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Helping you understand your planning needs



PLANNING PERMIT (Amended)

Permit No: PLN16/0922

Planning Scheme: Yarra

Responsible Authority: City Of Yarra

ADDRESS OF THE LAND:

1-57 Wellington Street and 71-77 Victoria Parade, Collingwood VIC 3066

THE PERMIT ALLOWS:

For the purpose of the following, in accordance with the endorsed plan(s).

- part demolition and development of the land for the construction of an 11 storey building (plus basement levels);
- use of part of the land for shops, food and drinks premises (café), art and craft centre and offices; and
- reduction in the car parking requirements associated with dwellings, shops, food and drinks premises (café), art and craft centre and offices

in accordance with the endorsed plans.

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 application plans but modified by the plans tabled at the compulsory conference prepared by Cox Architects dated 15 February 2018 (the 'Decision Plans'), and which are further modified by these conditions to show:

- (a) on plan TP2105 level 1, apartment C10101 to be treated and/or modified to minimise overlooking opportunities to the bedroom window of 69 Victoria Parade;
- (b) on plan TP2106 level 2, apartment C10201 to have the terrace re-orientated to face south and screen the westerly orientation;
- (c) on plans TP2108 level 4 (apartment C10401), TP2109 level 5 (apartment C10501), and TP2110 level 6 (apartment C10601), relocate the terraces to the south-east gorner of the.

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apartments and consequential relocation of the bedrooms to the west, with screens to the west to 1700mm high from finished floor level;

- (d) a demolition plan and elevation (showing all walls and built form to be demolished / retained) and including notations that existing crossovers will be removed and reinstated as footpath, kerb and crossover (where applicable);
- (e) details of any heritage restoration works;
- (f) title boundary dimensions as per the certificate of titles;
- setbacks from title boundaries, wall and overall heights in metres above the natural ground level;
- (h) a full set of sections;
- elevations modified to reference materials (i.e. with a key and labelling);
- (j) all bedrooms with a minimum width of 3m;
- (k) floor to ceiling heights of at least 2,65m in the living areas, 2.4m in bedrooms and 2.1m in bathrooms (to be absorbed within the approved building heights);
- doors and windows correctly shown (some are not shown to rooms);
- (m) minimum storage areas of 5m³ external to the dwellings and located in basement levels (not on residential floors);
- (n) the location and design of services (including meters) and mail boxes;
- (o) corridors at the lift lobbies a minimum 2.1m wide;
- (p) provision of natural ventilation to the northern and south communal corridors from level 1 and above;
- (q) a notation confirming residential loading (moving in and out) will occur within the on-site loading bays and will be managed by either the owner's corporation or building manager (as relevant);
- (r) the location of habitable room windows and private open space areas of 67 and 69 Victoria Parade;
- (s) where overlooking opportunities can be provided within a 9m radius and 45 degree arc from a habitable room window or private open space area/terrace/balcony into another habitable room window or private open space area/terrace/balcony on or off-site, the following must be applied:
 - i minimum 1.7m, fixed obscure glazing;
 - ii minimum 1.7m high, maximum 25% transparent screens; or
 - iii other method(s) to the satisfaction of the Responsible Authority;
- (t) the 'community arts space' as an 'art and craft centre';
- (u) windows to the western wall of the art and craft centre;
- (v) windows to the offices fronting Victoria Parade (including both 'second' rooms behind the front office spaces);
- (w) all habitable rooms must have an openable window;
- (x) the entrance door to the art and craft centre relocated further east (approximately in line with the shop entry to the north or positioned along the eastern boundary) (with the corridor dimensioned at 2.5m);
- the use of the internal room to the 3BR dwellings as a laundry and/or butler's pantry, or similar;
- the correct location of existing street trees, confirming which would be retained or removed;
- (aa) the access to the bicycle store via the ROW must be repositioned to the north (not the west as shown) so not directly via the ROW;
- (bb) loading bay dimensions, confirming suitability for a small rigid vehicle and a medium sized removalist van;
- (cc) details of signage/line marking and other relevant measures enforcing the 'left in left out' arrangement into/out of the Wellington Street vehicular crossover;
- (dd) dimensions of the northern vehicular sightline triangle, demonstrating compliance with Design standard 1 Accessways of Clause 52.06-9 of the Yarra Planning Scheme;

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- (ee) cross sections of all pedestrian and vehicular entries into the site, confirming DDA access;
- (ff) a car parking allocation schedule, with at least 15 car parking spaces allocated to office uses, with at least 18 car parking spaces to be shared between the shop, food and drinks premises (café) and art and craft centre uses. Spaces in car stackers must be allocated to staff or dwelling residents;
- (gg) bicycle parking shown on plan as per the developer summary;
- (hh) footpath widths;
- (ii) minimum 2.2m headroom clearances throughout the car park;
- (jj) ramp grades and lengths dimensioned as per clause 52.06-9 of the Yarra Planning Scheme;
- (kk) car park aisle widths as per clause 52.06 of the Yarra Planning Scheme;
- details of car stackers (including a manufacture's brochure), ensuring:
 - they are shown as per the manufacture's requirements (widths, lengths, clearances, etc.);
 - ii they will be able to accommodate a B99 vehicle; and
 - at least 25% will must be able to provide a clearance of 1.8m as per clause 52.06 of the Scheme.

(mm) details and the location of the vehicle queue control point and management system;

- (nn) 1 in 20 scale cross sectional drawings of the developments 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 ROW and Wellington Street (from the kerb line to the centre line of the road/ROW) 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;
- (oo) a note confirming the design and construction of the new vehicle crossing must satisfy Council's Infrastructure Road Materials Policy, Council's Standard Drawings and engineering requirements;
- (pp) car park column depths and setbacks as per clause 52.06-9 of the Yarra Planning Scheme or AS/NZS 2890.1:2004;
- (qq) car park clearances to walls and storage cages provided at a minimum of 300 mm or satisfy Diagram 1 of Clause 52.06-9 or AS/NZS 2890.1:2004;
- (rr) access doors to the stores in basement levels;
- (ss) at least 20% of bicycle parking spaces to be horizontal or floor mounted;
- (tt) all walkways and bicycle storage dimensions must meet clause 52.34 of the Yarra Planning Scheme or AS2890.3 (including that vertical rails should be spaced at least 500mm apart as per AS2890.3;2015);
- (uu) bicycle parking signage as per clause 52.34-5 of the Yarra Planning Scheme;
- (vv) at least 1 locker for every employee bicycle parking space provided;
- (ww) the location of all plant and equipment, including air conditioner units. These must be appropriately screened from external view;
- (xx) the core 1 and 3 lift overruns must be a non-projecting design or must not exceed a height of 1.85m (height of the plant screen);
- (yy) plant and equipment on level 11 must not exceed a height of 1.85m;
- (zz) a schedule of colours and materials, including samples (where relevant) and renders, showing the materials, colour and finishes of all external walls, roof, fascias, window frames, glazing and doors including:
 - i the use of face brick or alternative treatment creating the same effect to the satisfaction of the Responsible Authority;
 - the use of metal framed windows or alternative treatment creating the same effect to the satisfaction of the Responsible Authority;

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iii details of plant screens, complementing the materiality of the building;

- (aaa) a set of highly detailed 'typical' elevations for each building segment to demonstrate 'craftsmanship' in the quality and application of facade finishes and details, including
- illustrating the design logic supporting the selection of the various components; (bbb) a notation confirming all new on boundary walls will be cleaned and finished prior to the
- occupation of the development;
- (ccc) 11 apartments on level 1 and 10 apartments on level 2 modified as per the Ark Resources letter dated 20 February 2018, if necessary, demonstrating BESS compliance (i.e. at least 80% of the total number of living rooms achieve a daylight factor greater than 1% to 90% of the floor area of each living area, including kitchens);
- (ddd) changes, as necessary to show on the plans, as per the endorsed WMP, SMP, acoustic report, wind report, structural report, car park management plan and landscape plan;
- (eee) a minimum setback of 8m from the western title boundary of the land, north of gridline 'S' of level 5 and above, and any consequential internal rearrangement of the dwellings affected by the increased setback.
- 2 The development and use as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.

Structural report

- Before the demolition commences, a structural report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the structural report will be endorsed and will form part of this permit. The structural report must be prepared by a suitably qualified structural engineer and demonstrate the means by which the retained portions of buildings at 71 to 77 Victoria Parade will be supported during demolition and construction works to ensure their retention.
- 4 The provisions, recommendations and requirements of the endorsed structural report must be implemented and complied with to the satisfaction of the Responsible Authority.

Green travel plan

- 5 Before the development commences, a Green Travel Plan prepared by a suitably qualified person 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) describe the location in the context of alternative modes of transport;
 - (b) the provision of real time passenger information displays for nearby stops within each residential lobby;
 - (c) employee/resident welcome packs (e.g. provision of Met Cards/Myki);
 - (d) a designated 'manager' or 'champion' responsible for co-ordination and implementation;
 - (e) details of bicycle parking and bicycle routes;
 - (f) details of GTP funding and management responsibilities; and
 - (g) include provisions to be updated not less than every 5 years.
- 6 The provisions, recommendations and requirements of the endorsed Green Travel Plan must be implemented and thereafter complied with to the satisfaction of the Responsible Authority.

Landscape Plan

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Before the development commences, a Landscape Plan prepared by a suitably qualified person to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Landscape Plan will be endorsed and will form part of this permit. The Landscape Plan must:

- (a) show the correct location of street trees;
- (b) show the type, location, quantity, height at planting, height at maturity and botanical names of all proposed plants;
- (c) planter details, including soil profile and irrigation systems;
- (d) indicate the location of all areas to be covered by lawn, paving or other surface materials; and
- (e) provide a specification of works to be undertaken prior to planting;
- (f) consider strata cells for street trees to be planted as a part of this development to ensure the trees are given the best chance to thrive in urban conditions;
- (g) the selection of plants must consider species that positively contribute to urban biodiversity outcomes (i.e. local indigenous species of all vegetation strata including trees, understorey and ground plants);
- (h) clear definition of terraced spaces, retaining walls, seating elements and other structures independent of paving treatments;
- (i) water sensitive urban design [WSUD] features;
- a detailed section of any green roofs, confirming/detailing:
 - i vegetation layer;
 - growing substrate and depth (plants should not be supplied as 100mm pots, but grown in the media to be used on the green roof);
 - iii load bearing weights for saturated bulk density have been supported by suitably qualified engineers);
 - iv irrigation;
 - v filter sheet;
 - vi drainage layer (specify the Elmich product, or similar);
 - vii protection mat;
 - vili root barrier; and
 - ix waterproofing;
- (k) a management plan, including irrigation and stormwater re-use;
- details of irrigation and drainage of planting and open space areas;
- (m) the location and species of the 9 street trees as referenced in condition 12.
- 8 Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the landscaping works shown on the endorsed Landscape Plan must be carried out and completed to the satisfaction of the Responsible Authority. The landscaping shown on the endorsed Landscape Plan must be maintained to the satisfaction of the Responsible Authority by:
 - implementing and complying with the provisions, recommendations and requirements of the endorsed Landscape Plan;
 - 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.

Tree management plan

9 Before the development commences, 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 make recommendations for:

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- the protection of existing street trees to be retained (noting 2 were omitted from the application material):
 - i pre-construction;
 - ii during construction; and
 - iii post construction;
- (b) the provision of any barriers and Tree Protection Zones prior to any works within a Tree Protection Zone (TPZ), a non-destructive dig (NDD) must occur to identify roots present;
- (c) any pruning necessary;
- (d) watering and maintenance regimes; and
- (e) a useful life expectancy (ULE) assessment of the existing trees on the west side of Wellington Street. If the existing trees have a ULE of less than 5 years, the plan must outline replacement trees and the value of the one-off contribution value the Responsible Authority to be used for the new street tree plantings (in addition to those required by condition 12) as a result of the development.
- 10 The provisions, recommendations and requirements of the endorsed Tree Management Plan must be complied with and implemented to the satisfaction of the Responsible Authority.
- 11 Before the development starts, the permit holder must provide a security bond to the Responsible Authority to protect the street trees around the site ("bonded works"). The security bond:
 - (a) is to be equal to the value of the bonded works (the combined tree amenity and ecological value);
 - (b) must be provided in a manner, and on terms, to the satisfaction of the Responsible Authority;
 - may be held by the Responsible Authority until the development is completed to the satisfaction of the Responsible Authority; and
 - (d) may be applied by the Responsible Authority to replace any damaged/impacted street trees.

Once the bonded works are completed to the satisfaction of the Responsible Authority, any portion of the security bond which has not been applied by the Responsible Authority to replace any impacted street trees will be refunded to the permit holder.

Street trees

- 12 Before the development commences, the permit holder must make a one off contribution of \$3500 (excluding GST) to the Responsible Authority to be used for 9 new street tree plantings along the west side of Wellington Street that are required as a result of the development. As of 1 July 2018 and each financial year accordingly, this contribution will increase based on the ABS CPI rate (calculated when payment occurs).
- 13 Within 6 months of commencement of the development, 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) description of art work, including:
 - i materials;
 - ii colours;
 - iii dimensions;
 - iv content;

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- v special features (e.g. lighting);
- (c) details of the installation process; and
- (d) details of art work maintenance schedule.
- 14 Before the buildings are occupied, or by such later date as approved in writing by the Responsible Authority, the approved public art as shown in the endorsed Public Art Managements Plan must be carried out and 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.

