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# PLANNING PERMIT

Permit No:

PLN16/0434

Planning Scheme:

Yarra

Responsible Authority:

City Of Yarra

ADDRESS OF THE LAND:

26-52 Queens Pde Fitzroy North VIC 3068

THE PERMIT ALLOWS:

In accordance with the endorsed plans:

- Construction of two or more dwellings on a lot in a 10-storey building plus two basements in the Mixed Use Zone under clause 32.04-6
- Use of part of the land for the sale and consumption of liquor (on-premises) under clause 52.27
- Partial demolition or removal of a building in a Heritage Overlay under clause 43.01-1
- Construction of a building or construction or carrying out of works in a *Heritage*Overlay under clause 43.01-2
- Reduction of the car parking requirements under clause 52.06-2
- Alteration of access to a road in Road Zone Category 1 under clause 52.29

#### THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

## Amended plans

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 substituted by the Victorian Civil and Administrative Tribunal by its order dated 26 October 2017 in Proceeding P2709/2016 but modified in accordance with the plans prepared by Cox Architecture drawings nos. A-21-08 rev 2, A-21-09 rev 2, A-21-10 rev 8, A-21-11 rev 8, A-21-12 rev 8, A-21-13 rev 3, A-21-14 rev 2, A-21-15 rev 2, A-21-16 rev 2, A-21-17 rev 2, A-21-18 rev 2, A-21-19 rev 2, A-21-20 rev 2, A-30-01 rev 2, A-30-02 rev 2, A-30-02 rev 2, A-30-02 rev 2, A-30-03 rev 2, A-30-03 rev 2, A-30-04 rev 2

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03 rev 2, A-30-04 rev 2, A-30-05 rev 2, A-30-06 rev 2, A-30-07 rev 2, A-30-08 rev 2, A-30-09 rev 2, A-40-10 rev 2, A-40-11 rev 2, A-61-29 rev 1, A-61-31 rev 1, A-61-32 rev 1, A-61-40 rev 1, all dated 21 February 2018 and drawing nos. A-SK-08 rev 2 dated 24 May 2018, A-SK-11 rev 1 dated 30 May 2018, A-SK-07 rev 2 dated 24 may 2018, A-SK-09 rev 2 dated 30 May 2018 & A-SK-10 rev 1 dated 30 may 2018 but further modified to show:

## Demolition

(a) Demolition plans and elevations.

#### Notations of towers

(b) The tower behind the decorative heritage façade notated as 'tower 1', the tower above the restaurant notated as 'tower 2', and the tower above the basement entry notated as 'tower 3'.

## Notation of bays in heritage façade

(c) Each of the bays in the decorative heritage façade notated as 'Bay 1' (at the south-west end of the facade) to 'Bay 9' (at the north-east end of the facade).

## Survey information regarding heights

- (d) Survey information included on all elevations to confirm that the following:
  - (i) overall building height does not exceed 31m; and
  - (ii) the new façade height to Queens Parade (podium element) does not exceed 10m.

#### Services details

(e) Details of the vehicular entrance door, fire booster cupboards and services.

## Heritage façade - Bay 9 and its pilasters

(f) Retention of the entire Bay 9 façade, including the upper level window and the two narrow, full-height pilasters on either side of the Bay (four in total), but excluding the part for the new lower level window opening.

## Heritage façade fenestration

- (g) If required to be openable, the windows must use traditional steel framed systems including only hopper, awning, or pivot sash arrangements.
- (h) The elevation in drawing no. A-61-29 rev 1 to match section D as shown in drawing no. A-61-32 rev 1.
- The new lower level opening in Bay 9 matching in height and widthy the other new ground floor openings.

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# Air conditioning units

(j) The location of air conditioner units on balconies (where applicable), along with balustrade details to confirm they will be reasonably screened (ie not clear glass).

#### Pedestrian link

(k) The pedestrian link to the laneway behind Coleman Street with a minimum width of 4 metres and relocated to between townhouses 8 & 10.

#### Undercrofts

(I) The ground floor undercrofts beneath tower 1 and between towers 2 & 3 with unobstructed floor to ceiling heights of no less than 3.8 metres, and any consequential changes to ground floor, including external paths, ramps and stairs, and overall building height.

#### Consistency with landscape plan

(m) Any changes to ensure consistency with the approved\_landscape plans.

### Bedroom dimensions

(n) Each bedroom with either minimum dimensions of 3 metres by 3 metres or a minimum area of 9 square metres provided one side of a rectangle that fits in the bedroom is no less than 2.8 metres. Each change to the dimensions or area of a bedroom must be absorbed within the building envelope.

## Restaurant seating

(o) Details of how the seating area south of the restaurant will be illuminated and secured when the restaurant is not open.

#### Planter at deli/shop entrance

(p) Deletion of the planter south of the deli/shop entrance.

## Bicycle park

(q) Details of the bicycle park west of the deli/shop, confirming the path would not be unreasonably impeded when in use.

## Gated entries

(r) The gates at the secure entries off Queens Parade with a maximum height of 2.1 metres. The gates to the lane off Coleman Street and to the lane off Brunswick Street must match the height of adjoining fences and must be at least 75% visually transparent.

#### Bicycle storage door

(s) A door to the bicycle storage area at the ground floor of building.

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## Boundary dimensions

(t) Boundary dimensions consistent with the dimensions in the certificate(s) of titles.

## Apartment C10201

(u) The deletion of apartment C10201 and consequential changes to the adjoining passage and consequential optional provision of additional terrace for one or both of adjoining apartments C10205 & C10202 provided the terrace is at least 3 metres from 24 Queens Parade and consequential optional deletion of the terrace on the south side of two of the apartment C10205 bedrooms and consequential internal re-arrangement of that apartment.

#### Café

(v) The café as a 'food and drinks premises (café)'.

#### Screening

(w) Screening to habitable room windows, balcony or terrace to address internal and external overlooking within a 9 m radius and 45 degree arc of an adjacent habitable room windows or private open space area to the satisfaction of the Responsible Authority, including the proposed townhouses at rear of 26-56 Queens Parade. Screens must be designed and/or of a material to minimise views and still permit reasonable daylight to enter the treated dwellings and must also provide a variety of heights and treatments to create visual interest.

#### Materials

- (x) A schedule of external colours and materials, including samples (where appropriate). The schedule must show:
  - A durable finish to timber.
  - (ii) Minimisation of the visibility of the upstand behind the heritage façade glazing and the paint colour chosen accordingly.
  - (iii) Construction of the eastern return wall of bay 9 to match the heritage façade in either brickwork or, if investigation of the original façade brickwork results in the retention of a painted render finish to the façade, a painted render finish or similar to match the main façade.
  - (iv) Details of the plant level screens, to be integrated with the overall design of the building.
  - (v) Exterior glazing to the building to achieve a VLT of at least 70%.

### Coloured elevations

(y) Coloured elevations and perspectives.

Internal amenity

(z) Extension of the living room in apartment C30207 to the balcony edge to increase daylight to the apartment.

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## Lighting

- (aa) A lighting plan addressing all entries and public spaces within the development. Footpath edging
- (bb) Sections detailing the edging detail between the footpath and the front setbacks to the site.

#### Communal areas access

(cc) A notation confirming all residents will have access to both the level 8 tower 1 communal area and the ground level tower 2 communal areas.

#### Landscape plan

- (dd) A modified landscape plan generally in accordance with the landscape plan prepared by Jack Merlo design and landscape and dated 31 January 2018 but modified to show:
  - (i) The use of a Crepe Myrtle along apartment terraces.
  - (ii) Soil volumes for planters that demonstrate the capability to achieve intended canopy volumes to the satisfaction of the responsible authority.
  - (iii) Planters carrying shrubs must be no less than 600 mm deep.
  - (iv) Crepe Myrtle on the private terraces on level 3 planted in masonry planters with planter depths increased from 500 mm up to 800 mm.
  - (v) For a tree with a 3 metres canopy spread where shrubs and groundcovers are also proposed in the planter the provision of a planter with minimum soil volume of 5.5 cubic metres or 4.5 cubic metres for the tree alone. Where larger trees are proposed; a tree with a 4 metres canopy would require 10 and 7.5 cubic metres of soil in similar situations.
  - (vi) Level 8 planters increased in volume (minimum depth of 600 mm) and constructed of masonry.
  - (vii) Any details required by the Irrigation Management Plan approved under condition 40.
  - (viii) Any specified growing medium in planters must have a high sand component (rather than an organic mix).
  - (ix) Any planters external to terrace screens must include safety devices and must be maintained by the Owners Corporation.
  - (x) Deletion of the planter in front of the deli/shop entrance.
  - (xi) Type, location, quantity, pot size, height at maturity and botanical names of all proposed plants. Species within the landscape buffer must be shade tolerant and must provide clear visual links with the pedestrian link (low level shrubs/plants).
  - (xii) Cross sections showing the depth of planter boxes and planting, including growing media, irrigation, drainage, water proofing and tree anchors.

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- (xiii) Location of all areas to be covered by lawn, paving or other surface materials.
- (xiv) Specification of works to be undertaken prior to planting. This must include detailed soil mix specifications for different components of the overall landscaping works.
- (xv) Watering and maintenance.
- (xvi) Garden bed dimensions.
- (xvii) Areas of paving and proposed materials.
- (xviii) Location of proposed tree planting distances from buildings and other infrastructure, planting proposed over the basement levels or under the overhanging built form.
- (xix) Clear definition of terraced spaces, retaining walls, seating elements and other structures independent of paving treatments.
- (xx) Water sensitive urban design [WSUD] features.
- (xxi) Removal of street tree 8 (*Ulmus*). A notation must confirm that the Permit Holder will pay the Responsible Authority \$8,960 to undertake these works, including the reinstatement of 2 trees after development plus 2 years tree establishment maintenance by City of Yarra contractors.
- (xxii) A detailed section of a green roof/non-accessible planter bed, confirming or detailing the vegetation layer; the growing substrate and depth (plants should not be supplied as 100 mm pots, but grown in the media to be used on the roof/planter bed); load bearing weights for saturated bulk density that have been supported by suitably qualified engineers; irrigation; filter sheet; drainage layer (the Elmich product, or similar must be specified); protection mat; root barrier; and waterproofing.
- (xxiii) Deletion of the pavers used in the communal lawn area.
- (xxiv) Ground level tree selection should not just be limited to species that grown in a columnar shape.
- (xxv) A safe maintenance program for all planters.
- (xxvi) A tree management plan showing TPZs for trees in the nature strip and outer separator.
- (xxvii) Three additional street trees (Ulmus procera 'English Elm') where the existing crossovers are to be removed. A notation must confirm that the Permit Holder will pay the Responsible Authority \$2,798 to undertake these works, including the reinstatement of 2 trees after development plus 2 years tree establishment maintenance by City of Yarra contractors.
- (xxviii) Details of plantings associated with the pedestrian access to the laneway off Coleman Street.

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- (ee) Red line plans showing the sale and consumption of liquor limited to the internal area of the westernmost food and drinks premises (café), and the restaurant.
- (ff) The 'café' and 'restaurant' shown as a 'food and drinks premise (café)'.

#### Maximum floor areas

- (gg) The shop (deli) with a maximum leasable floor area of 201m2.
- (hh) The food and drinks premises (cafe and restaurant) with a maximum leasable floor area of 295m² in total.

## Driveway convex mirror

(ii) Installation of a convex mirror to service vehicles exiting the driveway (no audible devices are to be installed).

## Vehicle entrance

(jj) 1 in 20 scale cross sectional drawings of the development's vehicular entrances, showing the actual reduced levels (not interpolated levels from the application drawings) of the road profile, the lip of the channel, the invert of the channel, the top of kerb and the existing building line. The existing road profiles of the Queens Parade service lane (from the kerb line to the centre line of the road) and the access ways inside the property must be accurately drawn. The cross section must demonstrate that vehicles can traverse the new vehicle crossing and ramp without scraping or bottoming out, using a B99 design vehicle.

## **Bicycles**

- (kk) Bicycle signage in accordance with clause 52.34-5 of the Yarra Planning Scheme.
- (II) Details of bicycle storage/parking systems, demonstrating they can provide space for a bicycle of minimum dimensions of 1.7 metres in length, 1.2 metres in height and 0.7 metres in width at the handlebars or as perAS2890.3-2015.
- (mm) Accessways to bicycle parking spaces a minimum width of 1.5 metres.
- (nn) Details of the visitor 'bicycle park' at the ground floor.
- (oo) Bicycle parking positioned adjacent to the pedestrian gate in the north-west corner of the site or adjacent to allocated car spaces for the three townhouses on land known as the rear 26-56 Queens Parade (being lot 1 on Title Plan 806921X).

#### Basement

- (pp) Ramp width dimensions (from kerb to kerb).
- (qq) Minimum headroom clearances throughout the basement dimensioned.
- (rr) Car park columns setback 750mm from the aisles.
- (ss) Loading bay dimensioned on the drawings, including minimum overhead clearance. The plan must also include a note confirming details of the vehicles permitted to use this space, along with swept path diagrams provided for ingress and egress;

Vehicle entry

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- (tt) The east edge of the crossover must be perpendicular to the Queens Parade service road.
- (uu) The headroom clearance of the vehicular doorway a minimum headroom of 3.6 metres provided along the access ramp and 3 metres within the loading and waste collection bays.
- (vv) Visitor intercoms to the pedestrian and vehicular entries to the development.
- (ww) A note confirming the design and construction of the new vehicle crossing must satisfy Yarra City Council's Infrastructure Road Materials Policy, Yarra City Council's Standard Drawings and engineering requirements.

### Redundant crossings

(xx) Demolition and reinstatement of all redundant vehicle crossings to Yarra City Council's satisfaction.

## Loading bay

(yy) Dimensions of the loading bay and waste pick up bay.

#### Reports

(zz) Changes (as may be necessary) for consistency with the Structural Report, Wind Assessment Report, Acoustic Report, Sustainable Management Plan Report and Waste Management Plan Report.

## Endorsed plans not altered

2 The development and uses as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.

## Architectural services

As part of the ongoing consultant team, Cox Architecture or an architectural firm(s) to the satisfaction of the Responsible Authority must be engaged to oversee design and construction of the development, and to 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.

## Finished floor levels

4 Finished floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.

## Screening

- Before the development is occupied, or by such later date as approved in writing by the Responsible Authority, all screening and other measures to limit overlooking as shown on the endorsed plans must be installed to the satisfaction of the Responsible Authority.
- All screening and other measures to prevent overlooking as shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority

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#### Wall cleaning

Before the buildings are 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.

#### Maintenance

All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.

### Concealing pipes etc

9 All pipes (excluding downpipes), 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 Responsible Authority.

## Graffiti

Before the buildings are occupied, any wall located on a boundary facing public property must be treated with a graffiti proof finish to the satisfaction of the Responsible Authority.

#### External lighting

Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating access to the basement car park, pedestrian walkway, laneway and dwelling entrances must be provided. Lighting must be located, directed, shielded, and of limited intensity, all to the satisfaction of the Responsible Authority

## Noise

- 12 The use and development must comply at all times with the State Environment Protection Policy Control of Noise from Commerce, Industry and Trade (SEPP N-1).
- The use and development must comply at all times with the State Environment Protection Policy Control of Music Noise from Public Premises (SEPP N-2).

## Heritage facade

Before either\_the development starts or the paint on the decorative façade is removed (except for the purposes of investigation), a decorative facade treatment scheme must be submitted to and approved by the Responsible Authority. The treatment scheme\_must be informed by and include the results of an investigation of the existing and original decorative treatments to the façade and an assessment of non-destructive paint removal techniques. The treatment scheme must include an investigation of the possibility of restoring the façade to its original condition based on the best available evidence. The treatment scheme must also include the Bay 9 return wall and colour proposed for the level 2 upstand behind the façade glazing. When approved, the decorative façade treatment scheme will be endorsed and will then form part of this permit.

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The approved decorative façade treatment scheme must be carried out by or under the supervision of a suitably qualified consultant to the satisfaction of the Responsible Authority.

#### Amenity

- The amenity of the area must not be detrimentally affected by the development and uses 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, waste water, waste products, grit or oil; or
  - (d) the presence of vermin;

to the satisfaction of the Responsible Authority.

## Sale and consumption of liquor

- 17 Except with the prior written consent of the Responsible Authority, no more than 50 patrons are permitted in the westernmost food and drinks premises (café) at any one time.
- Unless with the further consent of the Responsible Authority, the sale and consumption of liquor in association with the westernmost food and drinks premises (café) and the restaurant may only occur between the hours of 12 noon to 11 pm, any day.
- Before the use of the land for the sale and consumption of liquor starts, a Noise and Amenity Action Plan (NAAP) to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the NAAP will be endorsed and will then form part of this permit. The NAAP must include the details required by clause 22.09-4.3 of the *Yarra Planning Scheme*.
- The sale and consumption of liquor uses must be managed in accordance with the endorsed NAAP.
- The sale and consumption of liquor as shown on the endorsed plans must not be altered without the prior written consent of the Responsible Authority.
- Before the sale and consumption of liquor starts, a sign at the exit of the licensed premises must be displayed to the satisfaction of the Responsible Authority advising patrons to respect the amenity of adjacent residential areas and to leave in a quiet and orderly manner.
- 23 Emptying of bottles and cans into bins may only occur between 7 am and 5 pm on any day.

