

## Changes to Key Draft Planning Permit Conditions

Exhibited permit conditions		Permit conditions recommended by Panel		Officer comment
Condition No.	Condition	Condition No.	Condition	
1a)	Provision of direct access, in the form of escalator and lift from Cambridge Street adjacent to the proposed pedestrian crossing, to the Lower Ground Level retail spaces.	1a) Reword	Provision of revised direct access, <del>in the form of escalator and lift</del> from the lower ground level to Cambridge Street adjacent to the proposed pedestrian crossing, to the Lower Ground Level retail spaces.	Satisfactory, intent achieved
1b)	The Finished Floor Level of the northeastern retail tenancy, as well as the tenancy to the west of the abovementioned tenancy, to be adjusted to provide DDA compliant access from Cambridge Street.	1b) Reword	<u>Provision of direct convenient pedestrian access from the corner of Station Street and Cambridge Street to the north eastern retail tenancy. The Finished Floor Level of the northeastern retail tenancy, as well as the tenancy to the west of the abovementioned tenancy, to be adjusted to provide DDA compliant access from Cambridge Street.</u>	Satisfactory, intent achieved
N/A	N/A	1c) Addition	<u>The location for a future pedestrian connection to the south with buildings and works at this location modified to ensure that the future connection minimises the need for demolition or reconstruction works.</u>	Satisfactory
1g)	The boundary fence or retaining wall along the southern boundary abutting 2-6 Oxford Street must not exceed 1 metre in height.	Deleted	<del>The boundary fence or retaining wall along the southern boundary abutting 2-6 Oxford Street must not exceed 1 metre in height.</del>	Satisfactory – addressed by new condition 1 c)
N/A	N/A	1k) Addition	<u>An additional communal area or room within Building A (to accommodate food and beverage facilities for at least 10 persons or other commensurate use).</u>	Satisfactory – improves internal amenity for future occupants
N/A	N/A	1n) Addition	<u>Improved amenity to the long corridors to residential levels 3 to 14 of Building A by increasing the width of the alcove adjacent to the stairwell to 2.1m, recessing dwelling entries or similar.</u>	Satisfactory
N/A	N/A	1o) Addition	<u>A 1.5m and 1m high wall along the southern boundary of the site adjacent to the Church buildings (Oxford Hall and the Sanctuary</u>	Satisfactory

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N/A	N/A	1p) Addition	Satisfactory
N/A	N/A	1q) Addition	Satisfactory
1o)	All columns in car parking areas must be setback at least 750mm from the edge of aisle to allow vehicle door opening.	1t) Reword	Satisfactory
	N/A	1w) Addition	Satisfactory, reviewed with Council Transport Engineers
1r)	A minimum of 23 car parking spaces reserved for the child care centre during drop off and pick up hours in Basement Level 1 to be line-marked and signed appropriately with a parking time limit no less than 15 minutes.	Deleted	Satisfactory, reviewed with Council Transport Engineers
1s)	A minimum of 14 car parking spaces reserved for practitioners and patients of the medical centre during its operating hours in Basement Level 1 to be line-marked and signed appropriately.	Deleted	
1t)	All other car parking spaces in Basement Level 1 to be line-marked and signed appropriately to reflect the relevant commercial uses.	Deleted	Satisfactory, reviewed with Council Transport Engineers
1u)	The provision of 82 car parking space on Basement Level 2 to be made available for non-residential uses.	Deleted	Satisfactory, reviewed with Council Transport Engineers
1v)	Residential visitor car parking spaces to be line-marked and signed appropriately.	Deleted	Satisfactory, reviewed with Council Transport Engineers

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1x) N/A	The accessway to the loading and unloading area must be at least 3.5 metres wide.	Satisfactory, reviewed with Council Transport Engineers
N/A	N/A	Satisfactory, reviewed with Council Transport Engineers
N/A	N/A	Satisfactory, reviewed with Council Transport Engineers
N/A	N/A	Satisfactory – improved urban design outcome
N/A	N/A	This was negotiated between the proponent and Vicinity. Council officers were not a party to this matter however it has been supported by the Panel. Council Officers are concerned that this condition is 'ultra vires' i.e. prohibits something that can otherwise be considered under the provisions of the zone. Therefore it is not considered appropriate that Council supports the inclusion of this condition.
N/A	N/A	Satisfactory – ensures ongoing availability of public car parking in Box Hill