Wind report

- 15 Before the development commences, an amended Wind Assessment Report prepared by a suitably qualified person and 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 25 August 2016, but modified to include (or show):
 - (a) an assessment of the Decision Plans;
 - (b) the Wind report as a stand-alone document and not rely on development on another site (e.g. 2-12 Cambridge Street);
 - (c) wind tunnel testing with appropriate mitigation measures (where required); and
 - (d) specific details of any required wind mitigation measures/techniques (e.g. the specific locations and heights of any wind barriers or changes to balcony screens, etc.).
- 16 The provisions, recommendations and requirements of the endorsed Wind Assessment Report must be implemented and complied with to the satisfaction of the Responsible Authority.

Car park management plan

- 17 Before the development commences, a Car Park Management Plan 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 form part of this permit. The Car Park Management Plan is to be prepared by a suitably qualified traffic engineer and must address, but not be limited to, the following:
 - (a) the number and location of car parking spaces allocated to each tenancy;
 - (b) any tandem parking spaces allocated to a single tenancy;
 - (c) the number and location of car spaces for shared use, including time of shared use;
 - (d) the management of 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) the number and allocation of storage spaces;
 - (g) a line marking plan (including one and two-way direction arrows);
 - (h) 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;
 - (i) proper consideration and consistency with any endorsed Waste Management Plan;
 - details regarding the management of loading and unloading of goods and materials;
 - (k) details of how motorists will be warned of cyclists along Wellington Street when entering and exiting the site. Treatments could include but are not limited to:
 - i LED flashing lights embedded in the road;
 - ii green surface treatment;

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- iii give way signage;
- iv a roll-over kerb;
- and must be supported in writing by a suitably qualified traffic engineer;
- (I) a car parking allocation schedule, with at least 15 car parking spaces allocated to office uses, with at least 18 car parking spaces to be shared between the shop, food and drinks premises (café) and art and craft centre uses. Spaces in car stackers must be allocated to staff or dwelling residents; and
- (m) details as to how the car park will be secured (i.e. roller door or boom gates), without unreasonably impacting vehicular access to the site (creating unreasonable queues). This arrangement must be supported by a suitably qualified traffic engineer (e.g. a memo or letter assessing possible queuing).
- 18 The provisions, recommendations and requirements of the endorsed Car Park Management Plan must be implemented and thereafter complied with to the satisfaction of the Responsible Authority.

Car parking, bicycles and loading

- 19 Vehicular access into and out of the Wellington Street vehicular entry/exit must only be left in / left out.
- 20 Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the areas set aside on the endorsed plans for the car parking spaces, access lanes, driveways and associated works must be to the satisfaction of the Responsible Authority and:
 - (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.
- 21 Unless otherwise agreed in writing with the Responsible Authority, the loading and unloading of vehicles and the delivery of goods to and from the land must be conducted entirely within the land to the satisfaction of the Responsible Authority.
- 22 Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, a notice showing the location of car parking must be placed in a clearly visible position near the entry to the land. The notice must be maintained thereafter to the satisfaction of the Responsible Authority.
- 23 Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the car stackers must be installed in accordance with the manufacturer's specifications by a suitably qualified person. The car stackers must be maintained thereafter to the satisfaction of the Responsible Authority.
- 24 The car stacker devices must be installed, operated and maintained in accordance with the manufacturer's specifications and requirements.
- 25 No pipes, ducting or protrusions from the ceiling or walls are to be installed above or within the space clearance envelopes for the car stacker devices, unless otherwise agreed by the Responsible Authority.

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Sustainable Management Plan

- 26 Before the development commences, an amended Sustainable Management Plan to the satisfaction of the Responsible Authority and prepared by a suitably qualified person 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 ADP and dated 19 February 2018, but modified to include or show:
 - (a) include sample NatHERS ratings;
 - demonstration that the proposal would achieve a maximum individual apartment maximum cooling load of 30MJ/m²;
 - (c) demonstration through daylight modelling that:
 - i at least 80% of the total number of living rooms achieve a daylight factor greater than 1% to 90% of the floor area of each living area, including kitchens; and
 - ii at least 80% of the total number of bedrooms achieve a daylight factor greater than 0.5% to 90% of the floor area in each room;
 - (d) clear commitments (not 'give consideration' or 'best endeavours' etc.);
 - the BESS report updated with actual NatHERS heating and cooling loads (not the generic figures currently entered); and
 - (f) a complete BESS report, demonstrating best practice. The BESS report must demonstrate how the development will achieve a BESS score of a minimum of 60%, calculated according to the standards for high density 10+ storey buildings.
- 27 The provisions, recommendations and requirements of the endorsed Sustainable Management. Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Acoustic report

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28 Before the development commences, an amended Acoustic Report prepared by a suitably qualified acoustic engineer and 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 ADP and dated 2 March 2017, but modified to include (or show, or address):

- (a) confirmation of appropriate acoustic experience and qualifications of the author;
- (b) the amended proposal / decision plans;
- (c) the following internal residential maximum targets and how they will be achieved, unless otherwise agreed by the Responsible Authority:
 - i 35 dBA, Leq 8h to bedrooms during the night;
 - ii 40 dBA, Leg 16h to all habitable rooms during the day; and
 - iii the loudest hour not to exceed 40 dBA Leq night (10pm to 7am) in bedrooms, 45 dBA Leq during the day (7am to 10pm) in all habitable rooms;
- (d) appropriate data to measure traffic noise, in particular from Victoria Parade;
- (e) a formal, specific assessment of noise sources on and off the site, including (but not limited) to:
 - i traffic and tram noise;
 - ii nearby plant and equipment;
 - iii traffic noise intrusion levels and the nearby Baden Powel Hotel (including a SEPP N-2 and sleep disturbance assessment);
 - iv the proposed pool and communal areas;
 - v lifts, plant and equipment and the loading bay;

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- vi noise from the carpark entry doors and loading bay activities and doors, outdoor and indoor communal and pool areas (including voice noise from communal areas) etc; and
- vii the interface between commercial uses and dwellings on and off-site (including an assessment of voice noise);
- calculations or specific upgrade recommendations must be included to achieve identified airborne and structure borne noise targets; and
- (f) an assessment to State Environment Protection Policy (Control of noise from industry, commerce and trade) No. N-1 (SEPP N-1), State Environment Protection Policy (Control of music noise from public premises) No. N-2 (SEPP N-2), relevant sleep disturbance criteria and any other relevant criteria to the satisfaction of the Responsible Authority.
- 29 The provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.
- 30 Before the development is occupied, an updated acoustic report prepared by a suitably qualified acoustic engineer 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; and
 - (b) provide measurement data taken from inside the dwellings of the development demonstrating compliance with State Environment Protection Policy (Control of noise from industry, commerce and trade) No. N-1 (SEPP N-1), State Environment Protection Policy (Control of music noise from public premises) No. N-2 (SEPP N-2) or any other relevant requirement including relevant sleep disturbance criteria.
- 31 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.

Public lighting plan

- 32 Before the development commences, a Public Lighting Plan prepared by a suitably qualified person and to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The Public Lighting Plan must address lighting along the Wellington Street, Victoria Parade and rear (western) laneway frontage of the site and the entrance to the approved building. When approved, the Public Lighting Plan will be endorsed and will form part of this permit. The Public Lighting Plan must provide for:
 - (a) a lighting scheme designed for both public highway and new open public area/road/open space within the curtilage of the property that complies with uniformity requirements as per standard AS1158.3.1;
 - (b) the control of light spillage into the windows of existing and proposed residences to comply with the requirements of AS 4282 – 1997," Control of the obtrusive effects of outdoor lighting";
 - (c) the locations of any new light poles so as not to obstruct access into private garages/off and on street parking places;
 - (d) lighting to all primary pedestrian access points to a residential property to satisfy at least level P4 as per AS 1158.3.1;
 - (e) a maintenance regime for the lighting scheme within the curtilage of the property; and
 - (f) the use of energy efficient luminaries and/or solar lighting technologies to reduce carbon emission if possible.

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

Office use (within Mixed Use Zone segment)

34 Except with the prior written consent of the Responsible Authority, the office use authorised by this permit may only operate between the hours of 7am and 7pm.

Shop use (within Mixed Use Zone segment)

35 Except with the prior written consent of the Responsible Authority, the shop use authorised by this permit may only operate between the hours of 8am and 6pm Sunday to Wednesday and 8am to 9pm Thursday to Saturday.

Food and drinks premises (café) use (within Mixed Use Zone segment)

- 36 Except with the prior written consent of the Responsible Authority, the food and drinks premises (café) use authorised by this permit may only operate between the hours of 6.30am to 10pm Monday to Saturday and 8am to 8pm Sunday
- 37 Except with the consent of the Responsible Authority, each of the 4 tenancies must not have any more than the following number of patrons at any one time:
 - (a) Tenancy 1 (75 sqm): 40 patrons;
 - (b) Tenancy 2 (84 sqm): 40 patrons;
 - (c) Tenancy 3 (179 sqm): 80 patrons; and
 - (d) Tenancy 4 (319 sqm at ground floor): 200 patrons.
- 38 Except with the prior written consent of the Responsible Authority, delivery and collection of goods to and from the land may only occur between 7am and 10pm on any day.

Art and craft centre

- 39 Except with the prior written consent of the Responsible Authority, the art and craft centre use authorised by this permit may only operate between the hours of 8am to 8pm.
- 40 Before the development starts, the owner (or other 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 (Act). The agreement must provide the following:
 - (a) the minimum 100sqm art and craft centre shown on the endorsed plans must be subdivided and gifted to the Responsible Authority at no cost to the Responsible Authority before the development authorised by this permit is occupied;
 - (b) the owner will undertake the fit out of the internal art and craft centre (to include floor covering, ceiling, lighting and air conditioning) before the art and craft centre is gifted to the Responsible Authority. The fit out must be in a manner to be agreed by the owner and the Responsible Authority before the internal works commence for the fit out, all at no cost to the Responsible Authority; and
 - (c) the owner will agree to establish a management plan for the use of the accessway to the art and craft centre to the satisfaction of the Responsible Authority

The owner (or other person in anticipation of becoming the owner) must meet all of the expenses of preparing, reviewing, executing and registering the agreement, including the Responsible Authority's costs and expenses (including legal expenses) ineidental to preparing, reviewing, executing, registering and enforcing the agreement.

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41 No more than 130 patrons are permitted on the land at any one time.

General

- 42 Before the building is 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 within the property boundary. Lighting must be provided to the satisfaction of the Responsible Authority and:
 - (a) located;
 - (b) directed;
 - (c) shielded; and
 - (d) of limited intensity.
- 43 The amenity of the area must not be detrimentally affected by the use or development, including through:
 - (a) the transport of materials, goods or commodities to or from land;
 - (b) the appearance of any buildings, works or materials;
 - (c) the emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or
 - (d) the presence of vermin.
- 44 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).
- 45 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).
- 46 The provision of music and entertainment on the land associated with the office, shop, food and drinks premises (café) and art and craft centre, as authorised by this permit, must be at a background noise level. Speakers external to the building must not be erected or used.
- 47 Before the development is occupied, or by such later date as approved in writing by the Responsible Authority, all screening and other measures to prevent overlooking as shown on the endorsed plans must be installed to the satisfaction of the Responsible Authority. Once installed the screening and other measures must be maintained to the satisfaction of the Responsible Authority.
- 48 All screening and other measures to prevent overlooking as shown on the endorsed plans must be maintained to the satisfaction of the Responsible Authority.
- 49 Before the building is 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.
- 50 As part of the ongoing consultant team, Cox Architects or an architectural firm to the satisfaction of the Responsible Authority must be engaged to:
 - (a) oversee the design and construction of the development; and
 - (b) ensure the design quality and appearance of the development is realised as shown in the endorsed plans or otherwise to the satisfaction of the Responsible Authority.

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

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

- 53 Before the development commences, an amended Waste Management Plan prepared by a suitably qualified person and 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 19 February 2018, but modified to show the path by which waste will be transported to the waste rooms.
- 54 The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Environmental audit

- 55 Before the development commences (excluding demolition), either:
 - (a) A certificate of environmental audit must be issued for the land in accordance with Part IXD of the Environment Protection Act 1970, or
 - (b) An environmental auditor appointed under the Environment Protection Act 1970 must make a statement in accordance with Part IXD of that Act that the environmental conditions of the land are suitable for the sensitive use.

The Certificate or Statement must be provided to the Responsible Authority before the development commences.

- 56 If, pursuant to condition 55, 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.
 - (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:
 - provide for the undertaking of the ongoing maintenance and monitoring as required by the Statement; and
 - i be executed before the sensitive use for which the land is being developed commences; and
 - (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 incurred by the Responsible Authority).