## Structural report

Before the demolition starts, a structural report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The structural report must be prepared by a suitably qualified structural engineer and must demonstrate the means by which the retained portions of the buildings on-site will be supported during demolition and

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- construction works to ensure their retention. When approved, the structural report will be endorsed and will form part of this permit.
- The provisions, recommendations and requirements of the endorsed structural report must be implemented and complied with to the satisfaction of the Responsible Authority.

## Public Art Management Plan

- By no later than 6 months after the development starts, a Public Art Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Public Art Management Plan will be endorsed and will then form part of this permit. The Public Art Management Plan must include, but not be limited to:
  - (a) Details of the commissioned artist(s).
  - (b) A description of art work, including materials, colours, dimensions, content, special features (eg lighting), details of the installation process, and details of an art work maintenance schedule.
- 27 Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, the public art in the endorsed Public Art Management Plan must be completed. Once completed, the public art must be maintained in accordance with the endorsed Public Art Management Plan to the satisfaction of the Responsible Authority.

## Car spaces etc and access for nearby residents

- 28 Before the development starts, 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* providing for:
  - (a) The ongoing provision of 6 car parking spaces, 3 bicycle parking spaces, 3 stores and a bin area for the residents of the three townhouses on land known as the rear 26-56 Queens Parade, being lot 1 on Title Plan 806921X.
  - (b) The ongoing pedestrian access and egress through the land for the residents of and visitors to the three townhouses on land known as the rear 26-56 Queens Parade, being lot 1 on Title Plan 806921X.
  - (c) The obligations under the agreement only applying to that part of land that is or will become common property under the relevant plan of subdivision and to the owners corporation in which the common property has vested or will vest on registration of the plan of subdivision.

The agreement must be registered on title. The owner, or other person in anticipation of becoming the owner, must meet all of the reasonable expenses of preparing, reviewing, registering and recording the agreement, including the Responsible Authority's costs and expenses (including legal expenses) incidental to preparing, reviewing, registering and recording the agreement.

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#### Wind

- Before the plans under condition 1 are endorsed, an amended Wind Assessment Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Wind Assessment Report will be endorsed and will form part of this permit. The amended Wind Assessment Report must be generally in accordance with the Wind Assessment Report prepared by Windtech and dated 30 June 2016, but modified to:
  - (a) reflect the decision plans; and
  - (b) demonstrate acceptable wind levels will result from the development (on and off the site land); and
  - (c) identify which balustrades could be reduced to 1 metre or 1.7 metres (dependent on overlooking requirements) and continue to achieve the relevant wind criteria.
- The provisions, recommendations and requirements of the endorsed Wind Assessment Report must be implemented and complied with to the satisfaction of the Responsible Authority.

#### Acoustic report

31 Before the plans under condition 1\_are endorsed, 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 Wood and Grieve Engineers, dated 29 June 2016 and include an assessment of how the requirements of the State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade, No. N-1) (SEPP N-1), the State Environment Protection Policy (Control of Music Noise from Public Premises No. N-2) (SEPP N-2) and relevant Australian Standards will be met. The report must:

- (a) Address the decision plans and any relevant condition 1 requirements.
- (b) Detail the location and time of road traffic noise measurements.
- (c) Include adoption of appropriate indoor noise levels with regard to road traffic noise.
- (d) Target internal noise levels with regard to the impact of voice noise from the communal outdoor areas and food and drink premises.
- (e) Include maximum music noise levels in the food and drinks premises (cafés) and shop, to comply with SEPP N-2.
- (f) Include the installation of a music noise monitor.
- (g) An assessment of voice noise from patrons within the food and drinks premises (cafés) and shop to the proposed dwellings.

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

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- Within 3 months of the development or any part of it\_being occupied, an updated acoustic report prepared by a suitably qualified acoustic consultant to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The report must demonstrate the required level of noise attenuation has been achieved. The report must also:
  - (a) Confirm compliance with relevant conditions of the permit.
  - (b) Provide measurement data taken from inside the dwellings of the development demonstrating compliance with SEPP N-1, SEPP N-2 or any other relevant requirement.
- 34 The recommendations and any works contained in the approved acoustic report must be implemented and completed and where there are recommendations of an ongoing nature must be maintained all to the satisfaction of the Responsible Authority.

#### Sustainable Management Plan

- 35 Before the development starts, an amended Sustainable Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Sustainable Management Plan will be endorsed and will form part of this permit. The amended Sustainable Management Plan must be generally in accordance with the Sustainable Management Plan prepared by Wood and Grieve Engineers dated 17/08/2017, but modified to show/reflect/demonstrate:
  - (a) The incorporation of any combination of the following:
    - (i) extraction fans to all kitchen range hoods and bathrooms;
    - (ii) ceiling fans;
    - (iii) trickle vents;
    - (iv) energy efficient mechanically assisted natural ventilation with flow rates 50% in excess of AS 1668 levels.
  - (b) Confirm glazing details (a VLT of at least 70%).
  - (c) A different stormwater management treatment (not the SPEL treatment proposed), demonstrating compliance with clause 22.17 of the *Yarra Planning Scheme*.
  - (d) The 40,000L (minimum) rainwater tank used for toilet flushing and landscape irrigation, if possible.
  - (e) Clear, unambiguous wording, with clear commitments and no disclaimers.
  - (f) A commitment to achieve a minimum NatHERS 6.5 star average rating (not 'targeted to achieve').
  - (g) That no dwellings exceed the 30MJ/m2 cooling loads threshold, using the NatHERS thermal energy rating software.
- The provisions, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

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## Waste Management Plan

- 37 Before the development starts, 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 9 August 2017, but modified to include/reflect:
  - (a) the decision plans;
  - (b) details on how bin store will operate/be managed by operator;
  - (c) how appropriate management of the waste and recycling will be ensured;
  - (d) detail of the bin store plan showing path of access, hard waste area etc;
  - details/justification on ensuring recycling collected is compacted to ensure industry standard and not compromise recovery of recyclables;
  - (f) details on path of access from the street to the bin collection point;
  - (g) details on how the chutes operate to ensure appropriate use by tenants;
  - (h) details on how the development will be managed by the operator; and
  - (i) show how the WMP will work in practice for residents, operator and waste contractors.
- The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

#### Irrigation

- 39 Before the plans under condition 1 are endorsed an Irrigation Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Irrigation Management Plan will be endorsed and will form part of this permit. The Irrigation Management Plan must include\_recommendations for:
  - (a) Differential demands of the vegetation within the site complying with the provisions, recommendations and requirements of the endorsed Landscape Plan.
  - (b) Programmed maintenance for the irrigation system including flushing, checking systems integrity, monitoring sensors and calibration settings.

## Landscaping

- Before the building is occupied, or such later date as is approved by the Responsible Authority, the landscaping works shown on the endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.
- 41 The landscaping shown on the endorsed plans must be maintained by:

(a) implementing and complying with the provisions, recommendations and requirements of the endorsed Landscape Plan;

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- 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, all to the satisfaction of the Responsible Authority.

#### Street trees

- 42 Before the development starts, a Tree Management Plan to the satisfaction of the Responsible Authority must be prepared by a suitably qualified Arborist and must be submitted to and approved by the Responsible Authority. When approved the Tree Management Plan will be endorsed and will form part of this permit. The Tree Management Plan must include recommendations to the satisfaction of the Responsible Authority for:
  - (a) The protection of the nature strip trees adjacent to the site along the Queens Parade frontage before construction starts, during construction and after construction is complete.
  - (b) The provision of any barriers.
  - (c) Any necessary pruning.
  - (d) Watering and maintenance regimes.
- The provisions, recommendations and requirements of the endorsed Tree Management Plan must be complied with and implemented to the satisfaction of the Responsible Authority.
- Before the development starts, a security bond must be given to the Responsible Authority to secure the 8 street trees adjacent to the site along Queens Parade. The security bond must cover the amenity value of each tree and:
  - (a) must\_be an amount to be agreed with the Responsible Authority;
  - (b) must be provided in a manner, and on terms, to the satisfaction of the Responsible Authority; and
  - (c) may be held by the Responsible Authority until the construction works are completed to the satisfaction of the Responsible Authority.

When the construction works are completed to the satisfaction of the Responsible Authority, the Responsible Authority must inspect the trees and provided they are found to be in good condition, the security bond must be refunded.

- Before the buildings or any part of them are occupied, or by such later date as approved in writing by the Responsible Authority, any damaged street trees must be replaced:
  - (a) in accordance with any requirements or conditions imposed by Yarra City Council;
  - (b) at no cost to Yarra City Council; and
  - (c) to the satisfaction of the Responsible Authority.

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#### Car parking

- Before the development starts, a Car Park Management Plan prepared to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Car Park Management Plan will be endorsed and will then form part of this permit. The Car Park Management Plan must include, but not be limited to, the following:
  - (a) The allocation of 6 car parking spaces to the residents of the three dwellings at the rear of 26-56 Queens Parade, Fitzroy North (planning permit PLN16/0732).
  - (b) The allocation of 7 car parking spaces for the commercial tenancies, including the number and location of car parking spaces allocated to each commercial tenancy.
  - (c) Management details for residential loading/unloading when moving.
  - (d) The management of the 9 visitor car parking spaces and security arrangements for occupants of the development, including details on how residential visitors are to access car parking.
  - (e) Details of way-finding, cleaning and security of end of trip bicycle facilities.
  - (f) Any policing arrangements and formal agreements.
  - (g) 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.
  - (h) The collection of waste and garbage including the separate collection of organic waste and recyclables, which must be in accordance with the endorsed Waste Management Plan required.
  - (i) Details regarding the management of loading and unloading of goods and materials.
  - (j) Confirmation that\_delivery vehicles entering the land will be restricted to a height no greater than 3.5 metres.
  - (k) Details of the loading bay use, including hours and potentially using a lighting system to improve the safety of this area.
- The provisions, recommendations and requirements of the endorsed Car Park Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
- Before the building or any part of it is occupied, 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; and
  - (d) line-marked or provided with some adequate means of showing the car parking spaces, all to the satisfaction of the Responsible Authority.

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## Traffic, roads and footpaths

- 49 All redundant vehicle crossings along the land's\_road frontages must be demolished and reinstated with paving, kerb and channel to Yarra City Council's satisfaction and at no cost to the Council.
- Any damaged roads, footpaths and other road related infrastructure adjacent to the land as a result of the construction works, including trenching and excavation for utility service connections, must be reconstructed to Yarra City Council's satisfaction and at no cost to the Council. The cross-fall of reconstructed footpaths must be no steeper than 1 in 40.
- Any services poles, structures or pits that interfere with the proposal must be adjusted, removed or relocated at the owner's expense after seeking approval from the relevant authority.

## Engineering documentation

- Within three months of the date the development starts, Detailed Engineering Documentation to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Detailed Engineering Documentation will be endorsed and will then form part of this permit. The Detailed Engineering Documentation must be drawn to scale with dimensions, and three copies must be provided. The Detailed Engineering Documentation must include:
  - (a) The reconstruction of that part of the laneway off Brunswick Street that abuts the rear of the land in pitched bluestone.
  - (b) Subject to the approval of VicRoads, the reinstatement of the footpath outside the Queens Parade frontage of the land, once all building works and underground utility services have been completed/installed. All pedestrian access must be constructed to a level no steeper than 1 in 40 from the building line.
  - (c) The nature strips directly outside the land's Queens Parade service road frontage must be cultivated, top dressed and be provided with instant turf.
  - (d) If material damage to the Queens Parade service road is caused as a result of the carrying out of the development including the provision of ancillary utility services, the service road must be reinstated to the satisfaction of the Responsible Authority.
  - (e) The capping of all redundant property drains.
- 53 Unless with the prior written consent of the Responsible Authority, all development referenced in condition 52 must be completed to the satisfaction of the Responsible Authority before the building or any part of the building is occupied.
- The details and requirements of the endorsed Detailed Engineering Documentation must be implemented and complied with to the satisfaction of the Responsible Authority.
- Before the development starts, a one-off contribution of \$8,960 must be paid to the Responsible Authority to be used for new street tree plantings that are required as a result of the development (reinstatement of 2 trees after development plus 2 years tree establishment maintenance).

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## Green Travel Plan

- Before the occupation of the development or any part of the development, a Green Travel Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Green Travel plan will be endorsed and will form part of this permit. The Green Travel Plan must include, but not be limited to, the following:
  - (a) A description of the location in the context of alternative modes of transport.
  - (b) Employee and resident welcome packs (eg provision of Met cards/Myki cards).
  - (c) Appointment of a person as 'manager' or 'champion' responsible for co-ordination and implementation.
  - (d) Details of bicycle parking and bicycle routes.
  - (e) Details of GTP funding and management responsibilities.
  - (f) An obligation to update the Plan not less than every 5 years.
- 57 The provisions, recommendations and requirements of the endorsed Green Travel Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

#### Construction

- Before the development starts, a Construction Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will form part of this permit. The plan must include:
  - (a) A street tree management plan (including TPZs).
  - (b) A pre-conditions survey (dilapidation report) of the land and all adjacent Yarra City Council roads frontages and nearby road infrastructure.
  - (c) Works necessary to protect road and other infrastructure.
  - (d) Remediation of any damage to road and other infrastructure.
  - (e) 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.
  - (f) Facilities for vehicle washing, which should be located on the land.
  - (g) 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.
  - (h) Site security.
  - (i) A lighting plan, which must include:
    - (i) If any existing public lighting assets require temporary disconnection, details of alternative lighting to maintain adequate lighting levels. A temporary lighting scheme must be approved by Yarra City Council and the relevant power authority.

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- (ii) Confirmation that existing public lighting would only be disconnected once temporary alternative lighting scheme becomes operational.
- (iii) Confirmation that the temporary lighting scheme will remain operational until a permanent lighting scheme is reinstated.
- (j) 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.
- (k) The construction program.
- (I) Delivery and unloading points and expected duration and frequency.
- (m) Parking facilities for construction workers.
- (n) Measures to ensure that all work on the land will be carried out in accordance with the Construction Management Plan.
- (o) An outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services.
- (p) 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.
- (q) 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.
- (r) 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; and

(v) other relevant considerations.

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- During construction, any stormwater discharged into the stormwater drainage system must be in compliance with Environment Protection Authority guidelines.
- During construction, 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.
- 61 During construction, vehicle borne material must not accumulate on the roads abutting the land.
- During construction, the cleaning of machinery and equipment must take place on the land and not on adjacent footpaths or roads.
- During construction, all litter (including items such as cement bags, food packaging and plastic strapping) must be disposed of responsibly.
- Before the buildings or any part of them are occupied, or by such later date as approved in writing by the Responsible Authority, any damage to Yarra City\_Council infrastructure resulting from the development must be reinstated to the satisfaction of the Responsible Authority.
- Any service poles, structures or pits that interfere with the proposal must be adjusted or removed with approval from the relevant authorities and to the satisfaction of the Responsible Authority.
- Before the buildings or any part of the buildings\_are occupied, or by such later date as approved in writing by the Responsible Authority, any new vehicle crossings must be constructed in accordance with any requirements or conditions imposed by Yarra City Council to the satisfaction of the Responsible Authority.
- 67 Except with the prior written consent of the Responsible Authority, Yarra City Council assets must not be altered in any way.
- Pit lids and levels are to be readjusted to match the surface of the footpath, to the satisfaction of the Responsible Authority.
- No parking restriction signs must\_be removed, adjusted, changed or relocated without approval or authorisation from the Responsible Authority.
- 70 Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
  - (a) before 7 am or after 6 pm, Monday-Friday (excluding public holidays);
  - (b) before 9 am or after 3 pm, Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday); or
  - (c) at any time on Sundays, ANZAC Day, Christmas Day and Good Friday.

## Public lighting plan

Before\_the development <u>starts</u>, a public lighting plan must be submitted to and approved by the Responsible Authority. When approved, the public lighting plan will be endorsed and will form part of this permit. The public lighting plan must include:

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- (a) Lighting at the entrance to and within the northern laneway linking to Coleman Street and within the reconstructed part of the laneway abutting the land off Brunswick Road.
- (b) Confirmation that all primary pedestrian access to a residential/multipurpose development will be lit by public lighting installations at least to lighting level P4 as specified in the Australian Standard AS 1125.3.1:2005 Lighting for roads and public spaces - Pedestrian area (Category P) lighting - Performance and design requirements.
- (c) Confirmation that any new poles and luminaries required for the development will be sourced from CitiPower/Jemena standard energy efficient luminaires list and comply with relevant CitiPower/Jemena technical requirements.
- (d) Confirmation that light spillage into the windows of any existing and proposed residences will be avoided or minimised and must comply with the requirements of Australian Standard AS 4282 – 1997 Control of the obtrusive effects of outdoor lighting.
- (e) Confirmation that the locations of any new light poles will not obstruct vehicular access into private property.
- (f) Include a commitment that the Permit Holder will ensure (by contacting relevant power authority) that the existing or proposed power supply conforms to "No Go Zone" requirements from the relevant power authority;
- (g) Confirmation that the owner will fund the supply and installation of any additional or upgraded lighting, electrical hardware and poles.
- The provisions, recommendations and requirements of the endorsed public lighting plan must be implemented and complied with to the satisfaction of the Responsible Authority.