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N/A			parking capacity has been constructed at an alternative location to the satisfaction of the Responsible Authority.
N/A	N/A	13) Addition	The operation of the child care centre must be in accordance with the Acoustic Management Plan required by Condition 51.
18a) – 18f)	N/A	14) Addition	<p>h) <u>A survey of all existing vegetation, abutting street trees, natural features and vegetation.</u></p> <p>i) <u>The proposed design features such as paths, paving, lawn, mulch, garden beds and lighting.</u></p> <p>j) <u>A planting schedule of all proposed vegetation (trees, shrubs and ground covers) which includes, botanical names, common names, pot size, mature size and total quantities of each plant.</u></p> <p>k) <u>Location of any wayfinding signage, information or other wayfinding measures.</u></p> <p>l) <u>Detail of public realm upgrades including lighting.</u></p> <p>A survey of all existing vegetation, abutting street trees, natural features and vegetation.</p> <p>i) <u>The proposed design features such as paths, paving, lawn, mulch, garden beds and lighting.</u></p>

Satisfactory

Satisfactory - has been relocated from condition 18 in exhibited version

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N/A		<p>i) <u>A planting schedule of all proposed vegetation (trees, shrubs and ground covers) which includes, botanical names, common names, pot size, mature size and total quantities of each plant.</u></p> <p>k) <u>Location of any wayfinding signage, information or other wayfinding measures.</u></p> <p>l) <u>Detail of public realm upgrades including lighting.</u></p> <p>m) <u>Indicative detail of public art, including budget and timing of delivery.</u></p>	
N/A	19) Addition	<p><u>Prior to the endorsement of plans, a structural root assessment of the trees located on the southern boundary of the site adjacent to the Church (trees 1 – 5 identified in the arboricultural report prepared by Graeme Lewis of Stem Arboriculture, dated 14 September 2017) must be undertaken by a suitably qualified professional to determine whether the proposal will impact the useful life expectancy of the trees:</u></p> <p>(a) <u>if the useful life expectancy of the trees is likely to be materially impacted, techniques for avoiding the roots must be explored and if reasonably practicable, implemented to the satisfaction of the Responsible Authority;</u></p> <p>(b) <u>if avoiding the roots is not reasonably practicable, mature screen tree planting must be provided along the</u></p>	Satisfactory

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		<p>boundary of the Church land in consultation with the owner of the Church land, to the satisfaction of the Responsible Authority</p> <p>Before the commencement of works, a Tree Protection and Management Plan consistent with Australian Standard AS 4970-2009 must be prepared in relation to any of the 5 trees that are to be retained, to the satisfaction of the Responsible Authority.</p>	
22)	N/A	<p><del>Street Trees</del></p> <p><del>No street tree may be removed without the prior written consent of the Responsible Authority.</del></p>	Satisfactory – this is covered by local laws in the event that any street trees are present
42)	Stormwater connection to the nominated point of discharge and stormwater on-site detention (if required) must be completed and approved to the satisfaction of the Responsible Authority prior to the occupation of the buildings.	<p><del>Stormwater connection to the nominated point of discharge and stormwater on-site detention (if required) must be completed and approved to the satisfaction of the Responsible Authority prior to the occupation of the buildings.</del></p>	Satisfactory – covered under building regulations
43)	Stormwater that could adversely affect any adjacent land must not be discharged from the subject site onto the surface of the adjacent land.	<p><del>Stormwater that could adversely affect any adjacent land must not be discharged from the subject site onto the surface of the adjacent land.</del></p>	Satisfactory – covered under building regulations
44)	The Applicant/Owner must be responsible to meet all costs associated with reinstatement and/or alterations to Council or other Public Authority assets deemed necessary by such Authorities as a result of the development. The Applicant/Owner shall be responsible to obtain an "Asset Protection Permit" from Council at least 7 days prior to the commencement of any works on the land and obtain prior specific written approval for any works involving the alteration of Council or other Public Authority assets.	<p><del>The Applicant/Owner must be responsible to meet all costs associated with reinstatement and/or alterations to Council or other Public Authority assets deemed necessary by such Authorities as a result of the development. The Applicant/Owner shall be responsible to obtain an "Asset Protection Permit" from Council at least 7 days prior to the commencement of any works on the land and obtain prior specific written approval for any works involving the alteration of Council or other Public Authority assets.</del></p>	Satisfactory – covered under Council regulations