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Construction

- 57 Before the development commences, 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 provide for:
 - a pre-conditions survey (dilapidation report) of the land and all adjacent Council roads frontages and nearby road infrastructure, including the existing fencing and driveways along the western boundary of the lane;
 - (b) works necessary to protect road and other infrastructure;
 - (c) remediation of any damage to road and other infrastructure;
 - (d) containment of dust, dirt and mud within the land and method and frequency of clean up procedures to prevent the accumulation of dust, dirt and mud outside the land;
 - (e) facilities for vehicle washing, which must be located on the land;
 - (f) the location of loading zones, site sheds, materials, cranes and crane/hoisting zones, gantries and any other construction related items or equipment to be located in any street;
 - (g) site security;
 - (h) management of any environmental hazards including, but not limited to:
 - i contaminated soil;
 - ii materials and waste;
 - iii dust;
 - iv stormwater contamination from run-off and wash-waters;
 - v sediment from the land on roads;
 - vi washing of concrete trucks and other vehicles and machinery; and
 - vii spillage from refuelling cranes and other vehicles and machinery;
 - (i) the construction program;
 - preferred arrangements for trucks delivering to the land, including delivery and unloading points and expected duration and frequency;
 - (k) parking facilities for construction workers;
 - measures to ensure that all work on the land will be carried out in accordance with the Construction Management Plan;
 - (m) an outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services;
 - an emergency contact that is available for 24 hours per day for residents, businesses and the Responsible Authority in the event of relevant queries or problems experienced;
 - the provision of a traffic management plan to comply with provisions of AS 1742.3-2002 Manual of uniform traffic control devices - Part 3: Traffic control devices for works on roads;

(p) a Noise and Vibration Management Plan showing methods to minimise noise and vibration impacts on nearby properties (including businesses) 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;
- v other relevant considerations (including impacts on the operation of businesses); and

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- (q) a detailed dilapidation report detailing and documenting the existing and post construction conditions of surrounding road infrastructure and adjoining private properties;
- (r) if any existing public lighting assets require temporary disconnection, alternative lighting must be provided to maintain adequate lighting levels. A temporary lighting scheme can only be approved by Council and relevant power authority. Existing public lighting could only be disconnected once temporary alternative lighting scheme becomes operational; and
- (s) any site-specific requirements.
- 58 During the construction:
 - (a) any stormwater discharged into the stormwater drainage system must be in compliance with Environment Protection Authority guidelines;
 - (b) 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;
 - (c) vehicle borne material must not accumulate on the roads abutting the land;
 - (d) the cleaning of machinery and equipment must take place on the land and not on adjacent footpaths or roads; and
 - (e) all litter (including items such as cement bags, food packaging and plastic strapping) must be disposed of responsibly.
- 59 The provisions, recommendations and requirements of the endorsed Construction Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
- 60 Finished floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.
- 61 Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
 - (a) Monday to Friday (excluding public holidays) before 7 am or after 6 pm;
 - (b) Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday) before 9 am or after 3 pm; or
 - (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.
- 62 Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any redundant vehicular crossing must be demolished and re-instated as standard footpath, kerb and channel and any adjacent Copenhagen bicycle lane treatment/infrastructure (as relevant):
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
- 63 Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.
- 64 Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, any damage to Council's infrastructure resulting from the development must be reinstated:
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.

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Attachment 1 - Attachment A - Planning Permit (Amended)

- 65 All pipes, fixtures, fittings and vents servicing any building on the land must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.
- 66 Before the development is occupied, or by such later date as approved in writing by the Responsible Authority, the following works must be carried out, at the permit holder's cost and to the satisfaction of the Responsible Authority:
 - the full-width footpath immediately outside the property's Wellington Street Road frontage must be stripped and re-sheeted;
 - (b) any necessary changes to the Copenhagen bicycle lane/infrastructure along Wellington Street (including reinstatement where vehicle crossings are to be removed);
 - the right of way abutting the western boundary of the site, from Victoria Parade to Derby Street, must be fully restored; and
 - (d) any necessary modification of the vehicle crossings at the northern and southern ends of the Right of Way (Victoria Parade and Derby Street) so as to enable the ground clearance for the B99 design vehicle (demonstrated using a ground clearance check).
- 67 Unless with the further written consent of the Responsible Authority, detailed design drawings must be prepared prior to the commencement of the development by a suitably qualified person and to the satisfaction of the Responsible Authority addressing all civil and road infrastructure works associated with this development (outlined in condition 66) must be submitted to and approved by the Responsible Authority. Once approved, the plans will be endorsed and will then form part of the permit. Before the development is completed, all works shown on endorsed plans must be carried out and completed to the satisfaction of the Responsible Authority.
- 68 Parking restriction signs, line-marked on-street parking bays and parking sensors must not be removed, adjusted, changed or relocated without the prior written consent of the Responsible Authority and must be undertaken at the expense of the Permit Holder.
- 69 Before the occupation of the development, the existing electrical pole in the area to be occupied by the new vehicle crossing must be relocated to the satisfaction of the relevant power authority at the expense of the Permit Holder. The relocated electrical pole must be clear of any vehicle crossings or other road related infrastructure.
- 70 All service pits must be relocated from any new vehicle crossing or pedestrian entry point to the building.
- 71 Any services poles, structures or pits that interfere with the proposal must be adjusted, removed or relocated at the Permit Holder's expense with the prior written approval of the relevant authority/authorities.
- 72 Areas must be provided inside the property line and adjacent to the footpath to accommodate pits and meters. No private pits, valves or meters on Council property will be accepted.

VicRoads Condition

Date: 02 March 2018

73 The development must be constructed and managed so as not to compromise the ability of vehicles to enter and exit the intersection of Wellington Street and Victoria Parade in a safe manner or compromise the operational efficiency of the intersection or public safety.

Public Transport Victoria Condition

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Signature for the Responsible Authority

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74 The permit holder must take all reasonable steps to ensure that disruption to bus operation along Victoria Parade is kept to a minimum during the construction of the development. Foreseen disruptions to bus operations and mitigation measures must be communicated to Head, Transport for Victoria fourteen days (14) prior.

Expiry

75 This permit will expire if:

- (a) the development is not commenced within three years of the date of this permit;
- (b) the development is not completed within five years of the date of this permit; or
- (c) the use is not commenced within six years of the date of this permit.

The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires or within six months afterwards for commencement or within twelve months afterwards for completion.

NOTES:

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.

This site is partially subject to a Heritage Overlay. A planning permit may be required for any external works.

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.

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.

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.

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.

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

Date: 02 March 2018

- Army Hodger

Signature for the Responsible Authority

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Agenda Page 18 Attachment 1 - Attachment A - Planning Permit (Amended)

8

Date of Order	
2 March 2018	Planning Permit PLN16/0922 was issued in accordance with the order of the Victorian Civil and Administrative Tribunal, reference: P2232/2017.

THIS PERMIT HAS BEEN AMENDED AS FOLLOWS:

Date of amendment	Brief description of amendment
9 October 2019	Pursuant to Section 73 and 74 of the Planning and Environment Act 1987, amend condition 69 of the planning permit to apply prior to occupation of the development.
Date of Correction Brief description of correction	
9 October 2019	Pursuant to Section 71 of the Planning and Environment Act 1987, correction to Condition 67 to cross reference Condition 66.

Date: 02 March 2018

Signature for the Responsible Authority

Planning and Environment Regulations 2015 No. 33/2015 Form 4 Sections 63, 64, 64A and 86

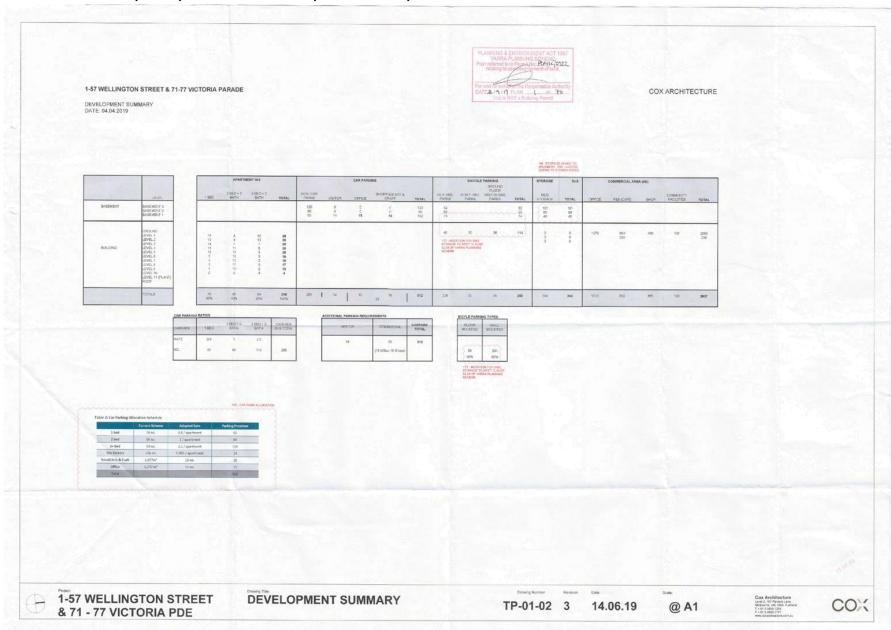
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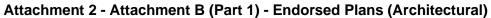
Attachment 1 - Attachment A - Planning Permit (Amended)

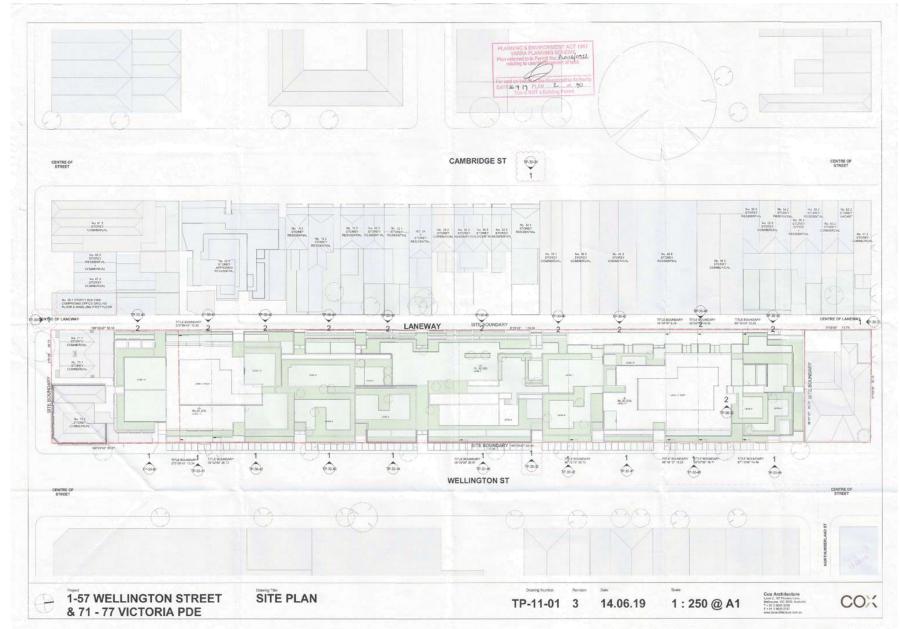
	IMPORTANT INFORMATION ABOUT THIS PERMIT
	HAS BEEN DECIDED?
Т	he Responsible Authority has issued a permit.
	Note: This is not a permit granted under Division 5 or 6 of Part 4 of the Planning and invironment Act 1987.)
	DOES A PERMIT BEGIN?
A	permit operates:
	from the date specified in the permit; or
	 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.
	DOES A PERMIT EXPIRE?
	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. A permit for the development and use of land expires if—
	 A permit for the development and use of and expires it— the development or any stage of it does not start within the time specified in the permit; or
	 the development of 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.
2	If a permit for the use of land or the development and use of land or relating to any of the circumstances mentioned in section 6A(2) of the Planning and Environment Act 1987 , or
	to any combination of use, development or any of those circumstances requires the
	certification of a plan under the Subdivision Act 1988, unless the permit contains a
	different provision—
	 the use or development of any stage is to be taken to have started when the plan is
	certified; and
,	• the permit expires if the plan is not certified within two years of the issue of the permit. 5. The expiry of a permit does not affect the validity of anything done under that permit before
	the expiry.
	ABOUT REVIEWS?
•	The person who applied for the permit may apply for a review of any condition in the permit water is which and the direction of the Vietneion Civil and Administrative Tribunal in which
	unless it was granted at the direction of the Victorian Civil and Administrative Tribunal, in whic case no right of review exists.
	An application for review must be lodged within 60 days after the permit was issued, unless
	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 is lodged with the victorian Givit and Administrative mountait. 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 Victoria Civil and Administrative Tribunal.
	Planning and Environment Regulations 2015 No. 33/2015 Form 4 Sections 63, 64, 64A and 86