### Flood impact mitigation

- The\_entry/exit to the basement carpark must incorporate either a flood proof apex and associated bunding or a self-closing automatic flood barrier constructed no lower than 24.43 metres to Australian Height Datum (AHD), which is 300 mm above the applicable flood level or 24.13 metres to AHD. These entry/exit requirements must be shown on the plans endorsed under condition 1.
- Any\_external openings to the basement including windows and vents must be constructed no lower than 24.43 metres to AHD. The plans endorsed under condition 1 must be consistent with this requirement.
- Before an Occupancy Permit is issued, a certified survey plan, showing finished levels (as constructed) reduced to AHD, must be submitted to and approved by Melbourne Water to demonstrate that the levels have been constructed in accordance with Melbourne Water's requirements.

## Land contamination

Before the construction of the development authorised by this permit starts, an assessment of the land to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The assessment must be prepared by an environmental

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professional with suitable qualifications to the satisfaction of the Responsible Authority and must include:

- (a) A description of previous land uses and activities on the land.
- (b) An assessment of the level, nature and distribution of any contamination within, or in close proximity to, the land.
- (c) Details of any provisions, recommendations and requirements (including but not limited to, clean up, construction, ongoing maintenance or monitoring) required to effectively address and manage any contamination within the land.
- (d) Recommendations as to whether the land is suitable for the use for which the land is proposed to be developed and whether an Environmental Auditor should be appointed under section 53S of the Environment Protection Act 1970 (EP Act) to undertake an Environmental Audit in accordance with the provisions of the EP Act.
- 177 If the assessment required by condition 76 does not result in a recommendation that an Environmental Auditor be appointed under section 53S of the EP Act to undertake an Environmental Audit in accordance with the provisions of the EP Act, all provisions, recommendations and requirements of the assessment must be implemented and complied with to the satisfaction of the Responsible Authority.
- If the assessment required by condition 76 results in a recommendation that an Environmental Auditor be appointed under section 53S of the EP Act to undertake an Environmental Audit in accordance with the provisions of the EP Act, before the construction of the development authorised by this permit commences, the Environmental Auditor appointed under section 53S of the EP Act must undertake an Environmental Audit in accordance with the provisions of the EP Act and issue:
  - (a) a Certificate of Environmental Audit for the land in accordance with section 53Y of the EP Act (a **Certificate**); or
  - (b) Statement of Environmental Audit for the land in accordance with section 53Z of the EP Act (a **Statement**),
  - (c) and the Certificate or Statement must be provided to the Responsible Authority.
- 79 If, pursuant to condition 78, a Statement is issued:
  - (a) The development authorised by this permit must not be undertaken unless the Statement clearly states that the land is suitable for the sensitive use for which the land is being developed.
  - (b) The development authorised by this permit must not be undertaken until compliance is achieved with the terms and conditions that the Statement states must be complied with before the development commences (pre-commencement conditions).
  - (c) Before the construction of the development authorised by this permit commences, a letter prepared by the Environmental Auditor appointed under section 53S of the EP Act which states that the pre-commencement conditions have been complied with must be submitted to the responsible authority.

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- (d) If any term or condition of the Statement requires any ongoing maintenance or monitoring, the owner of the land (or another person in anticipation of becoming the owner of the land) must enter into an agreement with the Responsible Authority pursuant to section 173 of the *Planning and Environment Act 1987* (Agreement). The Agreement must:
  - (i) provide for the undertaking of the ongoing maintenance and monitoring as required by the Statement; and
  - (ii) be executed before the sensitive use for which the land is being developed commences.
- (e) The owner of the land, or other person in anticipation of becoming the owner, must pay all costs and expenses (including legal expenses) of, and incidental to, the Agreement (including those reasonably incurred by the Responsible Authority).

#### Expiry

- 80 This permit will expire if any of the following circumstances apply:
  - (a) The development is not started within 4 years of the issued date of this permit.
  - (b) The development is not completed within 6 years of the issued date of this permit.
  - (c) All the uses do not start within 6 years of the issued date of this permit.

In accordance with Section 69 of the *Planning and Environment Act 1987*, an application may be submitted to the Responsible Authority for an extension of the periods referred to in this condition.

#### NOTES:

This site is subject to a Heritage Overlay. A planning permit may be required for any 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 5585 for further information.

These premises will be required to comply with the Food Act 1984. The use must not commence until registration, or other approval, has been granted by Council's Health Protection Unit.

A building permit may be required before development is commenced. Please contact Council's Building Services on 9205 5585 to confirm.

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. 9205 5585 to confirm.

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 remove and/or build over the easement(s).

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# Attachment 1 - PLN16/0434 - 26 - 52 Queens Parade Fitzroy North - Planning Permit

All future property owners, residents, business owners and employees within the development approved under this permit will not be permitted to obtain resident, employee or visitor parking permits.

A local law permit may be required for tree removal. Please contact Council's Compliance Branch on 9205 5166.

In accordance with the Yarra Planning Scheme, a 4.5 per cent public open space contribution will apply in the event of the subdivision of the land.

A vehicle crossing permit is required for the construction of the vehicle crossing(s). Please contact Council's Construction Management Branch on 9205 5585 for further information.

## THIS PERMIT WAS ISSUED AT THE DIRECTION OF VCAT AS FOLLOWS:

| Date of Order |   |
|---------------|---|
| 6 July 2009   | Planning Permit PLN16/0434 was issued in accordance with the order of the Victorian Civil and Administrative Tribunal, reference: P2079/2016. |

Date: 06 July 2018

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Signature for the Responsible Authority

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## 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 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?

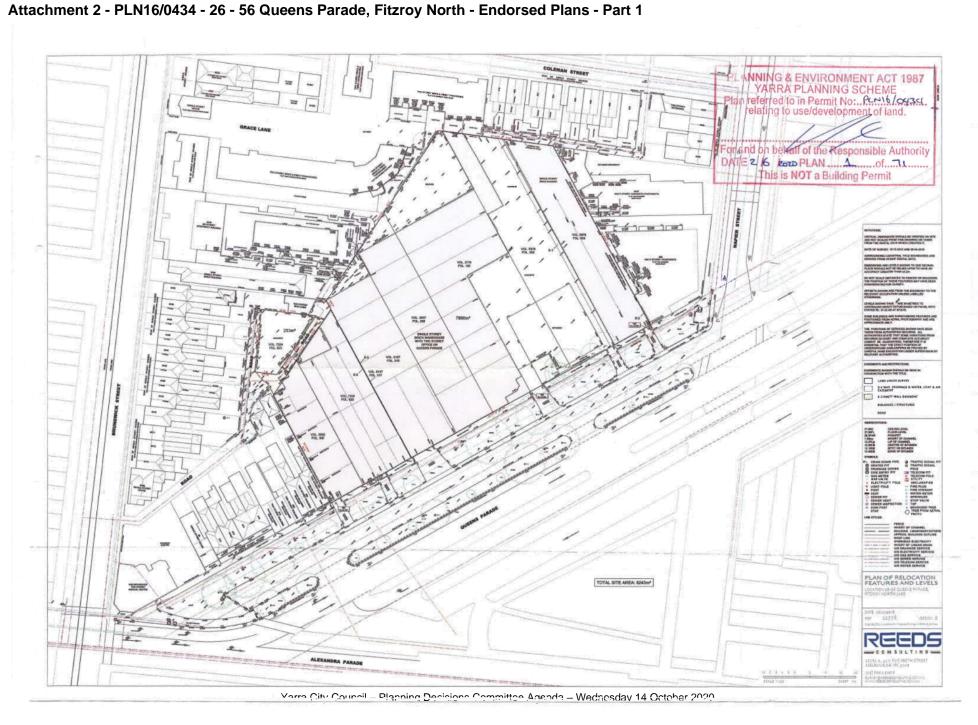
- 1. A permit for the development of land expires if-
  - the development or any stage of it does not start within the time specified in the permit; or
  - the development requires the certification of a plan of subdivision or consolidation under the Subdivision Act 1988 and the plan is not certified 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 5 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.
- 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 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 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.

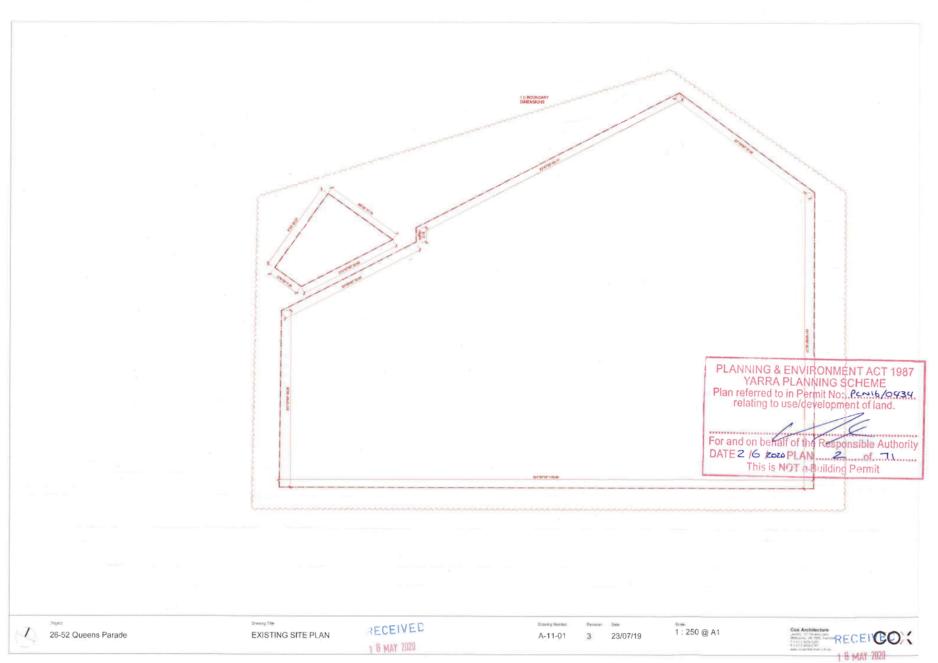
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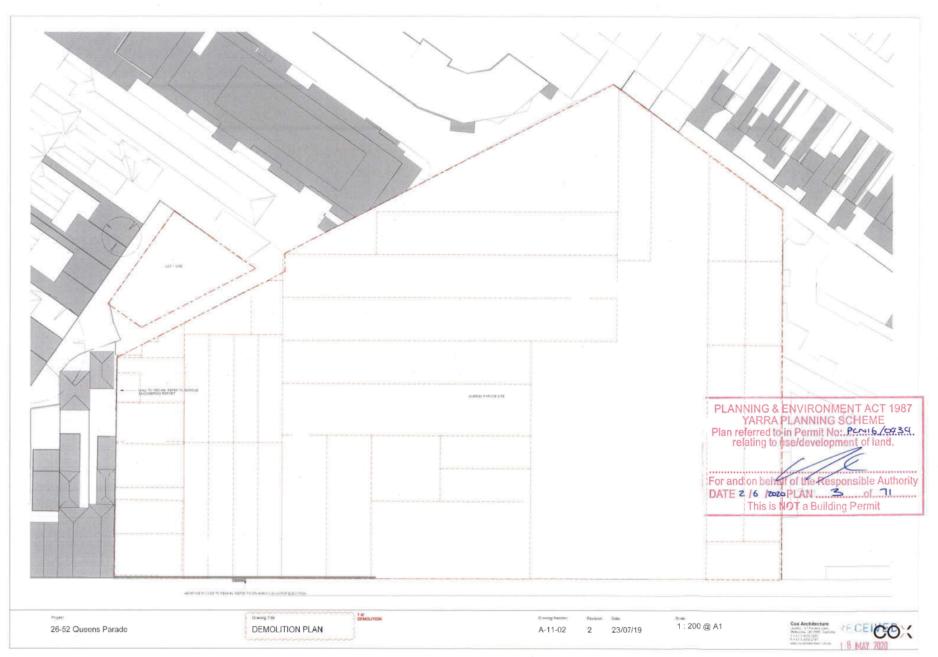


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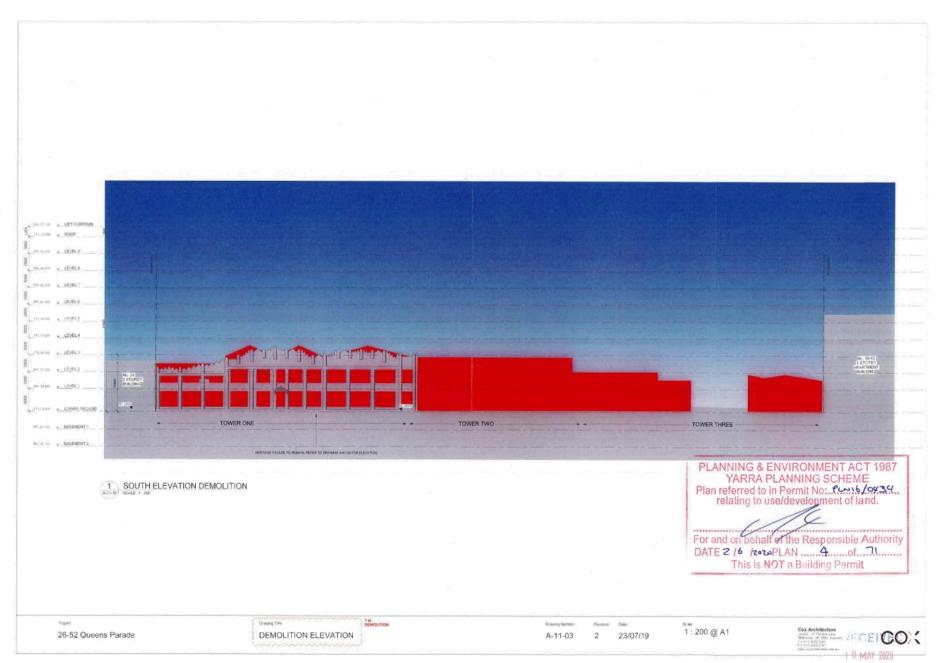
Attachment 2 - PLN16/0434 - 26 - 56 Queens Parade, Fitzroy North - Endorsed Plans - Part 1



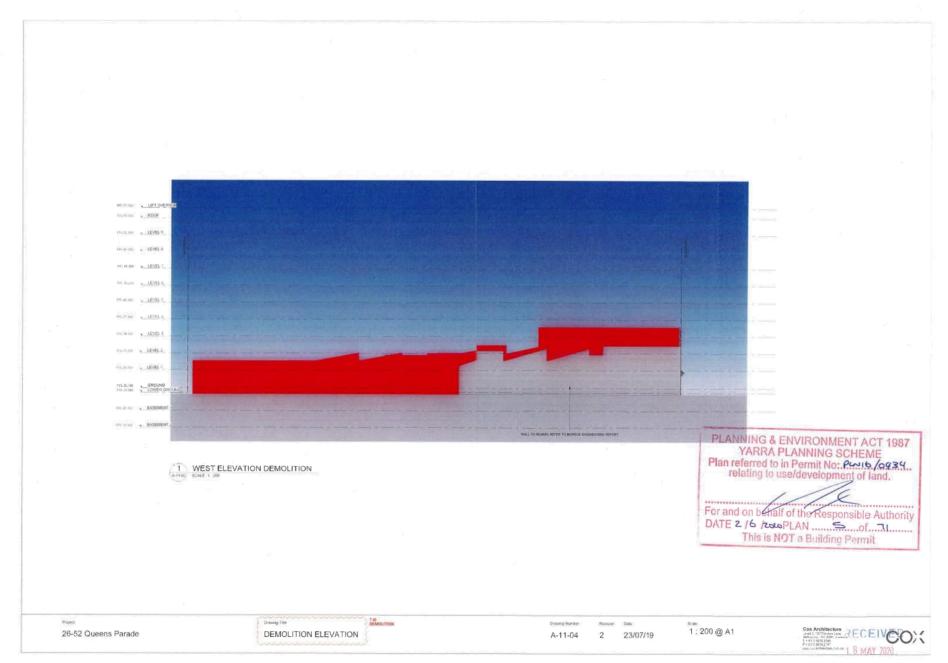
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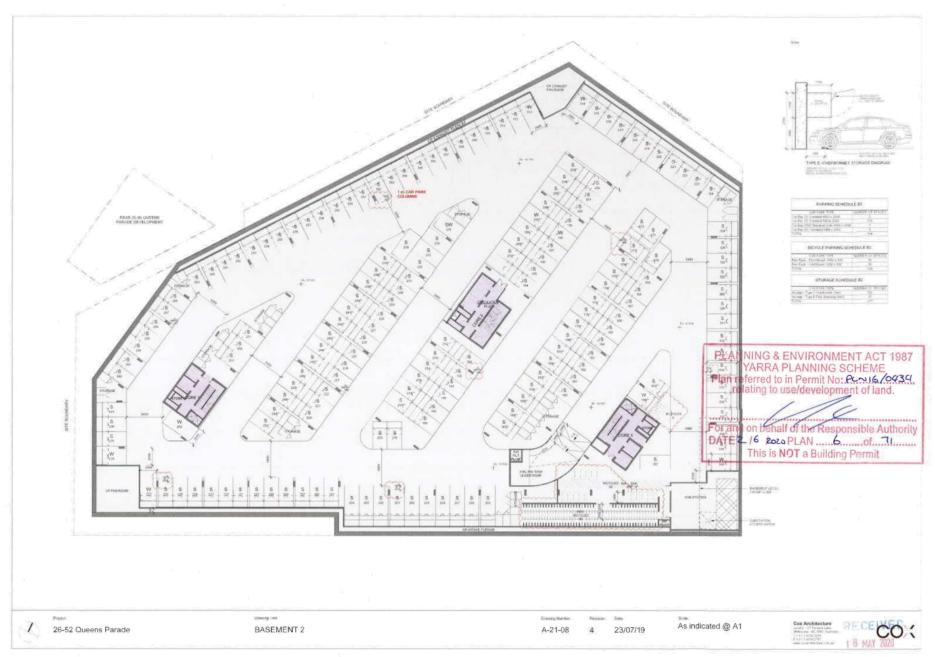


