management Plan (CMP) must be submitted to and be approved by the Responsible Authority in consultation with Yarra City Council. When approved, the CMP will be endorsed and will form part of this permit. The CMP must be generally in accordance with the Construction Environmental Management Plan prepared by Icon Co (VIC) Pty Ltd, Revised 18th July 2017 and modified to provide for:
 - a) A formal impact statement and tree management plan is required to understand the extent of impact the development will have on the trees, if any works are to happen within the Tree Protection Zones, and also the management of the trees throughout development.
 - b) A minimum 3.0 metre wide shared bicycle/pedestrian path at all times between Victoria Street and Walmer Bridge. The shared path must comply with minimum DOA requirements, and provisions must be made to ensure it is free from construction debris or materials at all times.
 - c) The Construction Vehicle Access Gate proposed at the south-eastern corner (within Walmer Street) is to be set back a minimum of 5 metres at the easternmost point to allow for a visibility splay to the shared path. Additional fencing above the existing concrete barriers adjacent to the splay to be removed to maintain sightlines between vehicular drivers and pedestrians/cyclists.
 - d) Clarification on plans whether "site access gate" shown on the Swept Path analysis for Victoria Street is a pedestrian entrance.
 - e) Location of worker pedestrian access to the site.
 - f) No truck/construction vehicle access from Shamrock Street, with all CMP text and swept path analysis updated to reflect this.
 - g) Notation "site access gate (construction stage)" along Victoria Street site frontage to be removed from the swept path plans for this stage.
 - h) The provision of a Traffic Management Plan that addresses:
 - i. Traffic signaffing for pedestrian and cyclists at Walmer Street, which is to prioritise bicycle and pedestrian movements before truck movements.
 - ii. Details of proposed movement routes for pedestrians and cyclists from the Walmer Street shared path to the surrounding road network.
 - iii. Details of how right turning for bicycles to the surrounding road network will be safely facilitated (e.g. Provision of a bicycle head start lantern).
 - iv. Measures to be implemented to ensure that any street furniture, poles, structures, or similar, along the proposed Walmer Street shared path are

clearly visible, during daylight hours and times of low light, and do not pose any risk to pedestrians, cyclists or motorists.

- i) The following statements to be included:
 - i. 24 hour access along Walmer Street between Victoria Street and the bicycle/pedestrian bridge over the Yarra River will be maintained.
 - ii. If any existing public lighting assets require temporary disconnection, alternative lighting to be provided, maintaining adequate lighting levels. A temporary lighting scheme to be submitted and approved by Council and relevant power authority.
 - iii. Any existing public lighting will not be disconnected until a temporary alternative lighting scheme becomes operational.
 - iv. Any temporary lighting scheme relating to the works will remain operational until a permanent lighting scheme is reinstated.
- 6. Any damage to Council infrastructure resulting from the permitted works must be reinstated:
 - a) at the permit holder's cost; and
 - b) to the satisfaction of the Yarra City Council.
- 7. Existing street levels in Victoria Street, Walmer Street and Shamrock Street must not be altered for the purpose of constructing new vehicle or pedestrian entrances without approval from Yarra City Council.
- 8. This permit will expire if:
 - a) the approved works are not commenced within two (2) years of the date of this permit; or
 - b) the approved works are not completed within seven (7) months from the date of commencement.

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.

Date Issued:

17/9/17

Signature for the responsible authority

Note: Under Part 4, Division 1A of the Planning and Environment Act 1987, a permit may be amended. Please check with the responsible authority that this permit is the current permit and can be acted upon.



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**.)

CAN THE RESPONSIBLE AUTHORITY AMEND THIS PERMIT?

The responsible authority may amend this permit under Division 1A 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 Administrative 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 a plan is not certified within two years of the issue of a permit, unless the permit contains a different provision; 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 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 of 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 is lodged with the Victorian Civil and Administrative Tribunal.
- * An application for review must be made on the relevant form which can be obtained from the Victorian Civil and Administrative Tribunal, and 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.
- * Details about applications for review and the fees payable can be obtained from the Victorian Civil and Administrative Tribunal.