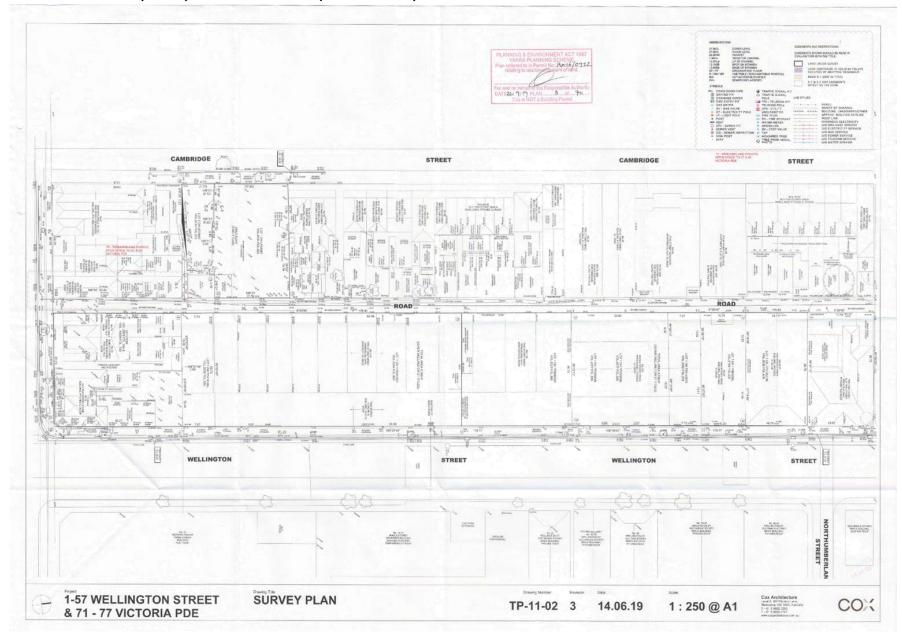
Attachment 2 - Attachment B (Part 1) - Endorsed Plans (Architectural)



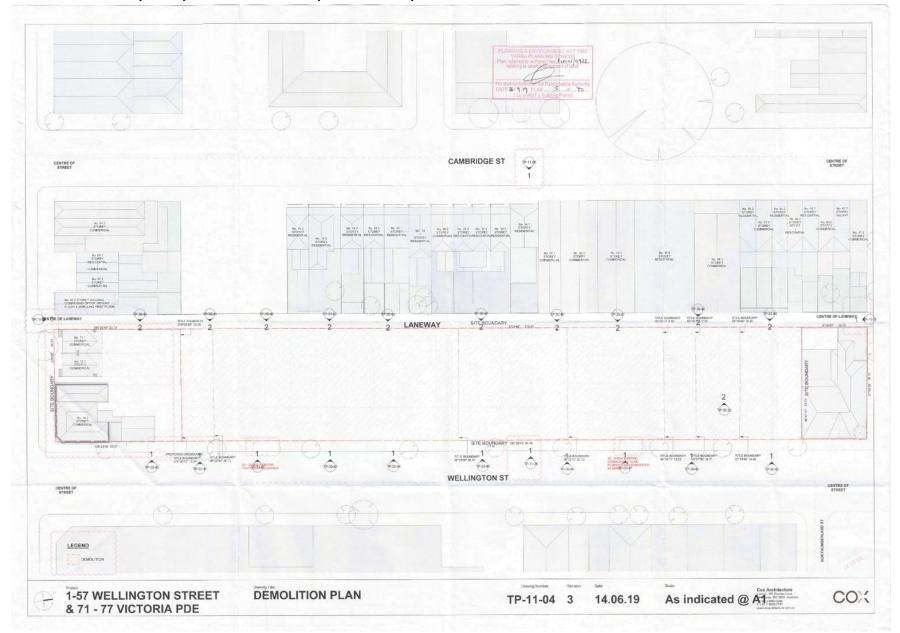
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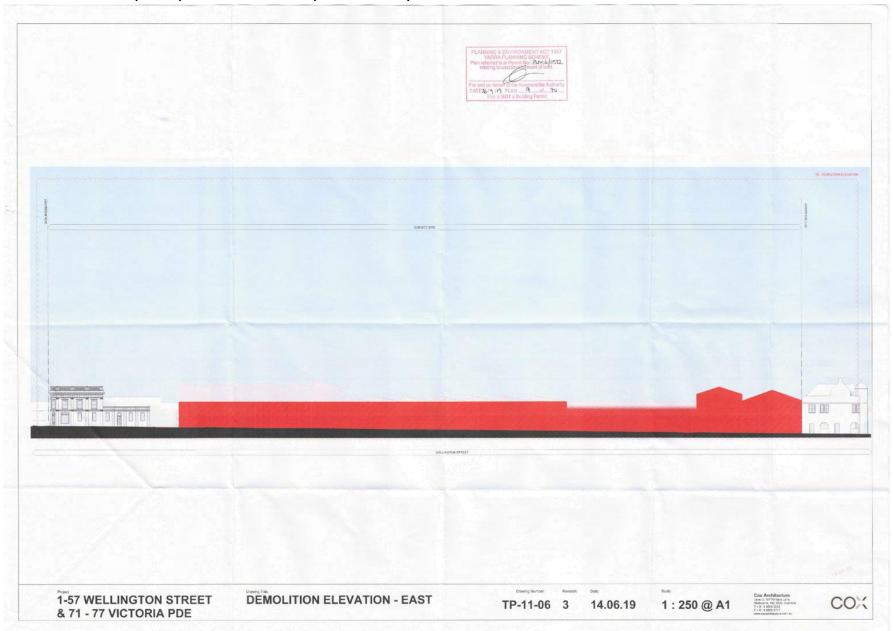