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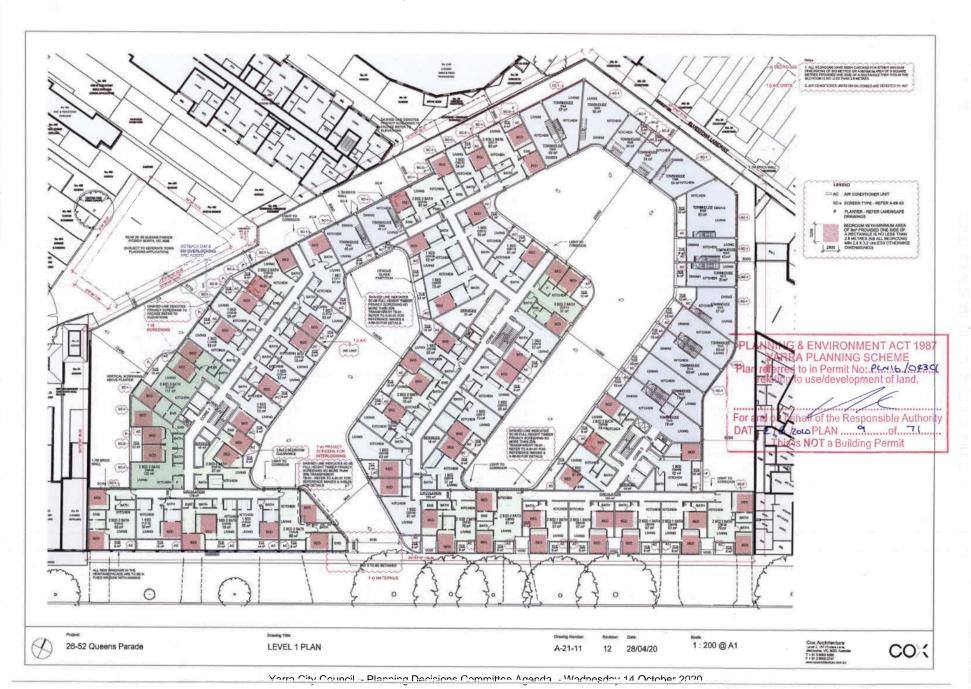


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Attachment 2 - PLN16/0434 - 26 - 56 Queens Parade, Fitzroy North - Endorsed Plans - Part 1

For and on behalf of the Responsible Authority DATE 2 /6 1000 PLAN ... 14 ... of ... 71 This is NOT a Building Permit Creany Title 1:200 @ A1 / 26-52 Queens Parade LEVEL 6 PLAN 23/07/19

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Attachment 2 - PLN16/0434 - 26 - 56 Queens Parade, Fitzroy North - Endorsed Plans - Part 1



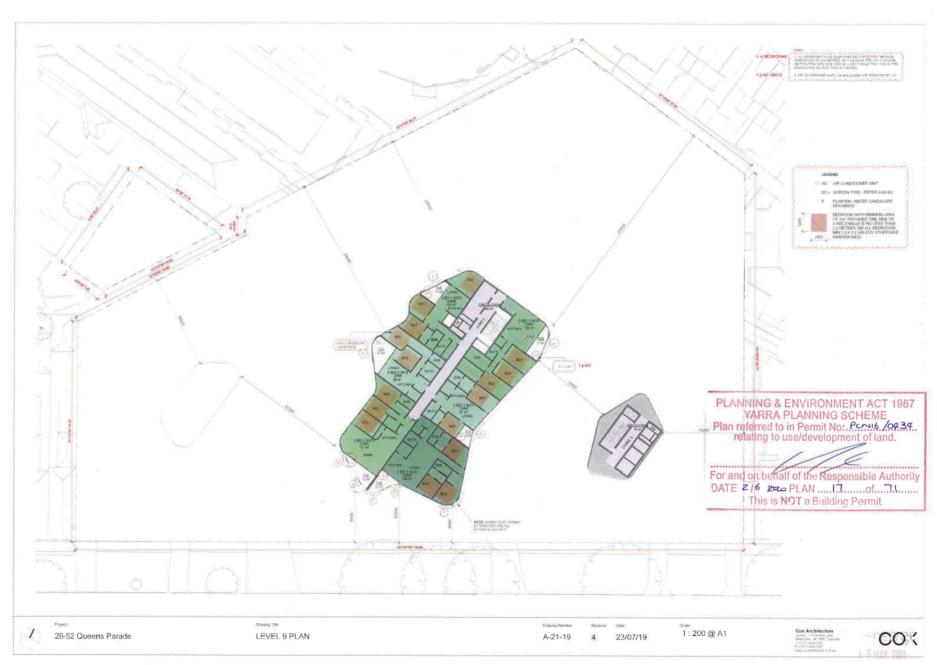
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Attachment 2 - PLN16/0434 - 26 - 56 Queens Parade, Fitzroy North - Endorsed Plans - Part 1



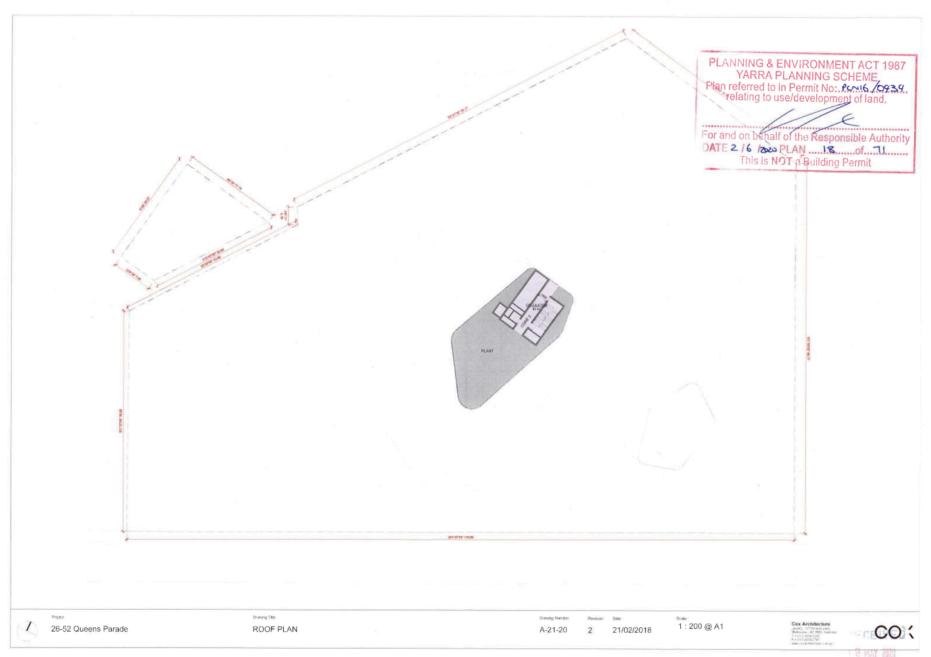
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Attachment 2 - PLN16/0434 - 26 - 56 Queens Parade, Fitzroy North - Endorsed Plans - Part 1



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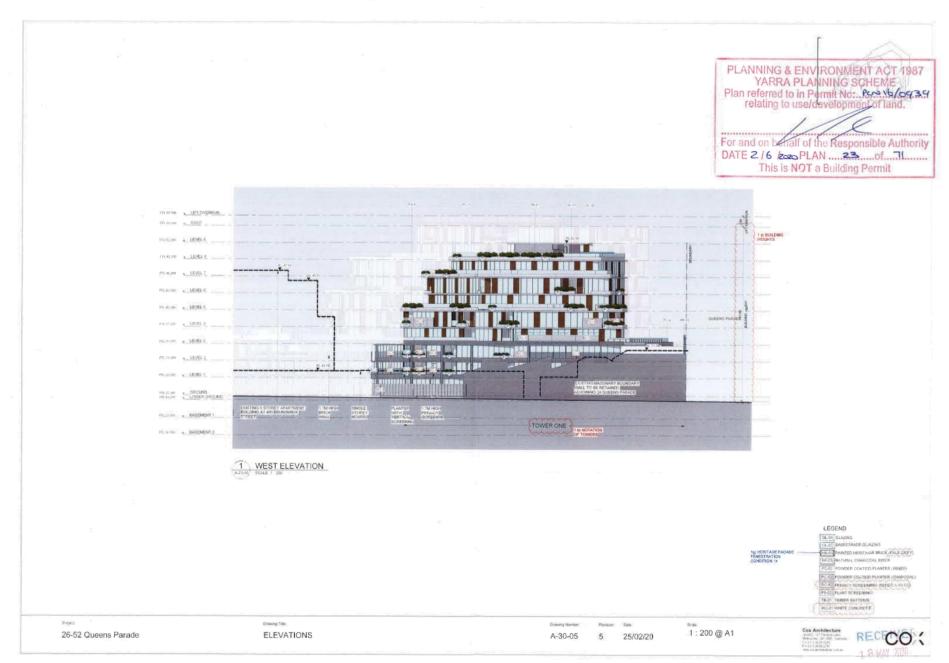












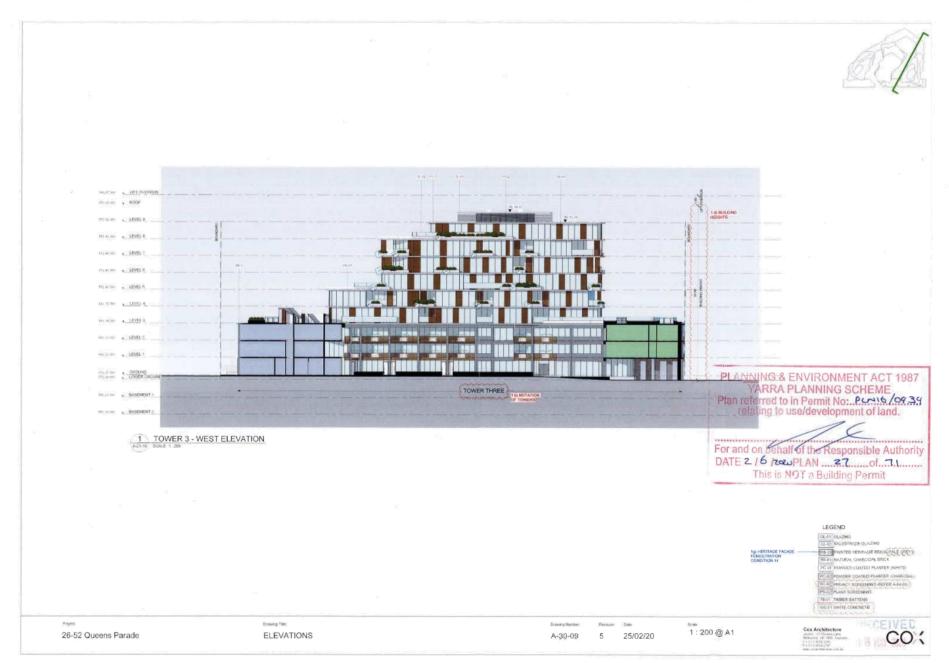
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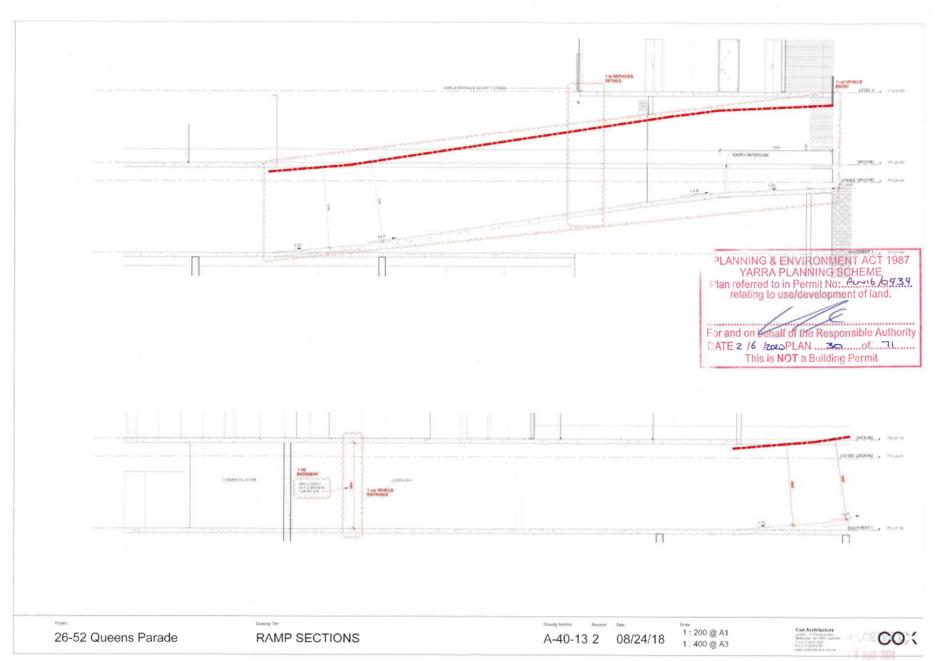


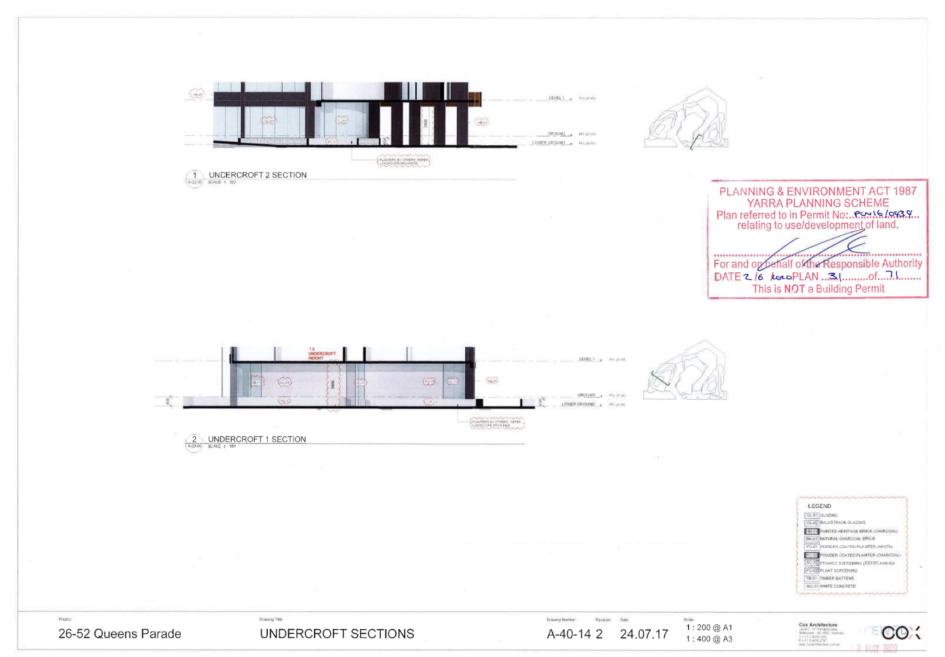
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Attachment 3 - PLN16/0464 - 26 - 56 Queens Parade Fitzroy North - Endorsed Plans - Part 2



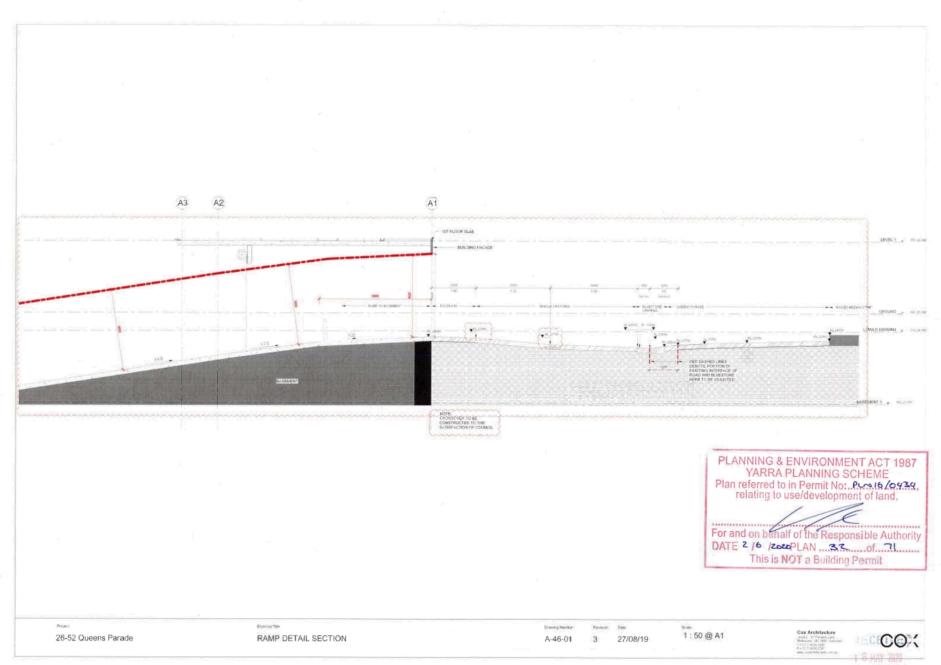
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Attachment 3 - PLN16/0464 - 26 - 56 Queens Parade Fitzroy North - Endorsed Plans - Part 2