50)	<p><b>Exhibited permit conditions</b></p> <p>Prior to the commencement of the development, excluding demolition, bulk excavation and site preparation works a report generally in accordance with that prepared by Acoustic Logic, dated 9 December 2016, filed with the permit application must be submitted to and be to the satisfaction of the Responsible Authority documenting acoustic and vibration mitigation measures to be implemented in the building to achieve compliance with the Australian Standards and the additional noise criterion set out in the Acoustic Logic report. Additional noise mitigation measures include:</p> <p>(a) the construction of a 1.5m and 1m high fence along the southern boundary with the Church buildings (the Sanctuary building and Oxford Hall) in accordance with Figure 7 of the evidence report of Mr Darren Liu of Acoustic Control, dated 20 September 2017. The fence must be of solid construction with a mass of 10 – 12kg/sqm with no gaps or cracks. Suitable materials could be 6mm glass, 15mm perspex, or 20mm timber.</p> <p>(b) the construction of the proposed 1.2m high balustrading around the child care centre play area to be of a solid panel with no gaps.</p> <p>(c) The glazing treatment for the residential apartments in accordance with the Glazing Schedule at Appendix A of the report by Acoustic Logic with the exception that the glazing to the four bedrooms at levels 3 to 6 of the southern end of Building A must achieve a noise transmission loss of 23dB (at 250Hz) in accordance with recommendation 5.3 and Figure 5 of the evidence report of Mr Darren Liu of Acoustic Control, dated 20 September 2017.</p>	<p><b>Permit conditions recommended by Panel</b></p> <p>49) Amended</p>	<p>Prior to the commencement of the development, excluding demolition, bulk excavation and site preparation works a report generally in accordance with that prepared by Acoustic Logic, dated <u>9 December 2016, filed with the permit application</u> must be submitted to and be to the satisfaction of the Responsible Authority documenting <u>acoustic and vibration</u> mitigation measures to be implemented in the building to achieve compliance with the Australian Standards and the additional <u>noise criterion set out in the Acoustic Logic report. Additional noise mitigation measures include:</u></p> <p>(a) <u>the construction of a 1.5m and 1m high fence along the southern boundary with the Church buildings (the Sanctuary building and Oxford Hall) in accordance with Figure 7 of the evidence report of Mr Darren Liu of Acoustic Control, dated 20 September 2017. The fence must be of solid construction with a mass of 10 – 12kg/sqm with no gaps or cracks. Suitable materials could be 6mm glass, 15mm perspex, or 20mm timber.</u></p> <p>(b) <u>the construction of the proposed 1.2m high balustrading around the child care centre play area to be of a solid panel with no gaps.</u></p> <p>(c) <u>The glazing treatment for the residential apartments in accordance with the Glazing Schedule at Appendix A of the report by Acoustic Logic with the exception</u></p>	<p>Satisfactory</p>
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Exhibited permit conditions	Permit conditions recommended by Panel		
N/A	N/A	51) Addition	Satisfactory
N/A	<p>that the glazing to the four bedrooms at levels 3 to 6 of the southern end of Building A must achieve a noise transmission loss of 23dB (at 250Hz) in accordance with recommendation 5.3 and Figure 5 of the evidence report of Mr Darren Liu of Acoustic Control, dated 20 September 2017.;</p> <p>Prior to occupation an Acoustic Management Plan must be submitted to the satisfaction of the Responsible Authority which sets out the noise management requirements for the loading dock, retail / commercial tenancies, gymnasium and child care centre. The Acoustic Management Plan should incorporate all of the management requirements in the Acoustic Report prepared by Acoustic Logic, dated 9 December 2016, filed with the permit application. The Acoustic Management Plan must be complied with at all times to the satisfaction of the Responsible Authority.</p> <p>Unless otherwise agreed in writing by VicRoads, and before the development starts, the following must be submitted to and approved by the Roads Corporation (VicRoads):</p> <p>a) <u>Functional layout plan (FLP) provided to the satisfaction of VicRoads and Responsible Authority and at no costs to VicRoads to show:</u></p> <p>i. <u>Revised layout for Station Street/Cambridge Street intersection, along with appropriate line marking and signage plan;</u></p>	62) Addition	<p>Whilst Council's Traffic Engineers are not supportive of requirements that will result in loss of on-street parking on Station Street, it should be noted that Station Street is a Road Zone Category 1 road and as such is under VicRoads jurisdiction and not Councils.</p> <p>The notes and conditions are consistent with VicRoads requirements as presented to the Panel, and</p>