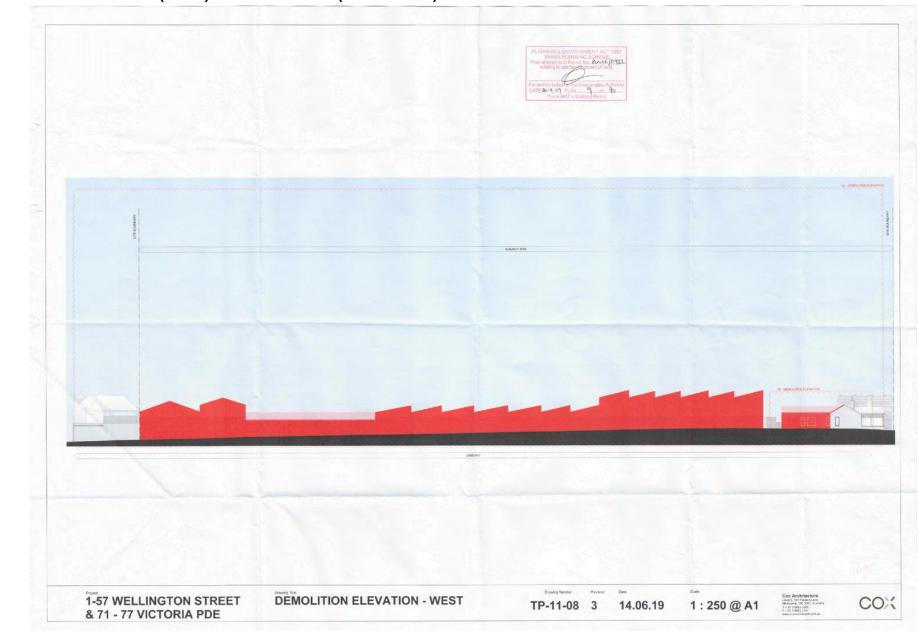




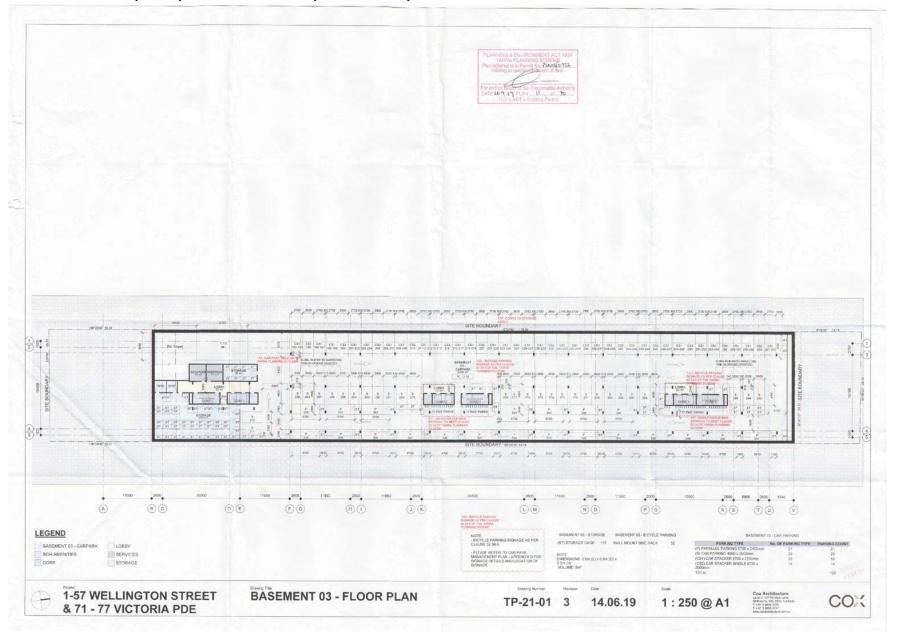


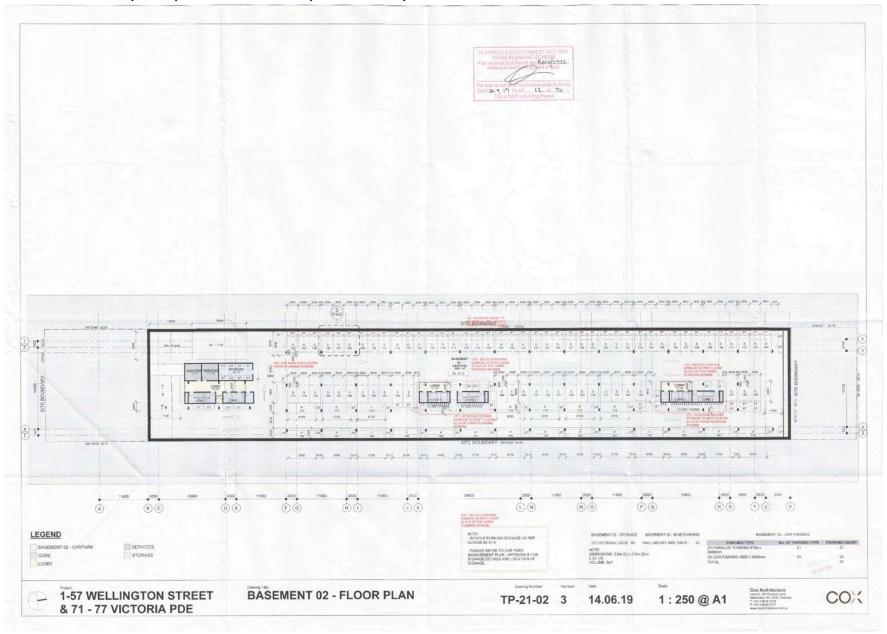


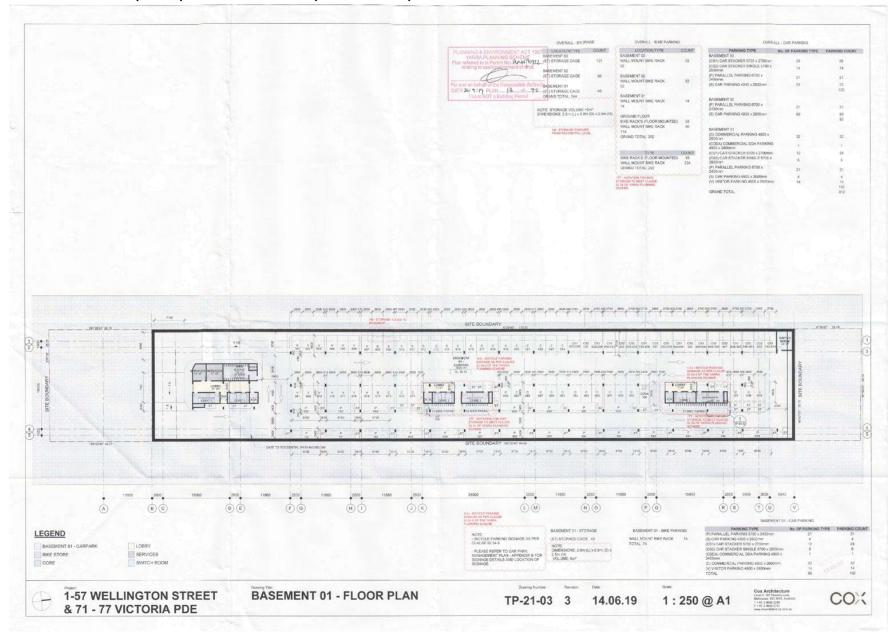


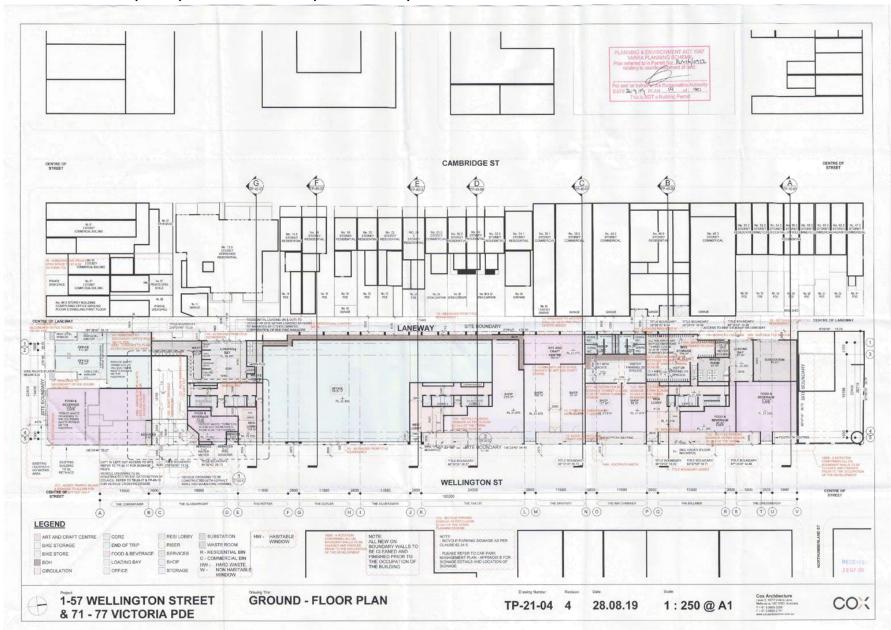




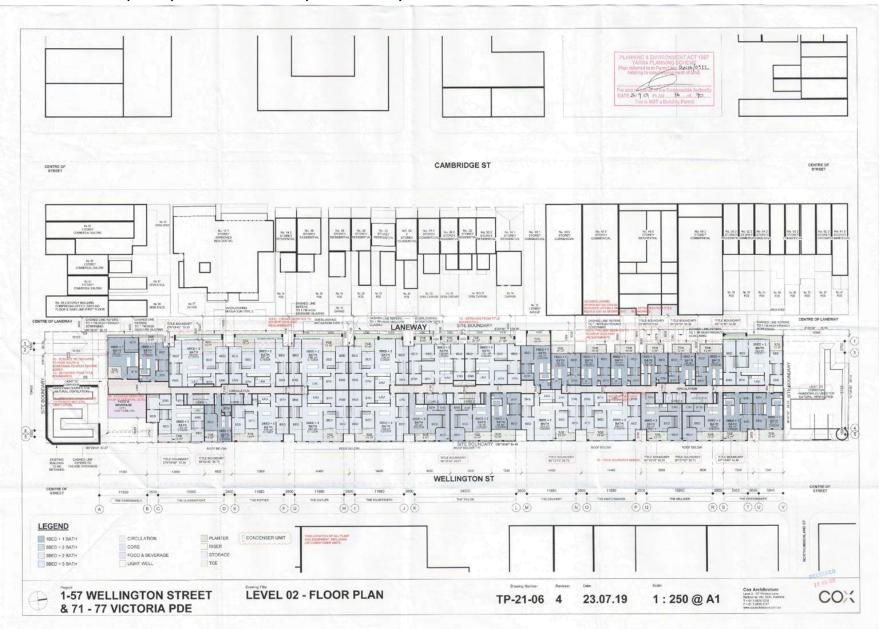


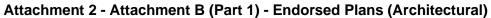


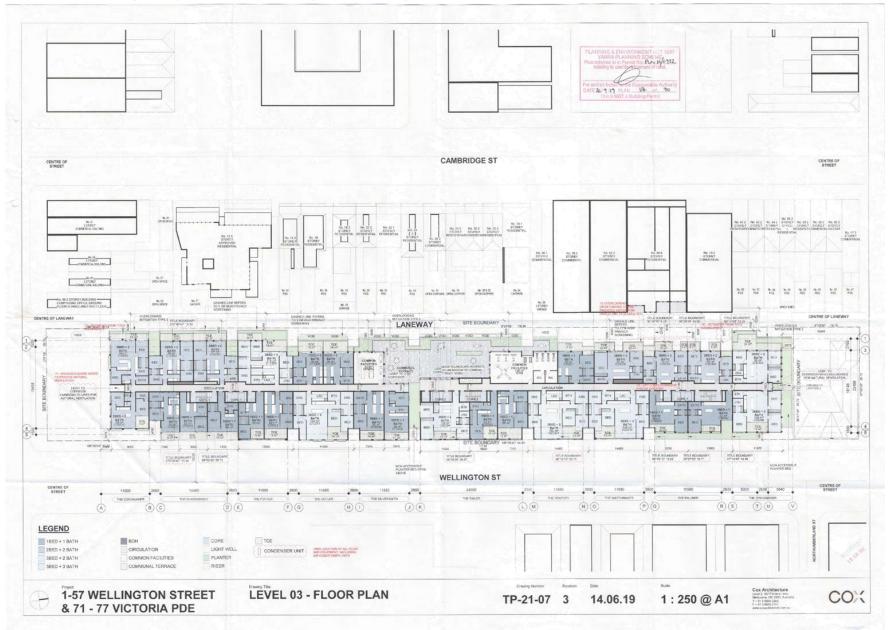


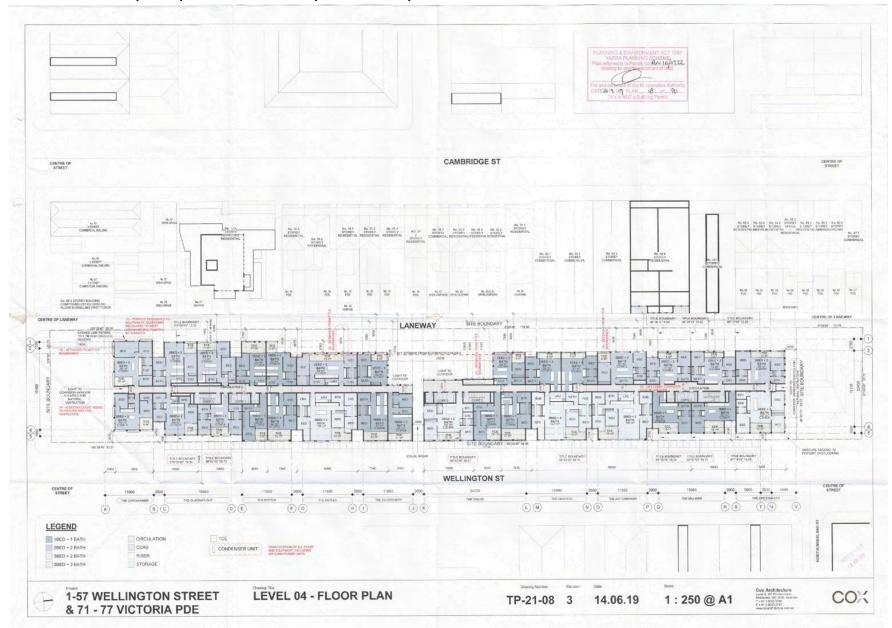


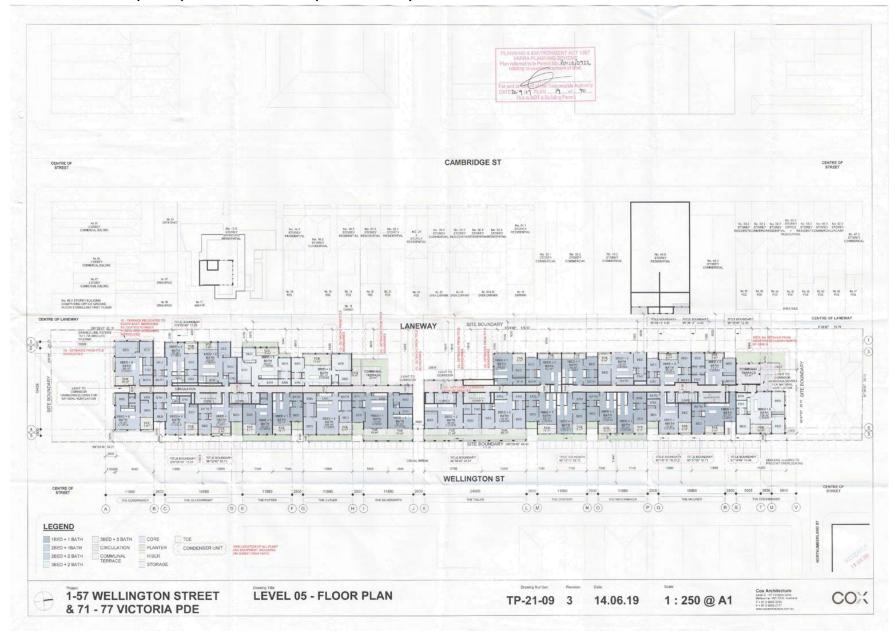




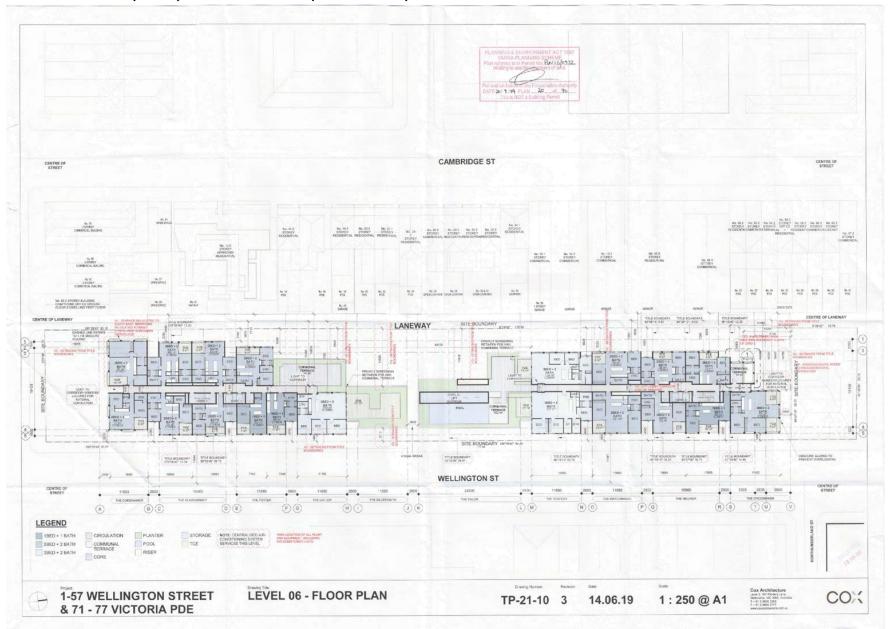






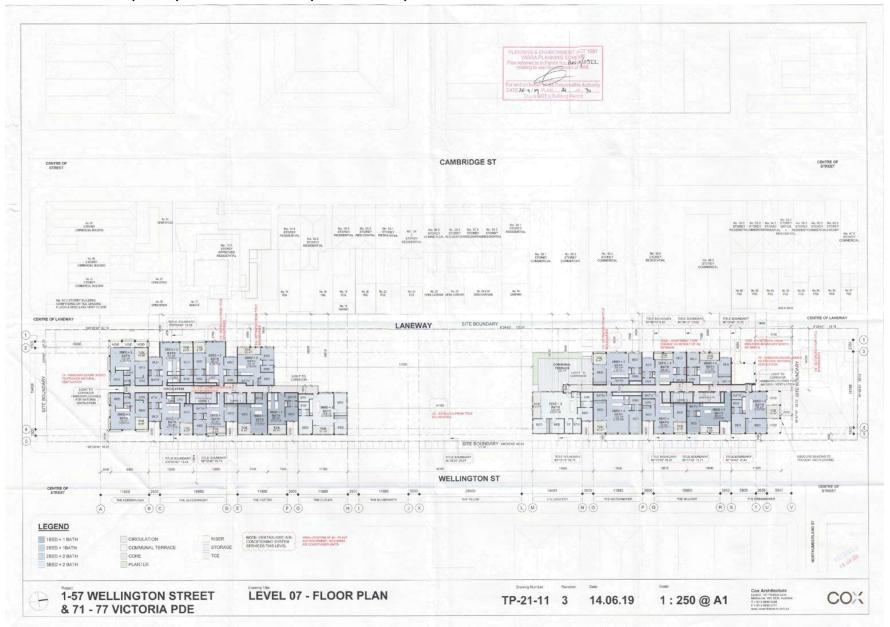


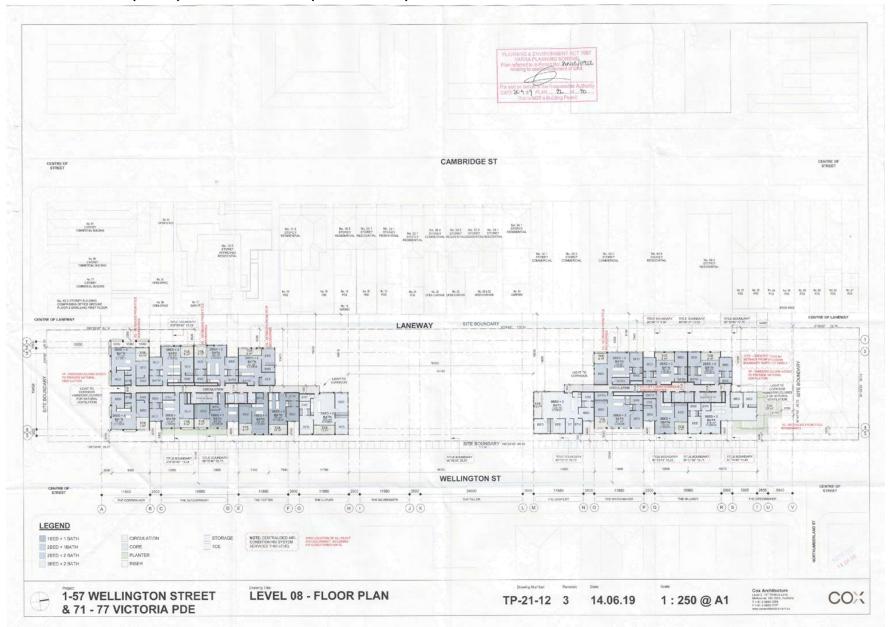
Attachment 3 - Attachment B (Part 2) - Endorsed Plans (Architectural)