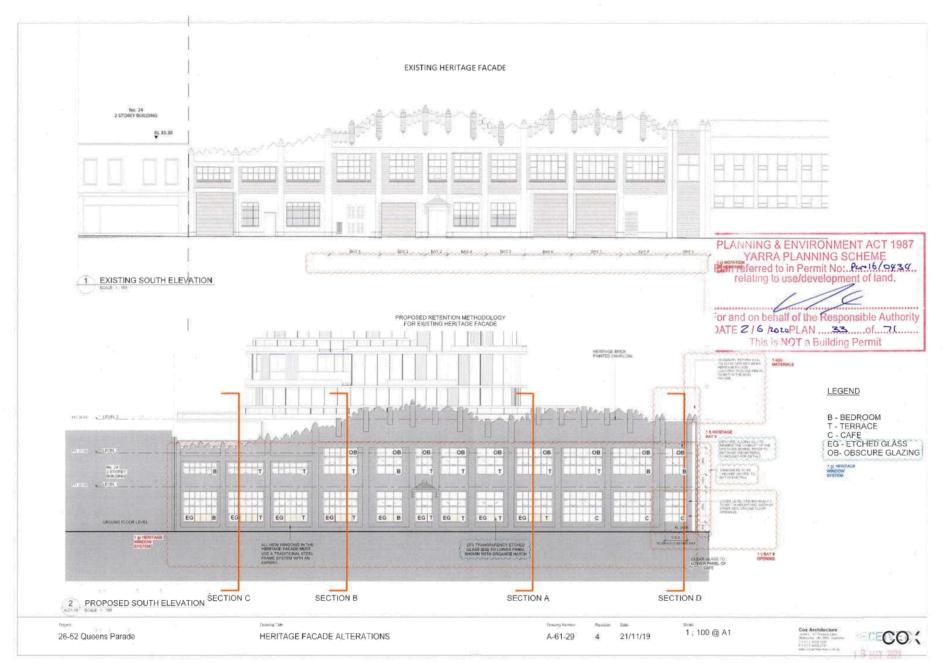


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Attachment 3 - PLN16/0464 - 26 - 56 Queens Parade Fitzroy North - Endorsed Plans - Part 2



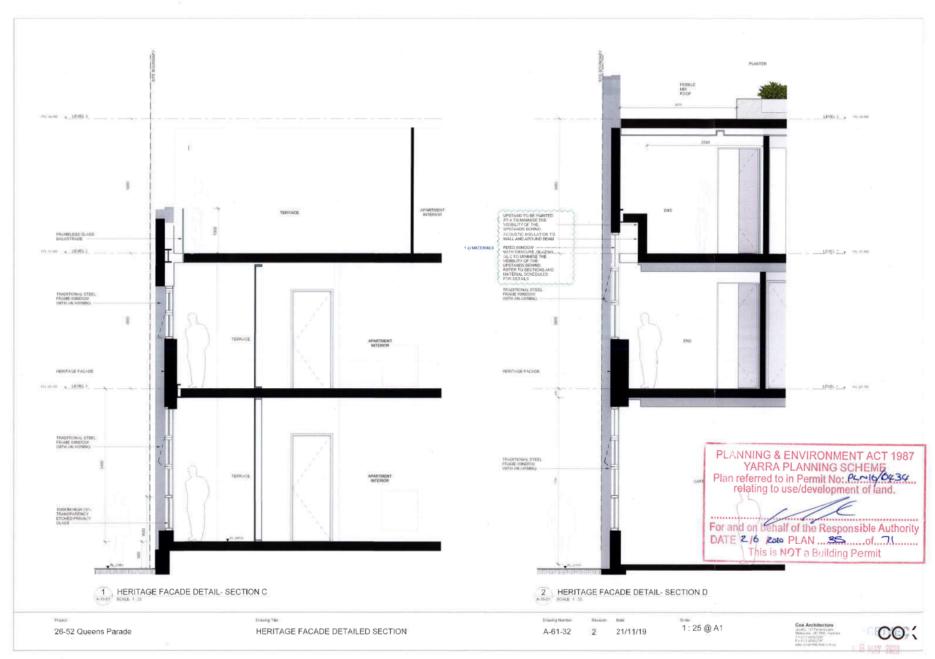
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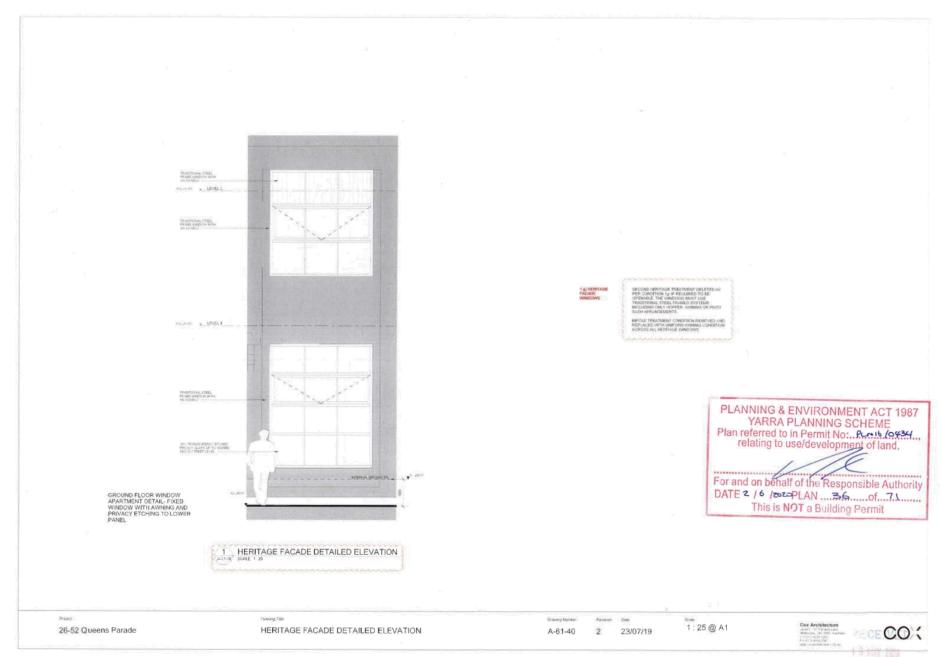
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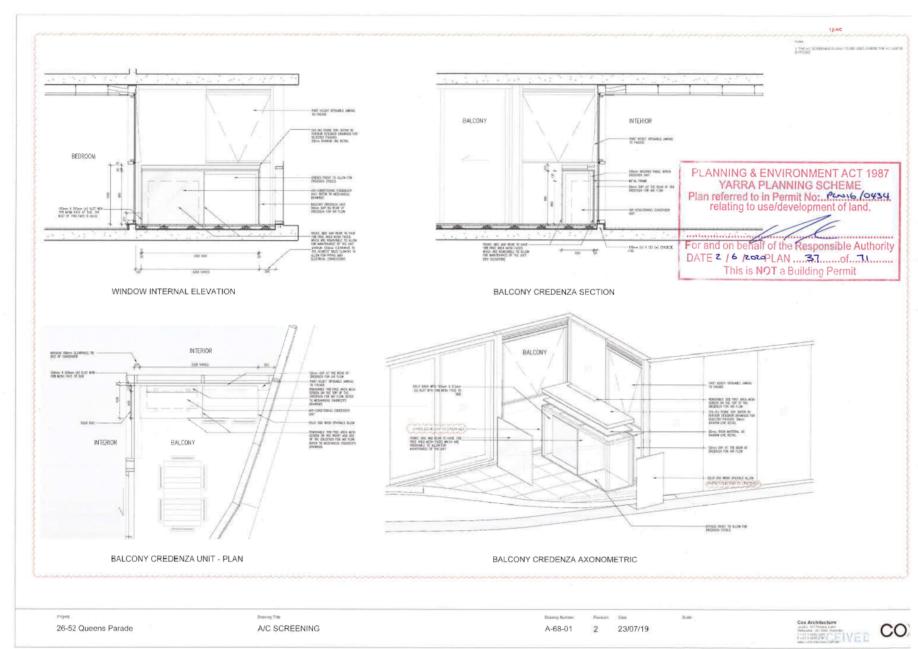


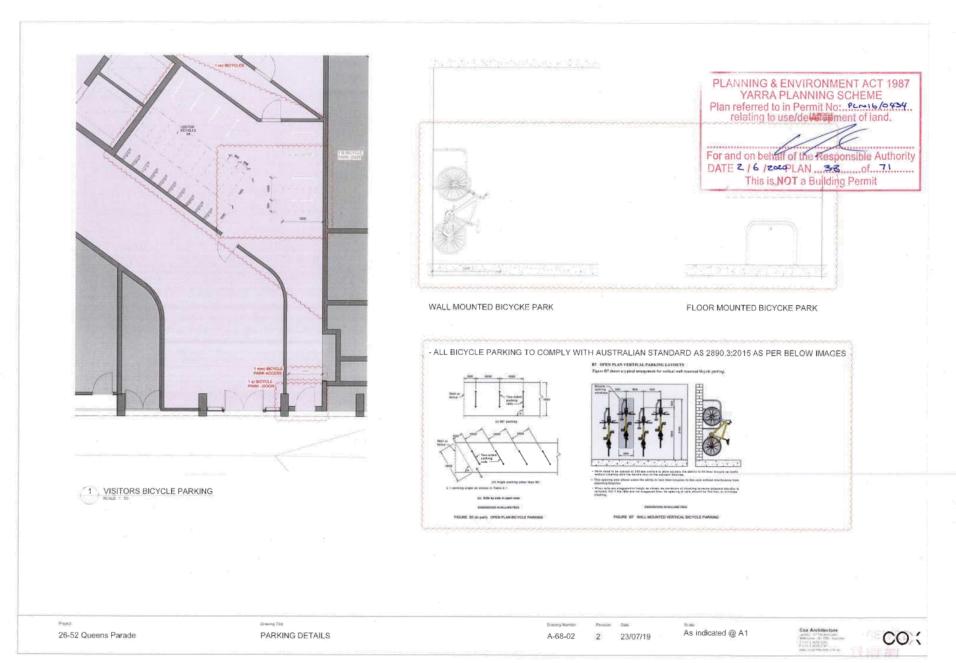
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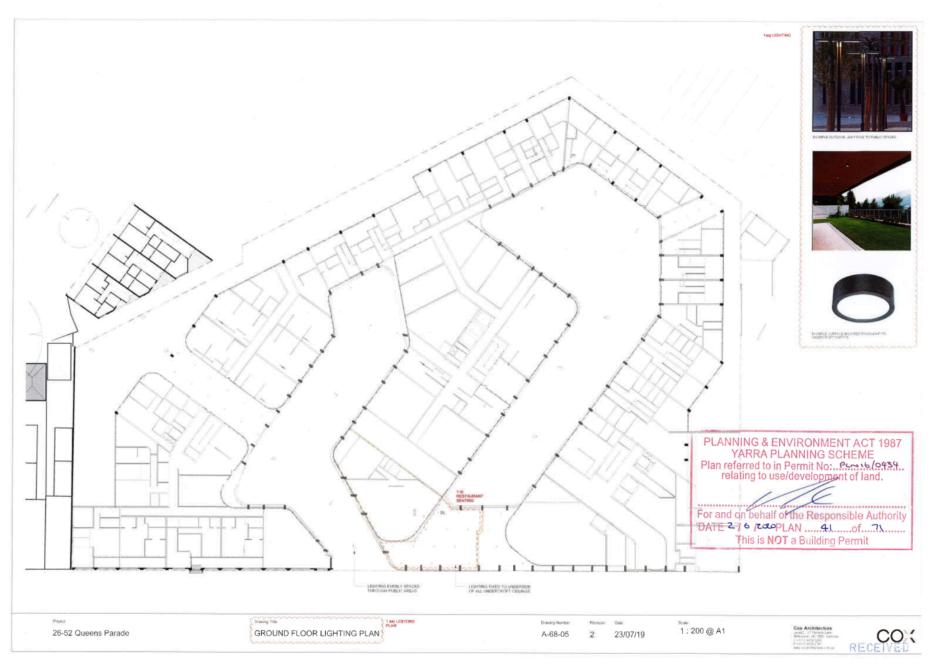




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Attachment 3 - PLN16/0464 - 26 - 56 Queens Parade Fitzroy North - Endorsed Plans - Part 2

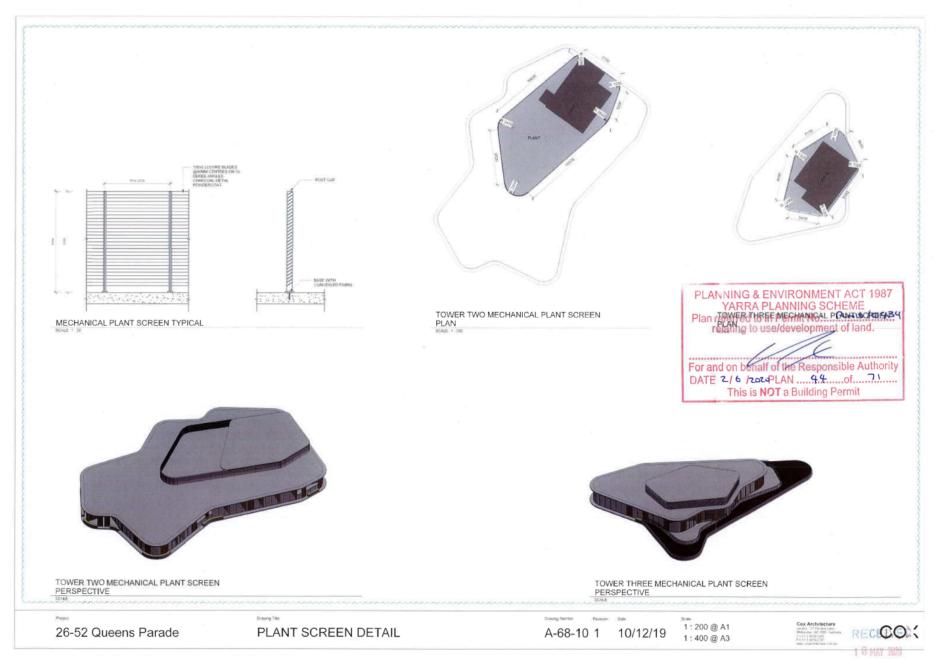


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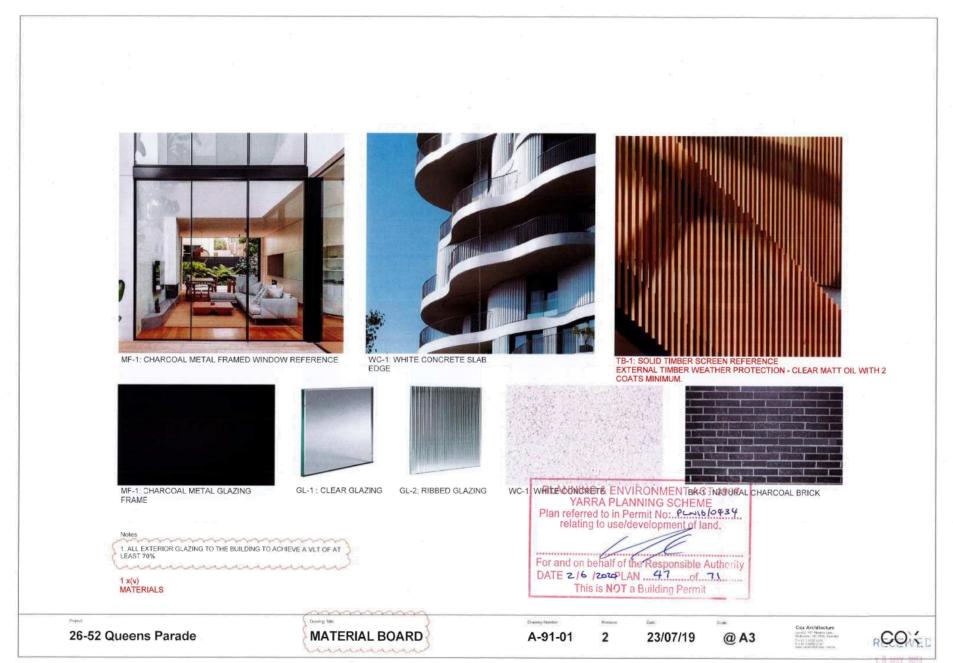