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<p>intersections with Station Street.</p> <p>b) Functional stage Road Safety Audit.</p>	<p>ii. <u>Swept path analysis to demonstrate turning manoeuvres for loading trucks at Cambridge Street and Carrington Road intersections with Station Street.</u></p> <p>iii. <u>The location of the proposed pedestrian crossing to be constructed by Council.</u></p> <p>b) <u>Functional stage Road Safety Audit. Subsequent to the approval of the Functional Layout Plan and prior to the commencement of any roadworks, the applicant must submit the detailed engineering design plans along with detailed design stage road safety audit to VicRoads for review and obtain written approval. The detailed design plans must be prepared generally in accordance with the approved functional layout plan and functional stage road safety audit, but do not need to include the proposed pedestrian crossing.</u></p>	<p>as a Section 55 Referral Authority Council is required to include VicRoads conditions on any permit issued should they wish to issue an approval.</p> <p>The VicRoads conditions notes have been supported by the Panel.</p>
<p>N/A</p>	<p>63) Addition</p>	<p>Satisfactory</p>
<p>N/A</p>	<p>64) Addition</p>	<p>Whilst Council's Traffic Engineers are not supportive of requirements that will result in loss of on-street parking on Station Street, it should be noted that Station Street is a Road Zone Category 1 road and as such is under VicRoads jurisdiction and not Councils.</p> <p>The notes and conditions</p>

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		<p>b. <u>Modifications to the intersection of Station Street and Carrington Road to provide for the existing left-turn lane on Carrington Road to operate as a shared left and right-turn lane, including any required alterations to traffic signals.</u></p>	<p>are consistent with VicRoads requirements as presented to the Panel, and as a Section 55 Referral Authority Council is required to include VicRoads conditions on any permit issued should they wish to issue an approval.</p> <p>The VicRoads conditions notes have been supported by the Panel.</p> <p>Satisfactory</p>
	65) Addition	<p><u>No work may be commenced in, on, under or over the road reserve without having first obtained all necessary approval under the Road Management Act 2004, the Road Safety Act 1986, and any other relevant Act or regulations created under those Acts;</u></p> <p><u>M. In order to improve safety and traffic flow along Station Street, Cambridge Street and Carrington Road, and to undertake improvement works as part of the approved Functional Layout Plan, on-street parking along Station Street may need to be removed.</u></p> <p><u>N. The preparation of the functional layout plan, detailed engineering design and the construction and completion of all work must be undertaken in a manner consistent with current VicRoads' policy, procedures and standards and at no cost to VicRoads. In order to meet VicRoads' requirements for these tasks the applicant will be required to comply with the requirements documented as "Standard Requirements – Externally</u></p>	
N/A	VicRoads conditions Notes		<p>Whilst Council's Traffic Engineers are not supportive of requirements that will result in loss of on-street parking on Station Street, it should be noted that Station Street is a Road Zone Category 1 road and as such is under VicRoads jurisdiction and not Councils.</p> <p>The notes and conditions are consistent with VicRoads requirements as presented to the Panel, and as a Section 55 Referral Authority Council is required to include</p>

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		<p>Funded Projects" and any other requirements considered necessary depending on the nature of the work.</p> <p>O. Functional layout plan may need to be amended to accommodate any changes that may arise during the detailed design stage review; in response to the road safety audit; in relation to services and their relocation; vegetation; drainage; treatment of hazards within clear zones and other matters.</p> <p>P. The proposed development requires works within the road reserve. Separate approval under the Road Management Act may be required from VicRoads (Roads Corporation). Please contact VicRoads prior to commencing any works.</p>	<p>VicRoads conditions on any permit issued should they wish to issue an approval.</p> <p>The VicRoads conditions notes have been supported by the Panel.</p>