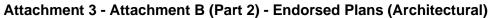


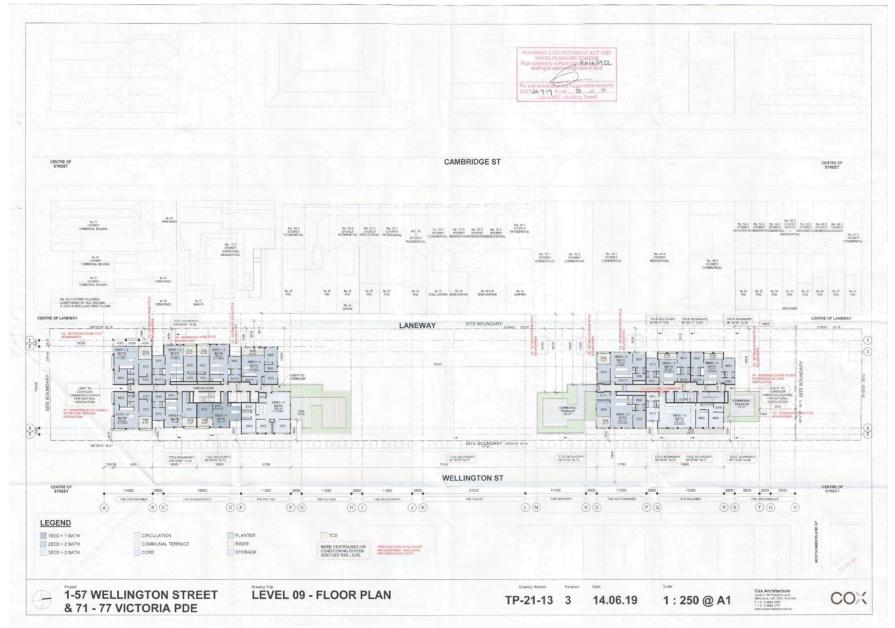
Yarra City Council – Internal Development Approvals Committee Agenda – Wednesday 12 August 2020