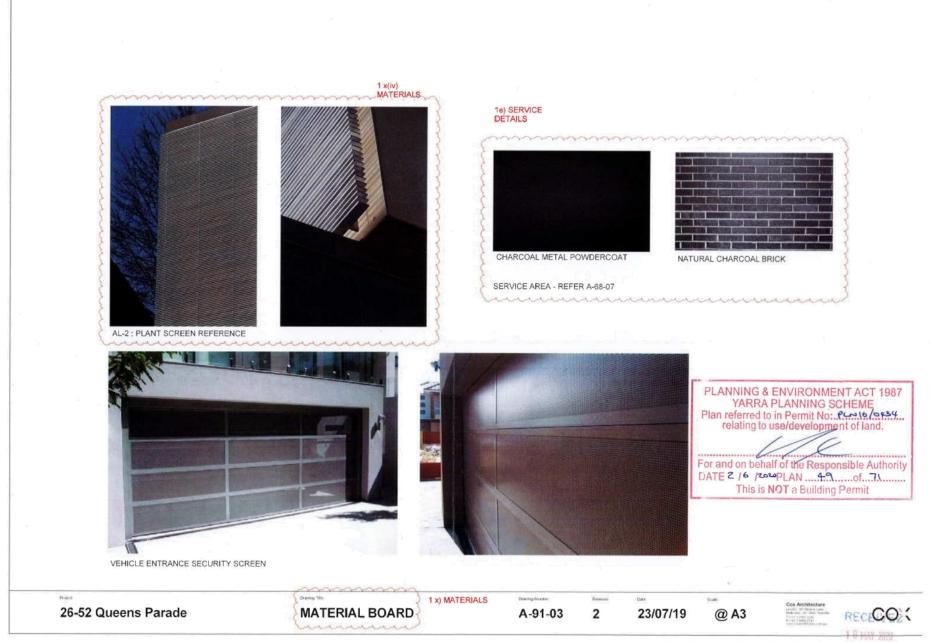
Attachment 4 - PLN16/0434 - 26 - 56 Queens Parade, Fitzroy North - Endorsed Plans - Part 3



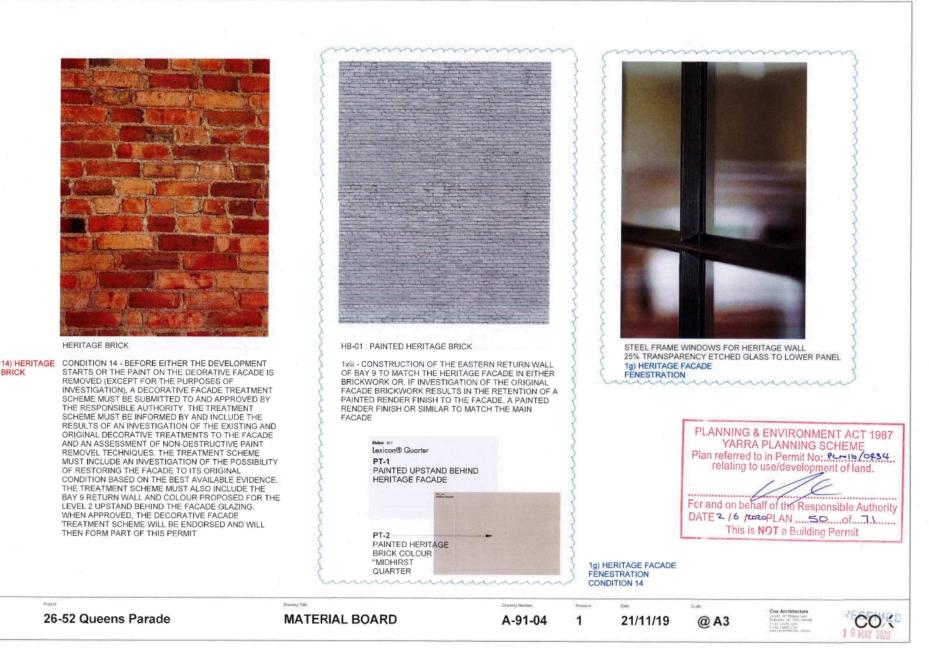


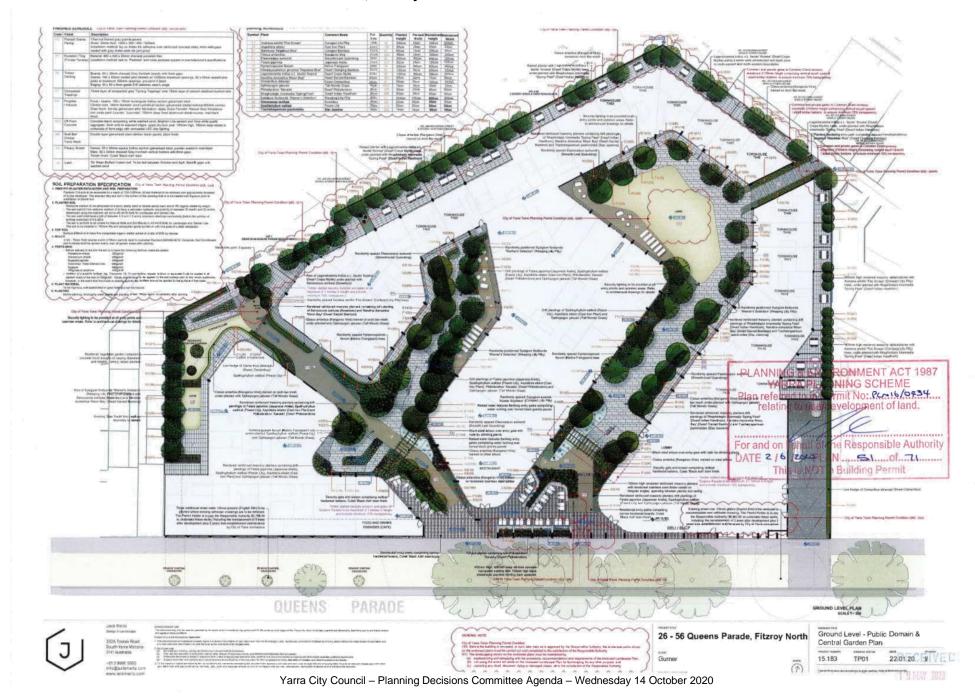






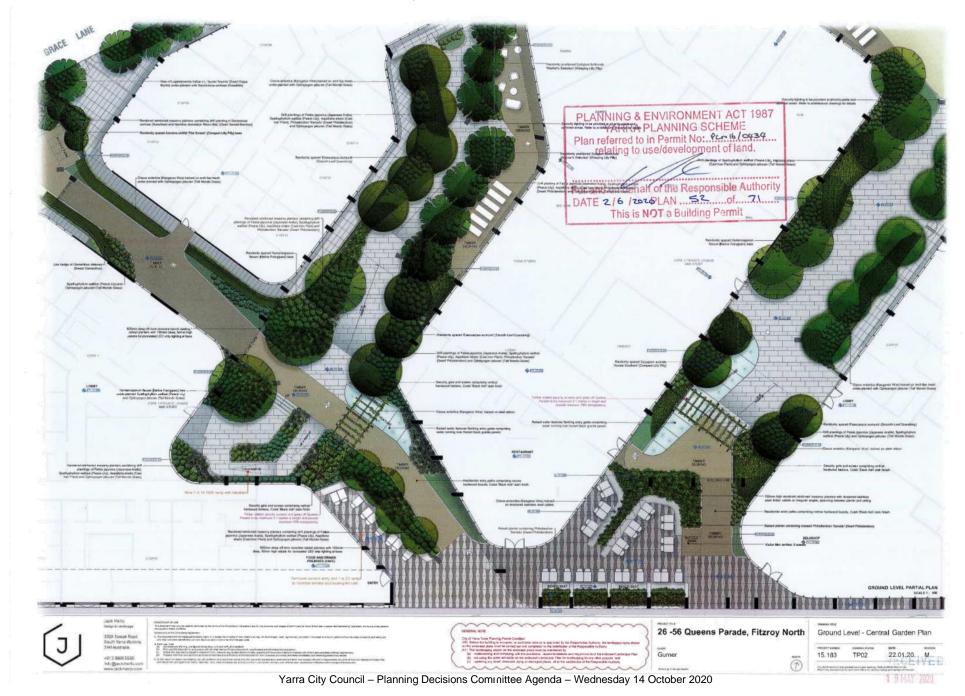
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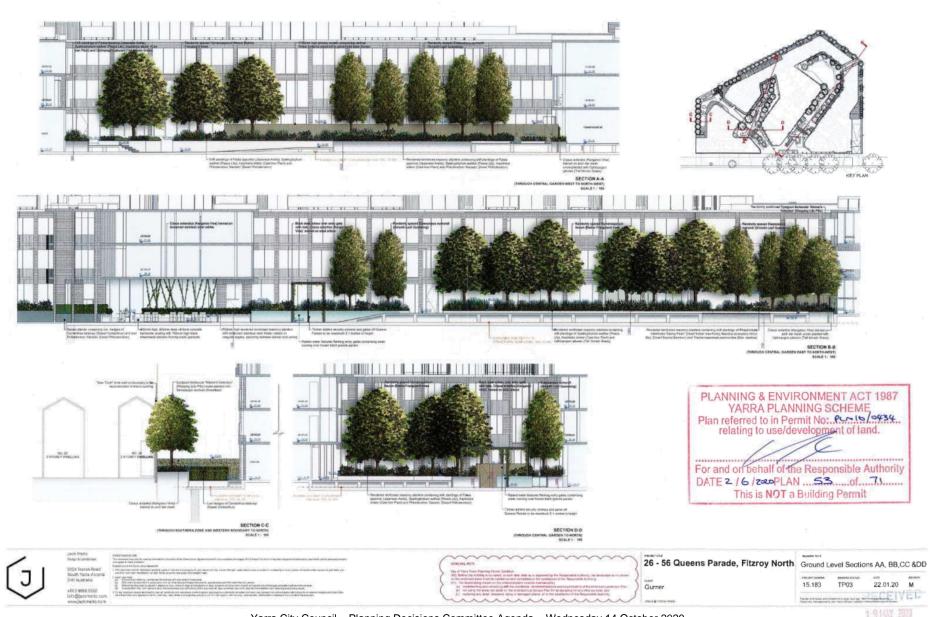


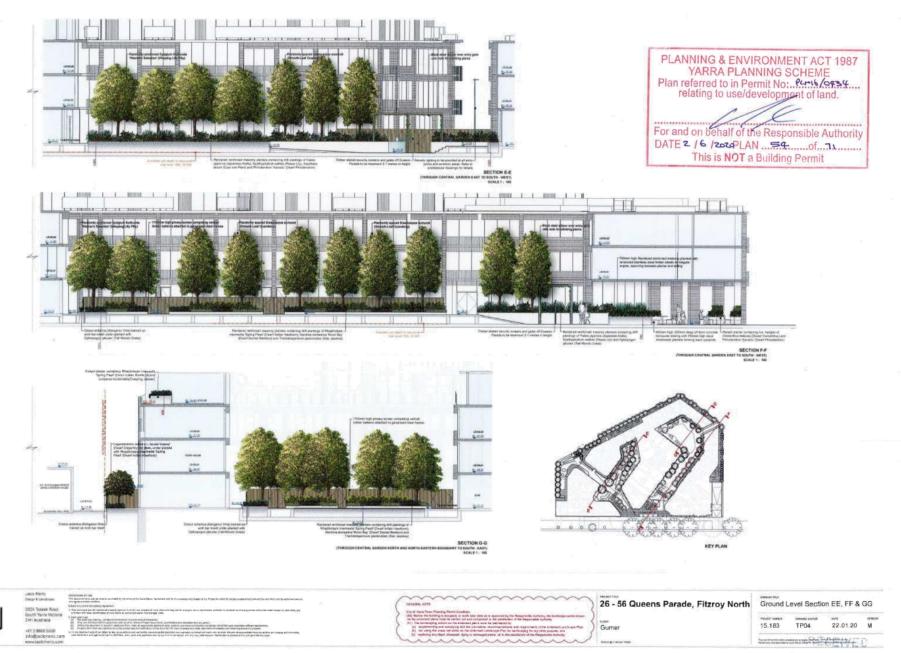


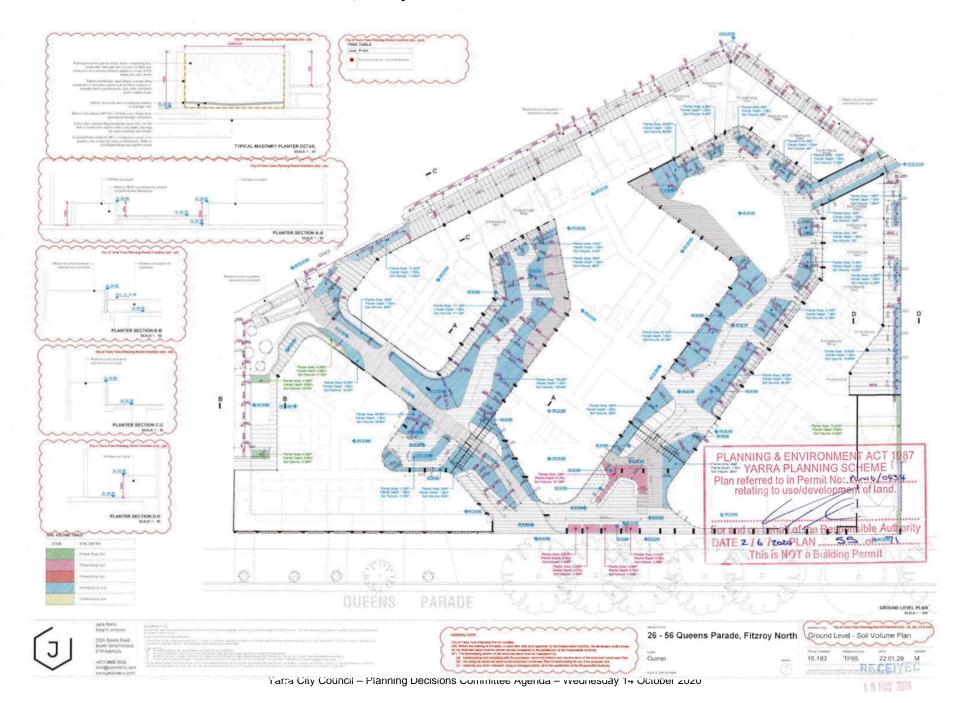
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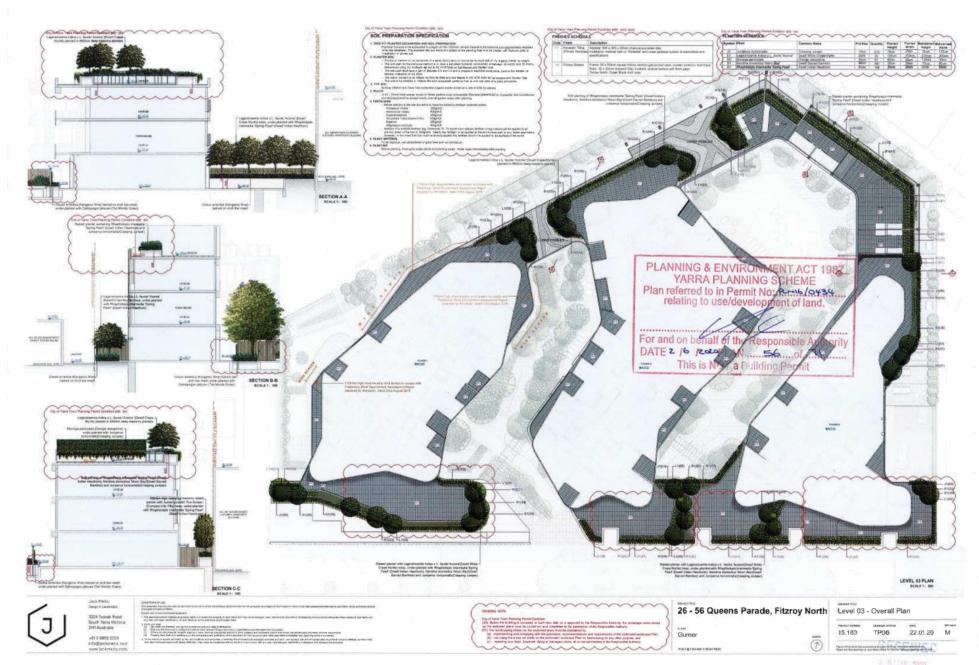
Attachment 5 - PLN16/0434 - 26 - 56 Queens Parade, Fitzroy North - Endorsed Plans - Part 4

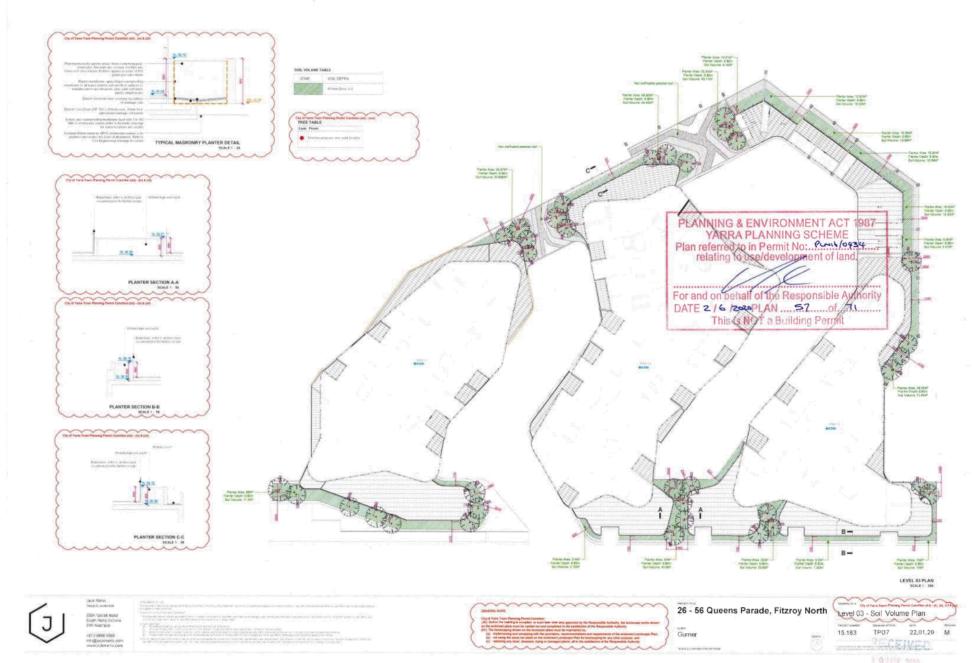




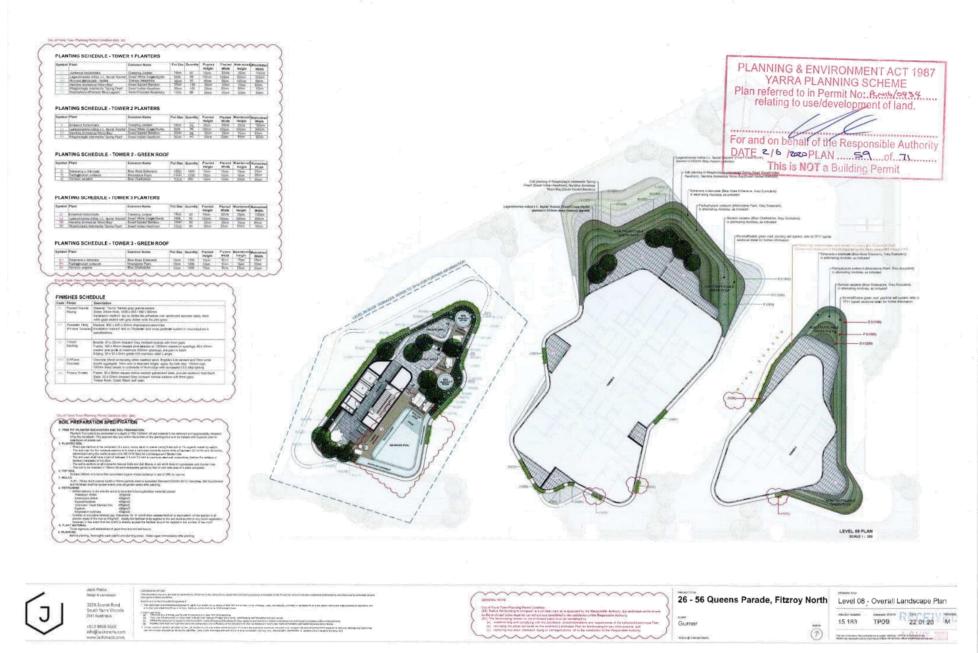


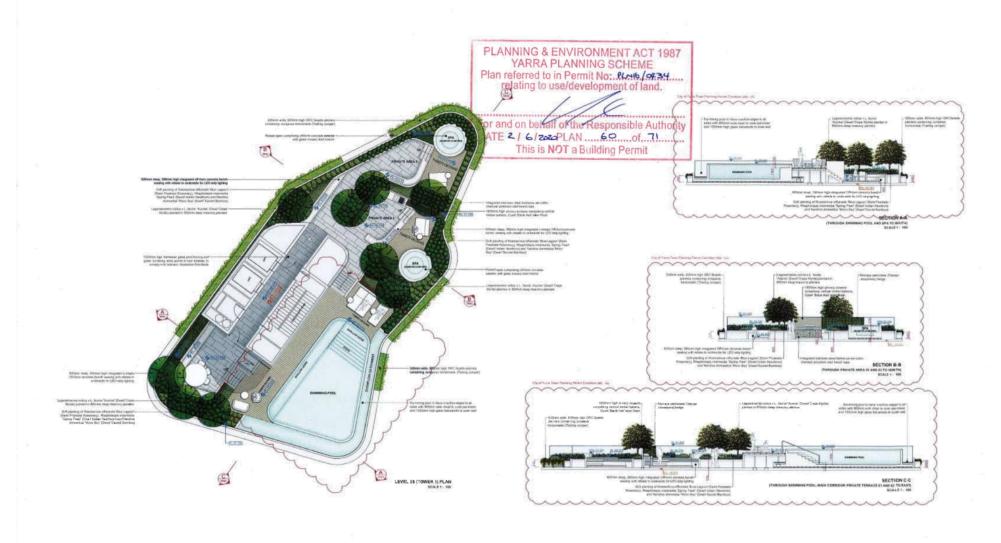




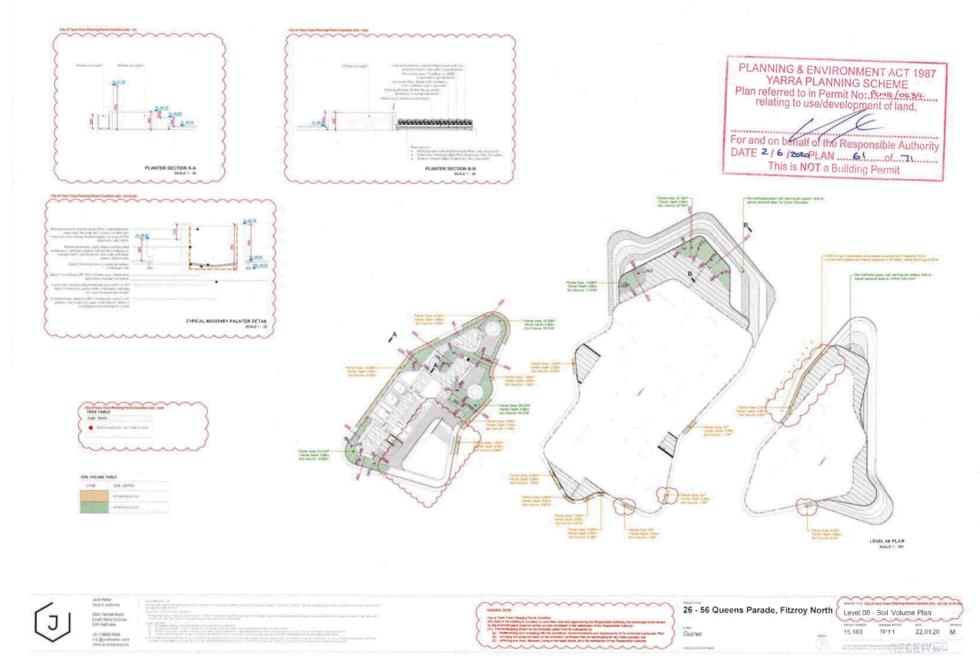




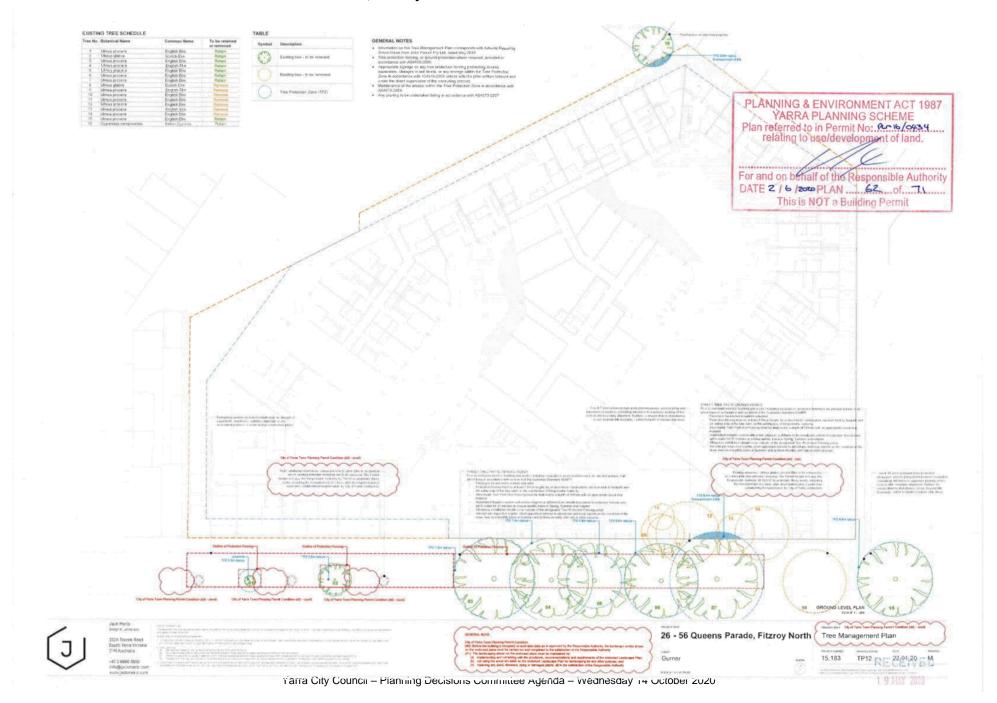








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### ra Fown Planning Permit Condition (dd) - (xx) tion System Commentary on General Irrigation Landscape Establishment and 4. Maintenance Procedures Requirements for Healthy Plant Growth Maintenance Arrangements The outcome of the implementation of the above specification shall be: All above ground planting is to be provided with an automated · Appropriate and healthy plant growth in line with the vision for the krigation system to secure appropriate moisture for plant growth Rainwater runoff from roof areas is to be harvested and stored in 40,000litro capacity tank, connected to irrigation system Irrigation requirements for trees, shrubs, groundcovers and grasses. will vary upon planting almith) and transportation states of ANN Indian Almost an observation of the plants require an increase in water delivery after except the contraining volume. The moisture delict period in Medicurne occurs during the increase in order. The moisture delict period in Medicurne occurs during the increase. . Effective screening to site boundaries to the south and the west vision of the designers and to satisfy stakeholders Regular maintenance of the irrigation and drainage infra-structure Facade planters: inaccessible facade planters are to be accessible. shall be completed as below · Altractive, appropriately scaled tree growth to the pedestrian entrance panis. "Author regime as processe in water developed and extension of the control wice annually via davit arms. Plants are to be trimmed and have · As effective landscape contribution to community amenity within both slow-release fertiliser applied, unhealthy plants are to be replaced. Lineck irrigation system for evidence of leaks or splits to ensure private and public domain of the development. Refer to Facade Access Report for further details of how safe 10. Maintenance Delivery and Specification requirements access will be provided to all planters relating to use development of land. In order to establish and successfully manage plantings , it is Review the effectiveness of aperture nozzles to ensure that each The Owners Corporation will cover all maintenance costs of the landscape In all situations pruning shall utilise accepted horticultural. important to have an appreciation of the amount of water is free of dirt and provides effective irrigation at the prescribes techniques and shall meet expectations of hygiene to minimise spread of disease and shall be appropriately timed to secure a Pruning When considering the water use rate for a particular species, it is the changing climatic conditions that will have the greatest. rate to all planted areas. Specification Requirements appropriate growth and flowering. influence on the water use rates. The rate at which trees use water A suitably qualified horticultural contractor is to be hired to complete the E MODEL The following pruning procedures are recommended: Provide a complete inspection of the irrigation system including For and on behalf of the Responsible Authority horticultural maintenance works. A specification of works shall be required to . The water use characteristics of the plant, i. The removal of all dead, diseased and damaged plant parts, using but not limited to complete the required works to the aesthetic appearance and intent of the DATE 2/46/12020 06.71 appropriate pruning techniques, including deadheading (trees hedges, shrubs, perennials, annuals etc.). o Replacement of all batteries within the controllers and . The stage of developments, maturity and An example of a descriptive landscape maintenance specification may · Prevailing environmental conditions 5 Irrigation systems: a Building Permit 6. Control of Pests, Weeds and Vermin, Including, fungus include but are not limited to: Check the performance of timers / controllers, moisture sensor ii. Timely removal of growth, to maintain control, optimise appearance and maximise flowering in shrubs and perennials, without placing excess stress on plant material. eg. Extreme climate conditions of high ambient a devices and replacement and repair as required. · Pruning General (dead, demaged and disease plant parts) Assessment of the function of drainage from plantar beds and the removal of such debris as required to maintain effective site temperature, low relative humidity, high wind speed and high 7. Site Inspection · Pruning of the trees (species specific requirements) levels of solar radiation are all associated with high water Formative structural pruning to secure tree health, shape and vigour and to establish the long term integrity of tree structure consumption by trees. 8. Plant Replacemen drainage. Hedge arraing (frequency and desired appearance) Inspection and clean-up of all silt traps to remove debris and ensure With constricted volumes of soil, the irrigation required to support 9. Maintenence Outcome Staking of trees may also be a necessary measure to ensure . Pruning of shrubs (size and shape) any contained plantings needs to be applied more frequently appropriate structure in future. Street trees in natural soil can have less frequent, deeper watering once established. 10. Maintenance Delivery and Specification requirements · Weeding (hand or herbicide spraying by qualified applicator) iv. Rejuvenation of some plant material may be required in aged 1. General 6.Control of Pests. Weeds, and Vermin, Including: fungus, bacteria & planting schemes. This will require hard pruning to old wood to . Date and Time (when, and how long works will take) Moisture sensors (tensiometers) buried in the soil profile should be re-establish appropriate dimensions of plants. This work will only bundertaken by appropriately qualified practitioners. Inspect for pests or disease outbreak and take immediate action . Equipment (appropriate power equipment and restrictions) located in all irrigation zones. A reading below 8kps should be programmed to activate the system to deliver water to plantings. maintenance of the planting area by accepted hodicultura practices, as well as rectification of any defects that become apparent in the work under normal use. This shall include but shall not be limited to, the following items where required. Integrated Pest Managements (IPM) is the preferred method to deal . Cleaning of subbish (papers and garbage blown in paths and other v. Division for perennial plants that extend incrementally will be with any pest outbreak. Strict attention to manufacturer's instructions regarding health and safety precautions is required with all chemical applications. Application of chemicals is the method of last resort. Water shall be supplied to planters via Tech-line and/or Drippers needed. Undertake division and replanting to maintain health and vigour. This shall be timed to ensure appropriate re-growth and with emitters located at 200mm centres for full coverage of the soil FREQUENCY . Special replacement lower time spain will subside and require replacement to once all other methods have been applied, (IPM protocols). Spraying surface area. establishment, i.e. outside times of greatest stress and at specific As required, to establish landscape vision Pruning/Clipping times required by specific plant taxa against insect and fungus infestation shall be carried out in accordance with manufacturer's directions. Annual in Spring and/or as required whe · Mulching (mulch schedule) ii. The removal of plan parts that are affected by insect, bacteria or Establishment (2 year period) · Qualifications (suitably qualified and knowledgeable contractor to achieve fungal attack is to be the first and preferred method for plant care. If chemicals are to be used in any capacity or form, notification is As required As required Fortnightly or as required to establish Chemical control should be the "if all else fails" methods to control insect, bacteria or fungal (integrated Pest Managements IPM required to all stakeholders including residents, with proper signage The rate of tree water use can be estimated by taking into account Street Tree Protection Measures (adapted from Hendreck and Black, 2001): Watering Prior to commencement of any construction works, the following protection protocols apply). trees and shrubs, including monitoring of sprinkler settings for garden beds. On-going monitoring for drought stress 7. Site Inspections . Total leaf area of the tree - water can be measures must be implemented around the street tree: b. Fertiliser evaporated/transpired from all the leaves (Represented by A nominated landscape design professional is to be engaged for site Leaf Area Index value) Annual applications of ferfilisers shall be undertaken to secure the inspections and to provide on-going design and horticultural advice to the site managers. This professional shall monitor the performance of site landscape and enforce the landscape vision. and adjustments made to watering regim sustained absorption of nutrients for effective and appropriate plant 2.0 metres from the base of the trunk to define a 'Tree Protection Zone'. The · Evaporation capacity of the atmosphere in accordance to local weather condition Keep grounds area(s) and planters tidy and in good health, replenish mulch as fence must be constructed of star pickets and chain mesh or equivalent to at least 1,6m in height to the satisfaction of the Responsible Authority. The tree Water use characteristics of the particular species (high or and tidy Fertilisers shall be applied in the usual way, and fertilisers should Site inspections post-occupancy by the nominated professional shall low water user - Crop Factor value) protection fences must remain in place until all construction is completed necessary, in line with landscape vision The accessible ground surface of the Tree Protection Zone must be covered by a 100mm deep layer of mulch before the development starts and be watered . Available water in the soil structure of the planting. Specific attention shall be given to ensure: · Of known chemical constituents Planters to have 30mm diameter drainage putlets at nominal 800mm Table 1 below is to provide a continuum of water needs as root regularly to the satisfaction of the Responsible Authority centres, draining to substrate with 1 in 100 falls to stormwater wastes . Convenient for transport and handling diameter and soil depth increases. The calculated amounts (Uitres of soil) are for individual plants. Irrigation at establishment shall No verticular or pedestrian access, trenching or soil excavation is to occur within the Tree Protection Zones without the written cogsent of the Responsible Refer to hydraulic documentation for waste locations and details flandscape vision as planned. Planter floors to be lined with Emilich 'VersiDrain' agricultural drainage cell Appropriate health and vigour is achieved for plants and specifically evidence of disease is identified and controlled. require less water resources to keep verdant life to optimum health Authority. No storage or dumping of tools, equipment or waste is to occur within Of low orlows than when plagts are fully established. The less soil volume for panels with geotextile fabric to too . The structure and form of trees is appropriate and formative Burled wall surfaces to be lined with black 'Core Flute' protective panels SOIL PREPARATION SPECIFICATION pruning implemented as required the application of a complete timed release fertiliser at Planting medium: blend comprising peat, vermiculte, fine bark and recommended rates 1. TREE PIT IPLANTER EXCAVATION AND SOIL PREPARATION · Planting stresses resulting from over or under watering are coconut coir fibre and Osmociote slow-release fertiliser applied at a rate of Appropriate fertilisers include Osmocote. Debco fertilisers etc. 500 prams per cubic matre. Varia Town Planting Ferrin Condition (day-th) Any planting Ferrin Condition (day-th) Any planting Ferrin Condition Sciences must include safety devices and The use of organic fertilisers should not be considered for several reasons however the most important is the likelihood of long-lean · Perennial plants are lifted and divided as required and re-planted to establish plant densities Tree Water Use Requirements, Table 1 from (Connellan 2004) must be maintained by Owners Corportation impact on the structure of the growth medium within planters and Horitouter's Staff Sourchtones Soil/Root System Diameter | Soil Depth | Water Available (20%) 8. Plant Replacement esultant changes to soil porosity, texture and drainage. acement of dead or dying plants shall occur as the need arises in of total volume A written briefing/management plan shall be provided to the property managers order to maintain a complete and healthy appearance for the site's that states the landscape vision or the entire site, to clearly establish an landscape scheme. All planted areas shall be maintained in an appropriately mulched understanding of landscape objectives / vision among all stakeholders. 500mm 47.1 condition by utilising gravel mulch to 50-75mm depth. The use of Staff responsible for the management of the site shall be informed of the prognic mulches shall be avoided to ensure that the structure of the like-with-like and shall be established at sizes identified within the landscape vision and purpose of the landscape scheme for the site to ensure that the vision at the establishment of the scheme and expectations of the 600nam 629L ling medium is maintained to secure appropriate porosity for air Landscape Architectural site plans. planning authorities are clearly communicated and continued into the future and Should a selected plant taxon consistently fail to perform Organic debris (dead flowers, feaves, branches) shall be removed from the surface of the mulch in spring. Mulch is to be topped up as required to cover and protect the drip irrigation system and provide adequately in the landscape then it shall be replaced within the planting scheme but only following discussion with the landscape professional responsible for the site. that plant maintenance is implemented to achieve this consistent landscape vision. Appreciating the objectives of a landscape plan is essential to successful establishment and maintenance. Water Management Strategies for Newly-Planted Trees . Maintain adequate soil moisture - match supplen a consistently mulched surface to planted areas. impation water needs to climate conditions and available forticultural staff are to be trained to an appropriate standard to satisfy the Given that planting environments change, isun areas be andscape vision. Preference shall be given to already qualified or trained staff. shaded etc.), it should be recognised that planting, especially of low shrubs and ground covers, may need to change over time to . Water effectively - apply water so that it reaches the tree Wetting agents shall be applied in conjunction with the application meet changing circumstances. Reference to the site landscape root system with minimal losses of fertilisers in spring. An application of a commercial wetting agent shall be undertaken to secure appropriate water penetration? spread into soils. Wetting agents shall be applied in a granular form · Familiar with names and requirements of individual plants and group and should open prior to acopiate apply friend sets Encourage extension of the root system - apply water to plantings, (i.e. water, fertilizer and ecological niche) to ensure desired extremity of root system and beyond quality and health Safe Maintenance Program for all Planters recommended rates as specified by manufacturers S. PLANT MATERIAL Remove competition for water - mulch around the tree Provision of safe access to all planters located beyond screens balustrades to be accessed via abselling from balconies above Knowledgeable about planting maintenance procedures and practices appropriate to the site Jack Merio 26 - 56 Queens Parade Soil, Irrigation & Maintenance Schedule 332A Toorak Road ergott, tiplo erd tomate for project, or Just Mote, and any notice changed used expendence pr Fitzroy North South Yarra Victoria 3141 Australia TP13 15.183 22.01.20 Gurner +61.3 9866 5550 info@iackmerlo.com Egypert differences (also procedures to scale tradings Volds (of differences)), on the disport are distributed to that Mode Other for disposit other proceedings of the resPECEIVED