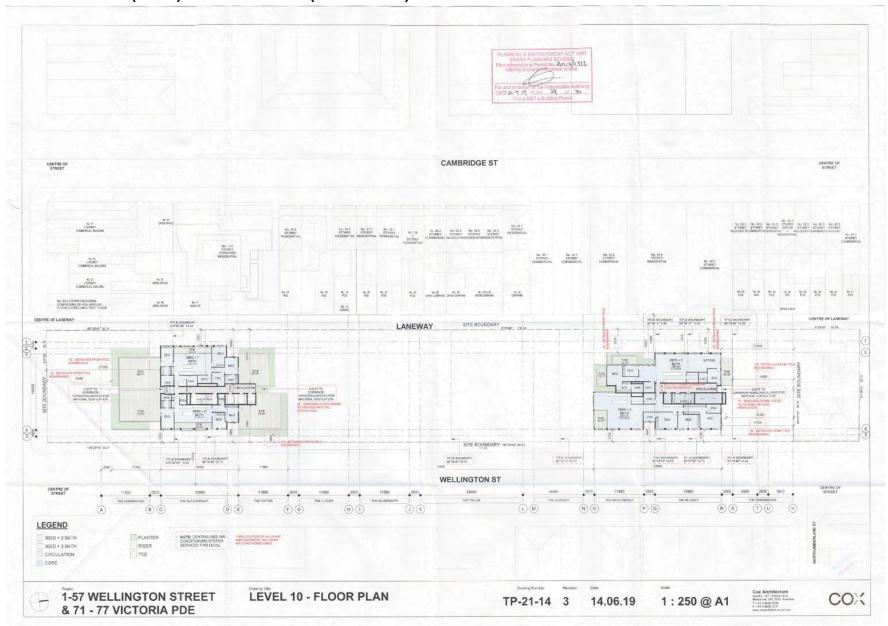


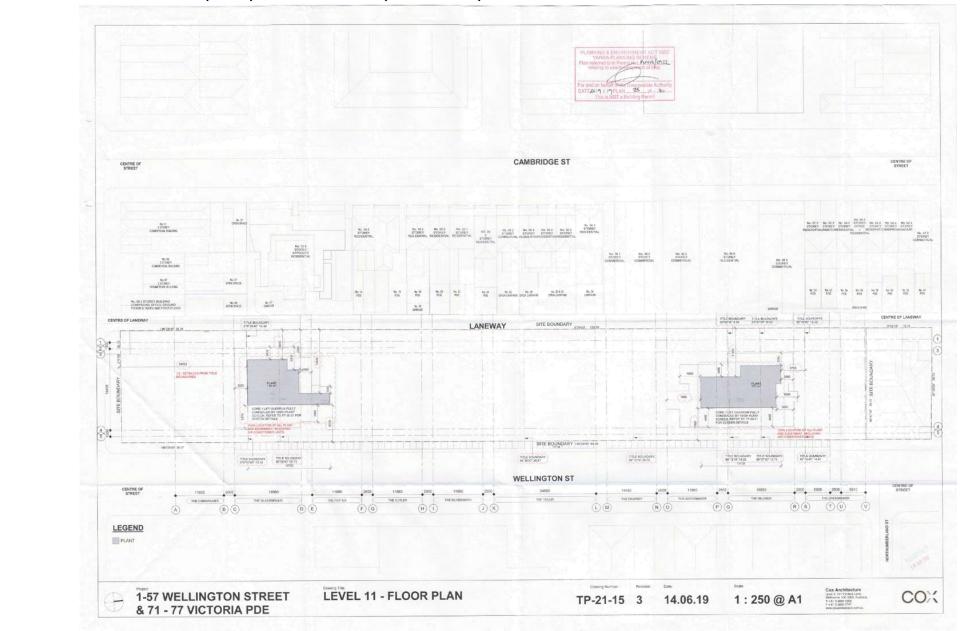




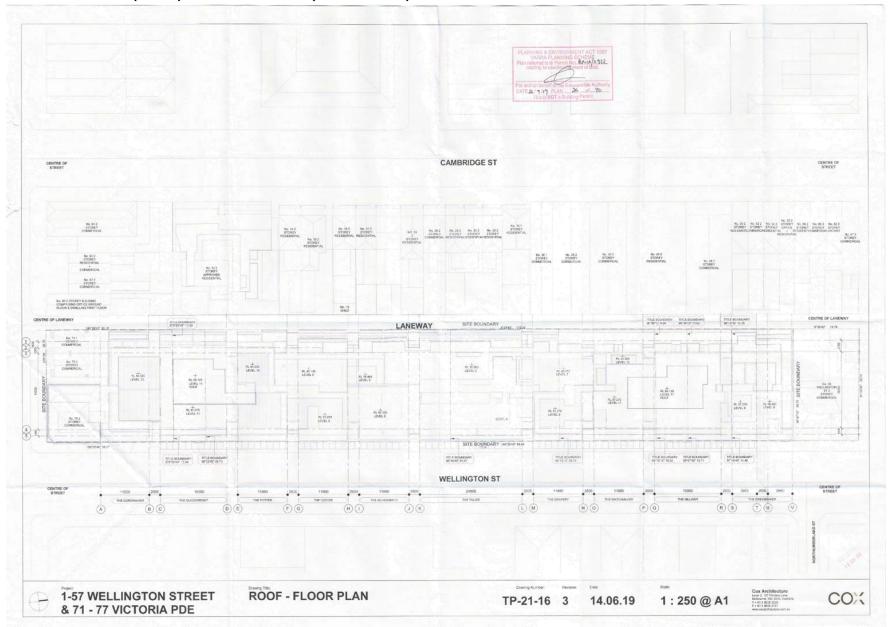


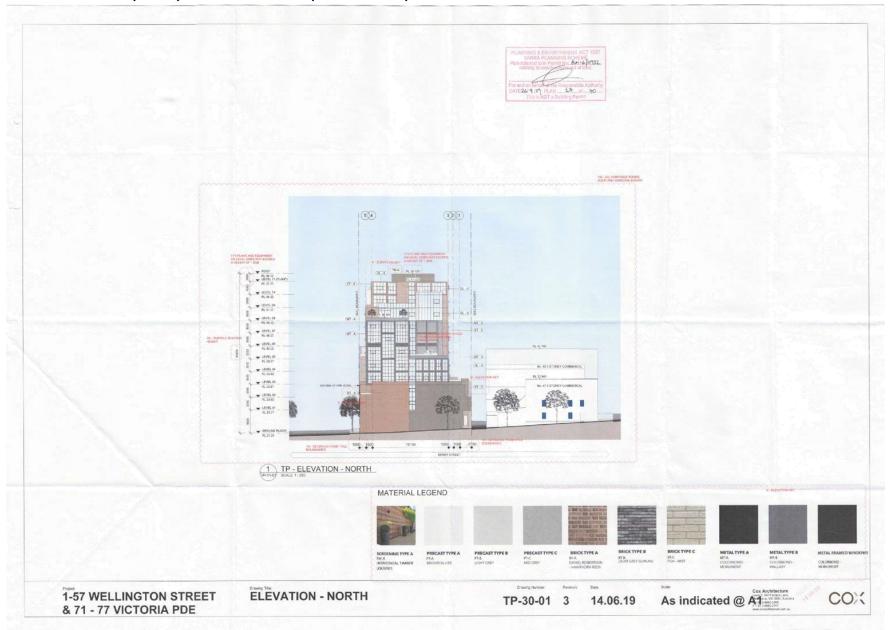


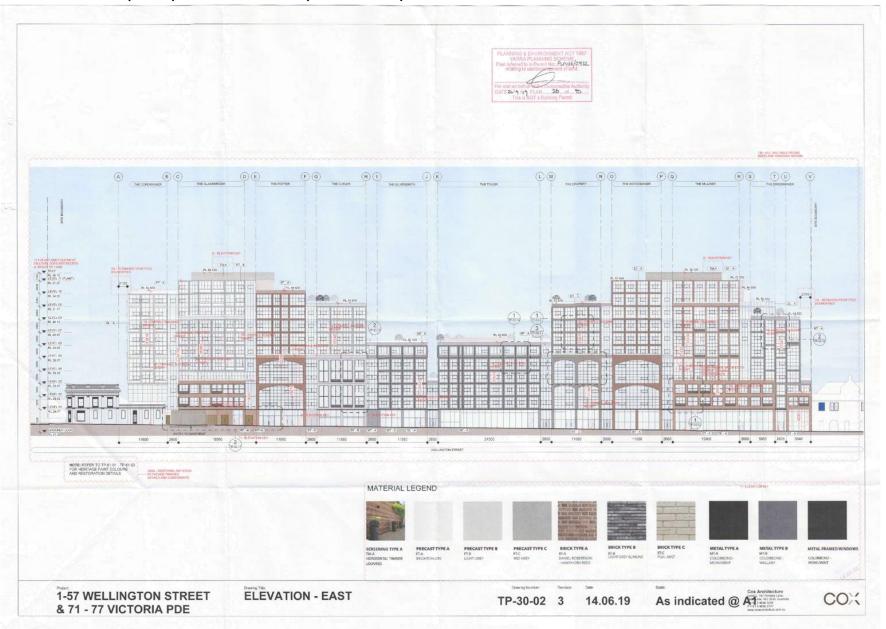


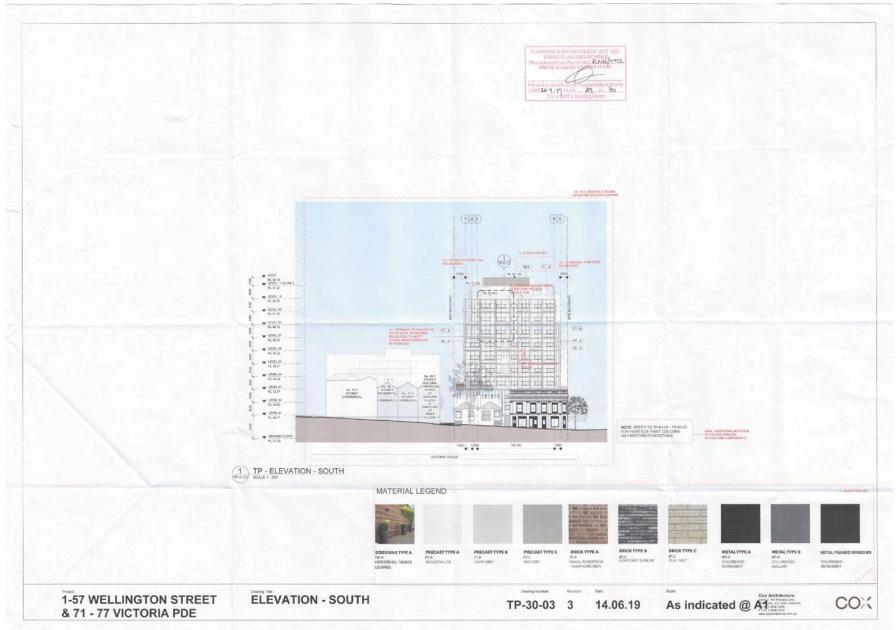








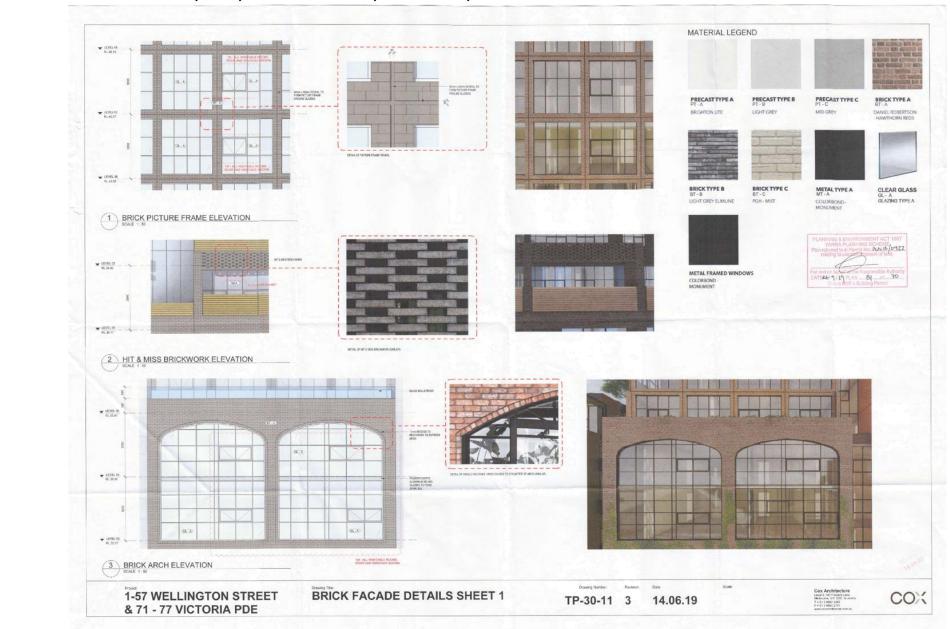




Attachment 3 - Attachment B (Part 2) - Endorsed Plans (Architectural)



Yarra City Council – Internal Development Approvals Committee Agenda – Wednesday 12 August 2020

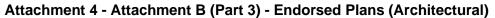














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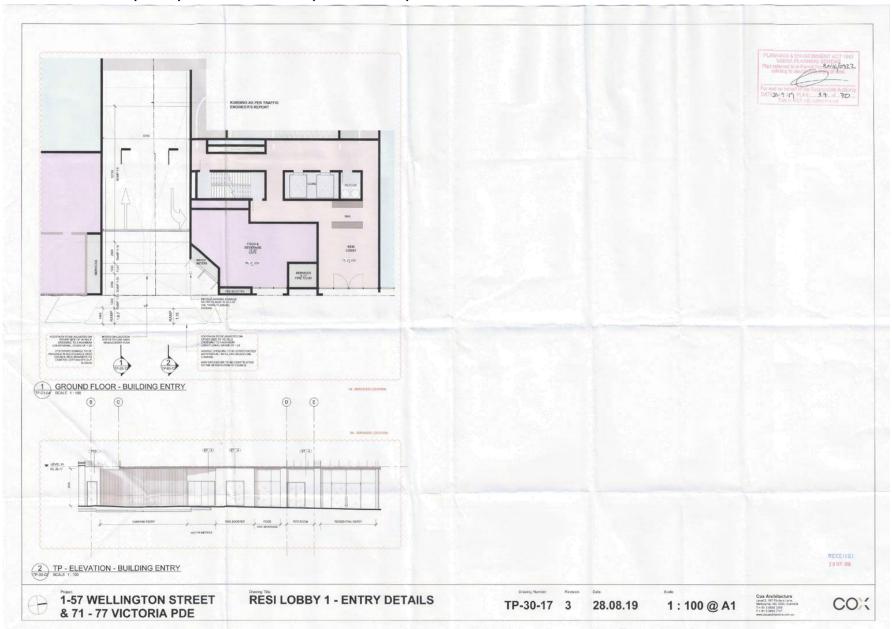
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Attachment 4 - Attachment B (Part 3) - Endorsed Plans (Architectural)

& 71 - 77 VICTORIA PDE

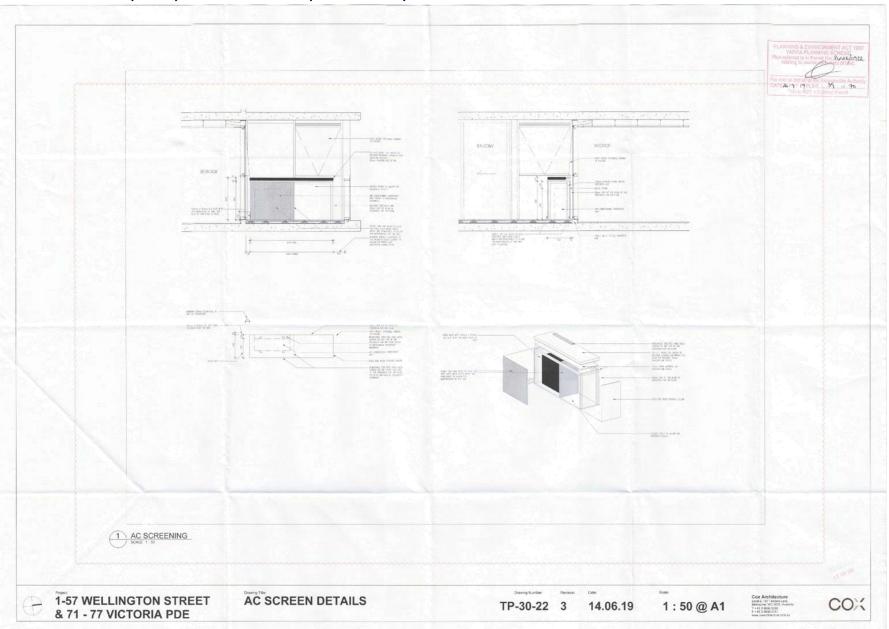


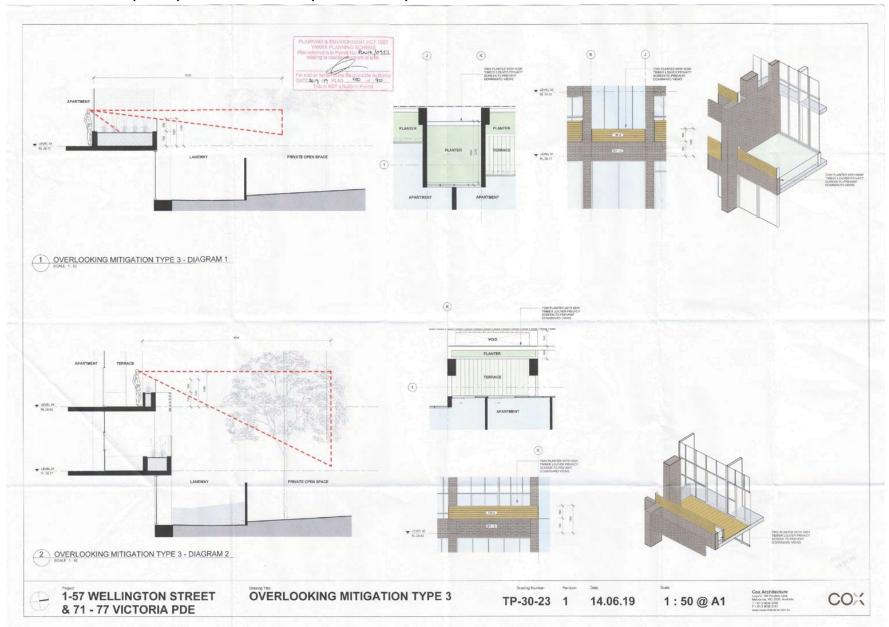


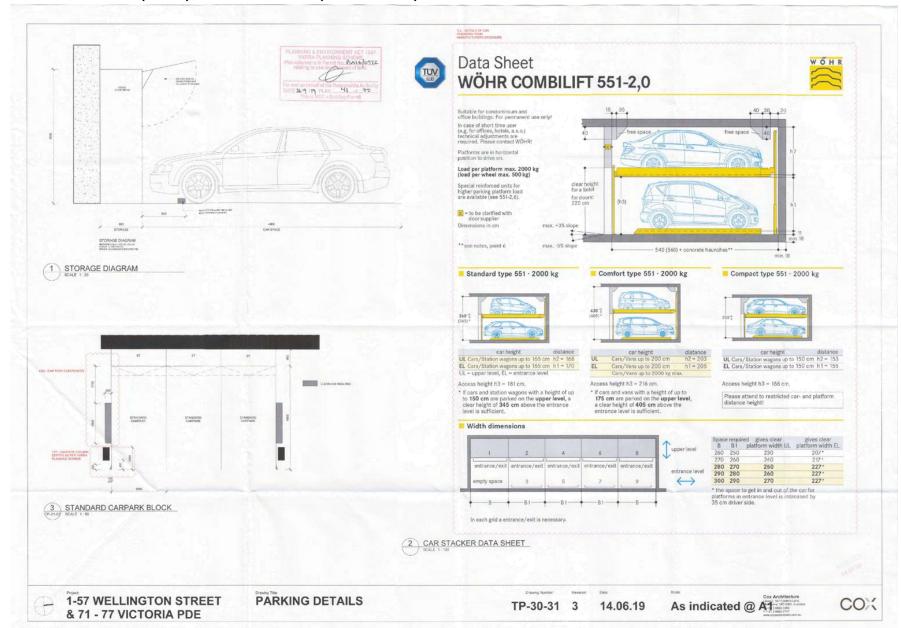
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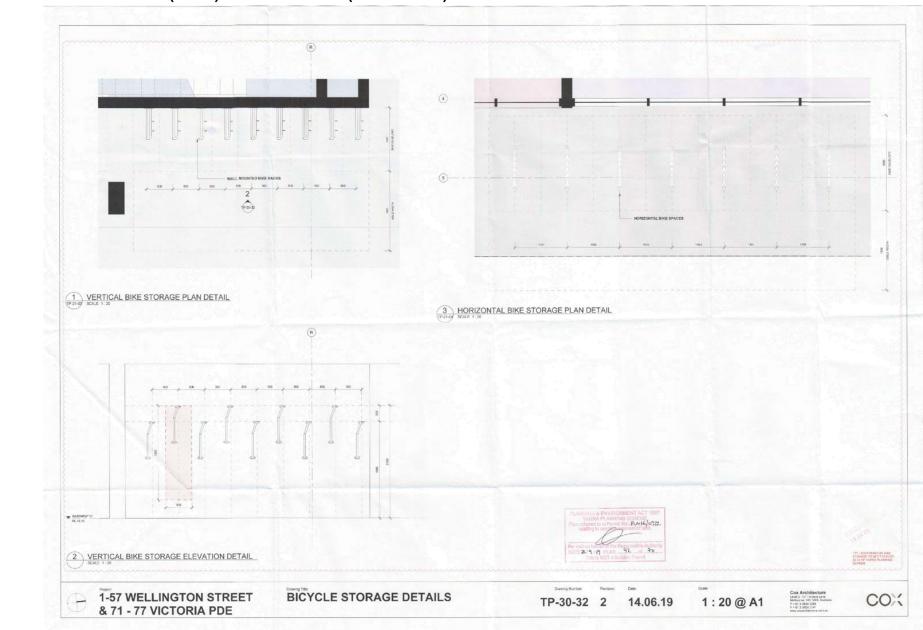
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1-57 WELLINGTON STREET SCREEN DETAILS	Drawing Number Revects. Date Scale TP-30-21 3 14.06.19	Cos Acchiecture Martin territoria Martin te Cost Article Sector Article Se

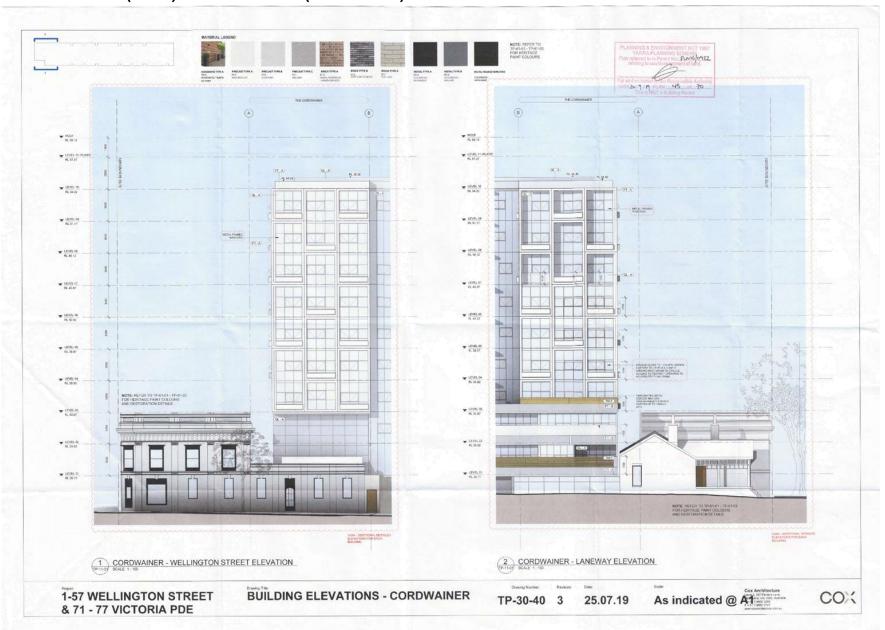
Yarra City Council – Internal Development Approvals Committee Agenda – Wednesday 12 August 2020