17 January 2020

Mr Luke Reaby Gurner Level 1, 322 Glenferrie Road MALVERN VIC 3144



Dear Luke,

### Re; 26 -56 Queens Parade, Fitzroy North | Additional Tree Information

I understand that you require information regarding a tree located in a laneway (Grace Lane) at the rear of the above site. I have identified this tree as an Italian Cypress (*Cupressus sempirvirens*) with an estimated tree protection zone (TPZ) of 3.6m.



From my calculations, approximately 9.6% of the TPZ is located within the subject site. As less than 10% of the TPZ is located within the subject site, all encroachments by the proposed development at 26 - 56 Queens Parade into the TPZ of this tree will therefore comply with AS4970-2009 *Protection of trees on development sites* and are therefore not expected to negatively impact the long-term healthy retention of this tree.

I trust this information satisfies your requirements. Please contact me if I can be of any further assistance.

Yours sincerely

Kylie May

Director/Consultant Arborist

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19 MAY 2020



PLANNING & ENVIRONMENT ACT 1987 YARRA PLANNING SCHEME Plan referred to in Permit No: Park 19434 relating to use/development of land.

Jack Merlo Design & Landscape

32A Toorak Road outh Yarra Victoria 141 Australia

- 61 3 9866 5550 www.jackmerlo.com

For and on behalf of the Responsible Authority DATE 2/6/2020PLAN 65 of 71

Irrigation Management Filais is NOT a Building Permit

Re - 26-56 Queens Parade, Fitzroy North

08.05.2020

This document has been prepared in response to Condition 39 of the Planning Permit,

Set out below are proposed arrangements for the establishment and ongoing maintenance of an automated irrigation system covering all landscape areas of the site.

### Irrigation System Specifications

All above ground planting is to be provided with an automated irrigation system to secure appropriate moisture for plant growth.

Rainwater runoff from roof areas is to be harvested and stored in 40,000 litres capacity tank, connected to irrigation system. Mains water back up will ensure water is always available for irrigation purposes,

A comprehensively zoned irrigation system covering all landscape areas will enable specific settings to address differential demands of the vegetation throughout the property, including all garden beds and in-situ planters. An irrigation plan with zoning layouts and system specifications will be prepared as part of the landscape documentation package.

A Hunter 'Pro-HC Hydrawise (x 8]' 24 station irrigation controller with wi-fi connection (or equivalent) is to be installed. This system will automatically adjust irrigation settings based on constant information drawn from local weather stations.

Landscape maintenance contractors will be responsible for the ongoing regular maintenance of the irrigation system and adjustment of settings based on seasonal weather conditions.

Regular maintenance of the irrigation and drainage infrastructure shall be completed as below:

### Monthly Irrigation Maintenance

- Check irrigation system for evidence of leaks or splits to ensure effective on-going irrigation supply to all soft landscape areas
- Flushing of irrigation lines, comprehensive checks of system integrity
- Monitoring of sensors and calibration of settings appropriate for weather / seasonal conditions
- Review the effectiveness of aperture nozzles to ensure that each is free of dirt and provide effective irrigation at the prescribed rate to all planted areas

### Annual Irrigation Maintenance

Provide a complete inspection of the irrigation system including but not limited to:

- Check systems integrity and undertake repairs as required
- Check the performance of timers / controllers, moisture sensor devices and replacement / repair as required
- Assessment of the function of drainage from planter beds and removal of such debris as required to maintain effective drainage
- Inspection and clean-up of all silt traps to remove debris and ensure free flow of water

1 1



Altitude Façade Access Consulting Pty Ltd Office 8, Suite 201, 20 Collins St. Melbourne, Australia 3000 t. +61 (0)425 786 035 / +61 (0)425 786 036 e. info@altitudefac.com

5th December 2019

Gurne

Level 1, 322 Glenferrie Road Malvern Victoria 3144

Attention | Luke Reaby

Subject | Maintenance access to the landscape planters at 26:56:Queen's Paradeding Permit

PLANNING & ENVIRONMENT ACT 1987 YARRA PLANNING SCHEME Plan referred to in Permit No: PLANS/0434 relating to use/development of land.

Dear Luke,

As per your request, we have investigated options for maintenance access to the landscape planters highlighted in Figure 1.

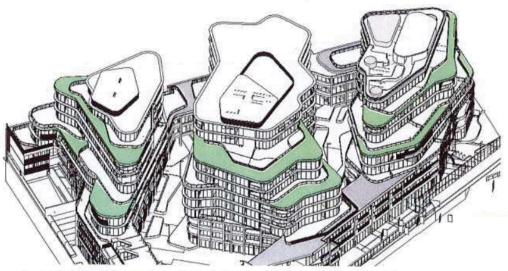


Figure 1 · Areas under study

We recommend that a combination of safety lines and rope access anchors are provided in the planters. The safety lines typically follow the line of the planter edge and are set back approximately 1800mm from the edge. The maintenance technicians will clip onto the line to be protected against falls while they walk over the planter area.

19 MAR 2020

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26-56 Queens Parade

Maintenance access to the landscape planters

To access the safety lines, technicians can use rope access techniques (abseiling) to lower onto the planter from above.

The attached drawing shows the suggested safety line locations and describes the methods of access and egress to each particular area.

The proposed method of access has been designed so that access to apartments is not required.

The proposed method of access is practical and common among developments with similar requirements in Melbourne.

Yours faithfully,

Peter Ransom

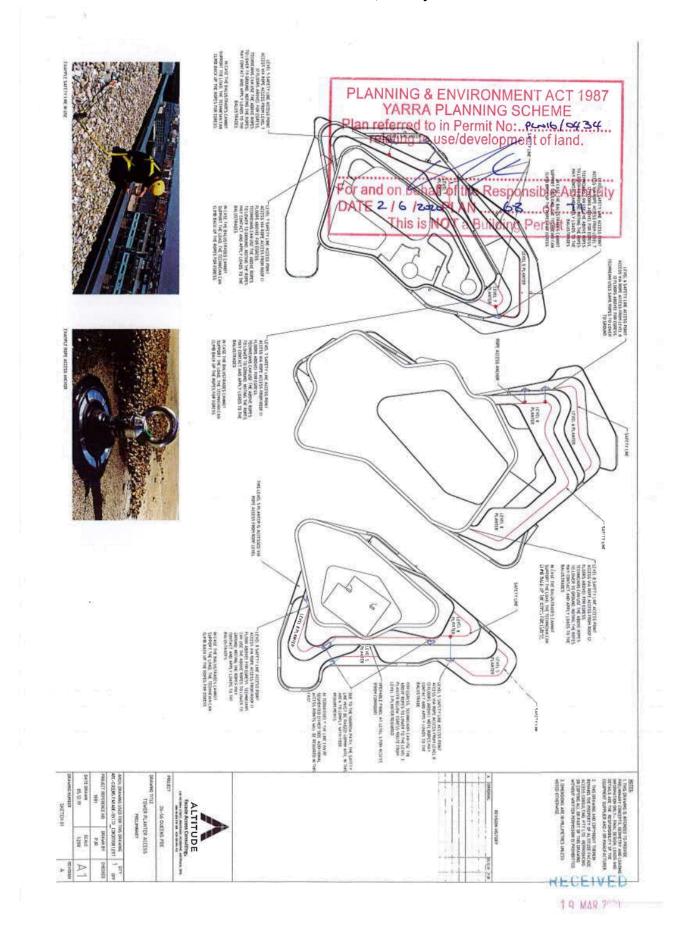
Associate

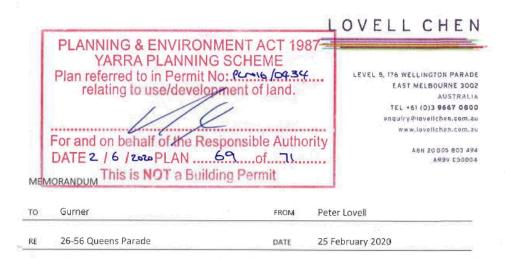
pete@altitudefac.com | 0401 456 331

PLANNING & ENVIRONMENT ACT 1987 YARRA PLANNING SCHEME

Plan referred to in Permit No: PLNIS 10434 relating to use/development of land.

> Z RECEIVED 19 MAR 7020





### Introduction

This memorandum has been prepared to provide advice to Gurner regarding the proposed treatment to the retained façade of 26-56 Queens Parade. This advice relates to Condition 14 of planning permit PLN16/0434. Condition 14 is as follows:

Before either the development starts or the paint on the decorative façade is removed (except for the purposes of investigation), a decorative façade treatment scheme must be submitted and approved by the Responsible Authority. The treatment scheme must be informed by and include the results of an investigation of the existing and original treatments to the façade and an assessment of non-destructive paint removal techniques. The treatment scheme must include an investigation of the possibility of restoring the façade to its original condition based on the best available evidence. The treatment scheme must also include the Bay 9 return wall and colour proposed for the level 2 upstand behind the façade glazing. When approved, the decorative façade treatment scheme will be endorsed and will then form part of this permit.

### Advice

It is understood that paint removal investigation will be undertaken to the retained façade to determine if the brickwork under the existing paint scheme is in a good enough condition to be exposed. This work is still to be undertaken and will be informed by trials and investigation.

Should the trials prove unsuccessful it is understood that you desire advice regarding an appropriate paint scheme. In reviewing the scheme proposed by Cox as shown on A-91-04 Rev 1 dated 21/11/19 it is my opinion that the proposed pale grey/off-white treatment to the brickwork (Midhurst quarter strength) is appropriate. The proposed colour to the window frames (black or Castlecliff) is also considered to be acceptable. It is also recommended that a paint sample investigation is undertaken to confirm any final paint treatment.

### Conclusion

- Paint removal investigation to determine the condition of the brickwork should be undertaken
- Should the brickwork not be in a good condition for exposure the proposed Cox colour scheme (as per A-91-04) is considered to be acceptable as follows:
  - o Pale grey/off-white (Midhurst quarter strength) to the brickwork
  - o Dark grey/black to the window frames
- · A paint sample investigation should be undertaken to confirm any final paint treatment.

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LOVELL CHEN

# Memorandum

# **Traffix Group**

| То       | James Roberts (Gurner) | From: | Carlo Morello (Traffix Group) |
|----------|------------------------|-------|-------------------------------|
| Our Ref: | G20374M-02A            | Date: | Thursday, 21 November 2019    |

Further to your request, we have undertaken a review of the plans for endorsement prepared by Cox Architecture, dated 12 February, 2019, with respect to Condition 1 (ss) within Planning Permit PLN16/0434. Our response is provided as follows.

(ss) Loading bay dimensioned on the drawings, including minimum overhead clearance. The plan must also include a note confirming details of the vehicles permitted to use this space, along with swept path diagrams provided for ingress and egress;

The plans illustrate a loading bay with dimensions of 4.0 metres in width and 9.0 metres in length within basement level 1. An overhead clearance of 3.8 metres is identified on the plans within the loading bay. The plans include a note making reference to swept path diagrams (ref. G20374\_TFX\_20170811) previously prepared by Traffix Group and submitted to Council.

Amended swept paths have been prepared in response to the updated plans and are attached in Appendix A. The swept path diagrams demonstrate ingress and egress movements for the loading bay by a 6.4 metre long small rigid vehicle (SRV).

In view of the foregoing assessment, we are satisfied that Condition 1 (ss) of the Planning Permit has been addressed.

We trust this is of assistance. Please contact myself at Traffix Group if you require any further information.

Your faithfully,

TRAFFIX GROUP PTY LTD

Carlo Morello

Senior Associate

PLANNING & ENVIRONMENT ACT 1987
YARRA PLANNING SCHEME
Plan referred to in Permit No. 2001 (2013)

Plan referred to in Permit No: .. Pcn is /04.34... relating to use/development of land.

This is NOT a Building Permit

Level 28, 459 Collins St Melbourne Victoria 3000 T: 03 9822 2888 admin@traffixgroup.com.au Traffix Group Pty Ltd ABN: 32 100 481 570 traffixgroup.com.au

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1 8 MAY 2020