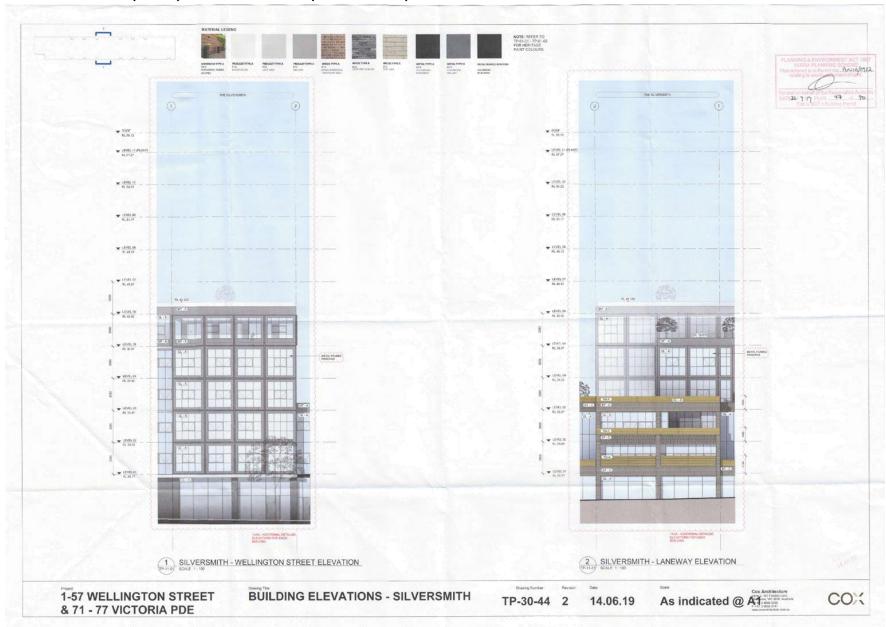




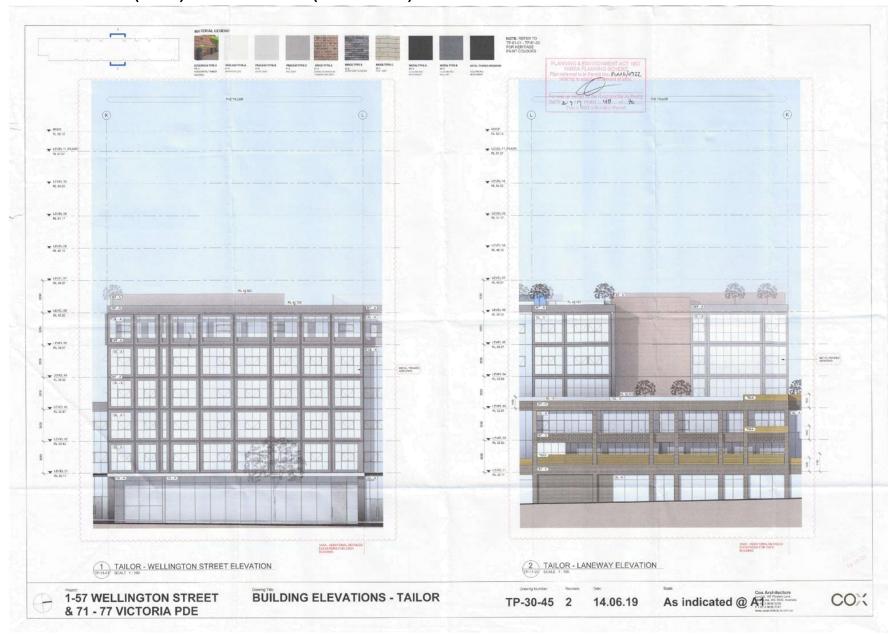








Attachment 4 - Attachment B (Part 3) - Endorsed Plans (Architectural)



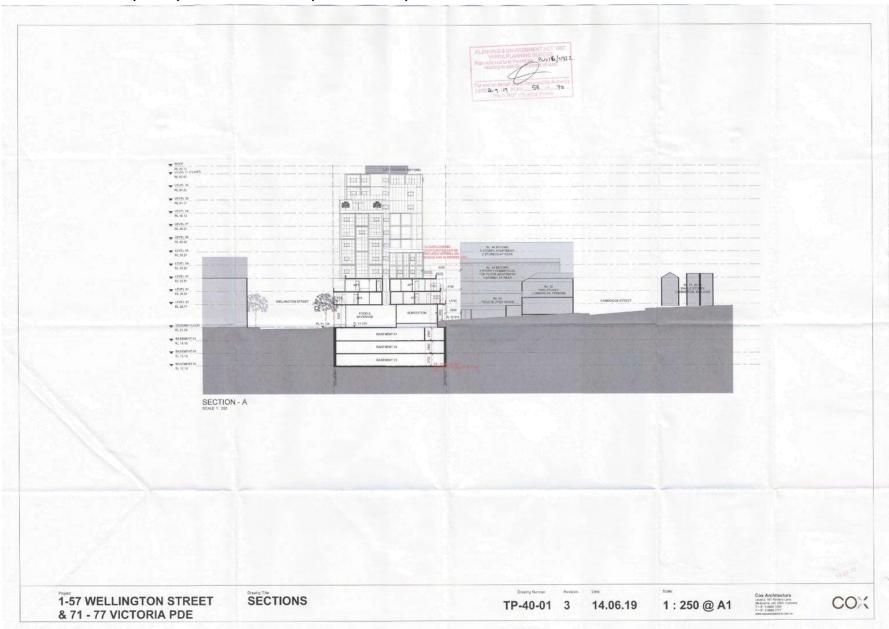
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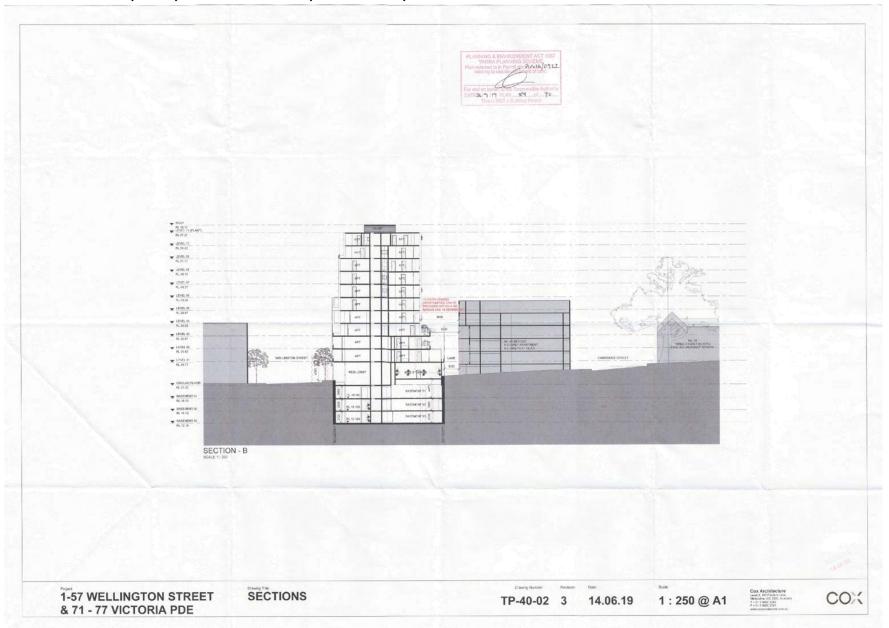
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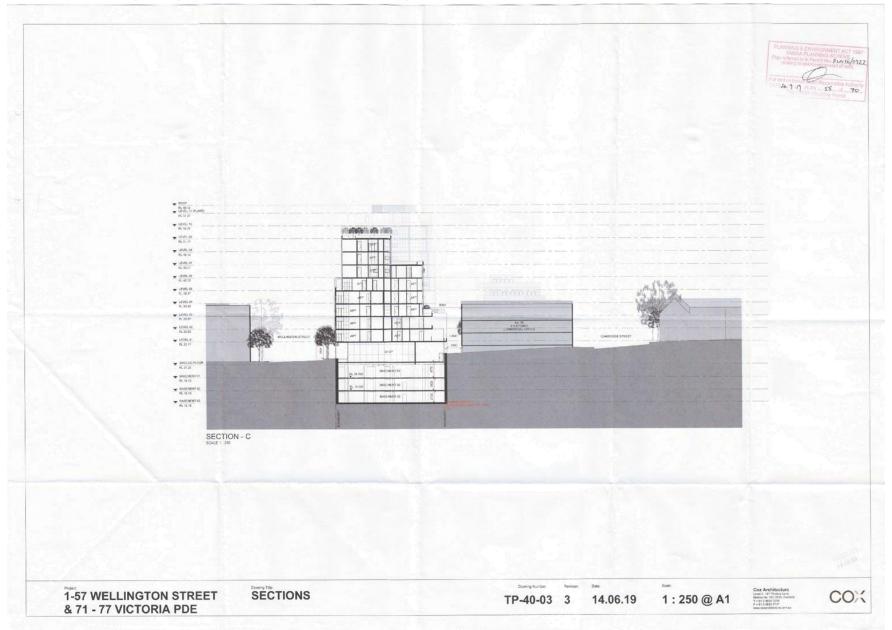


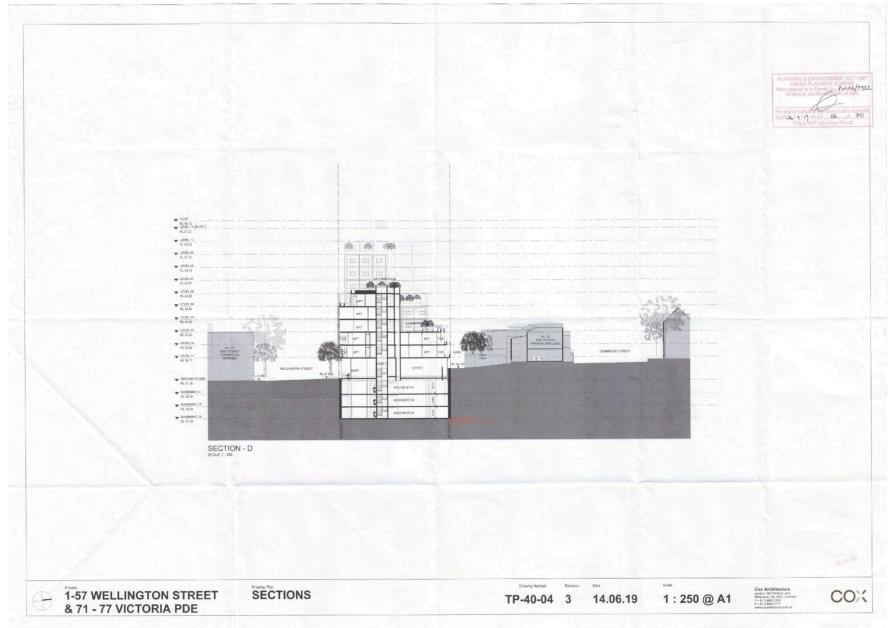


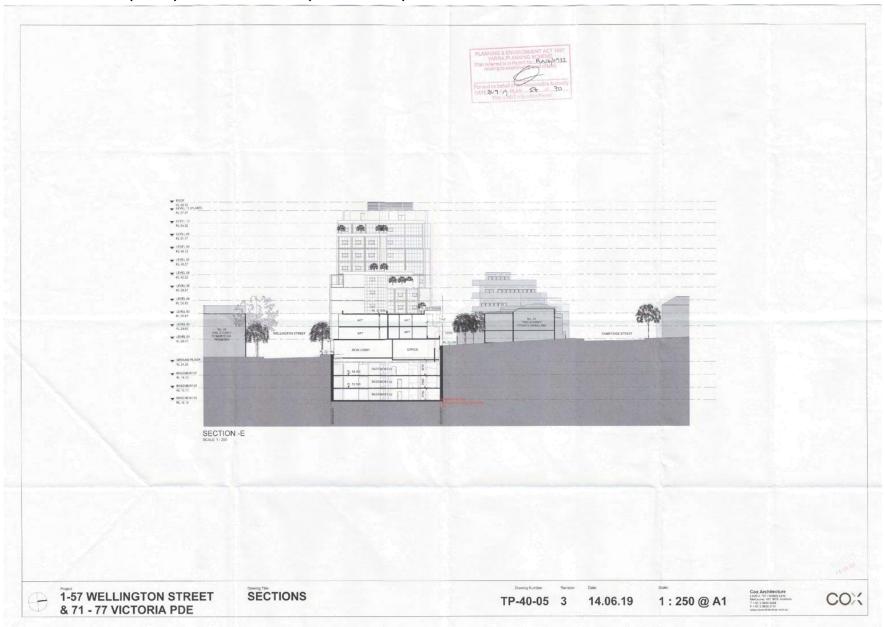


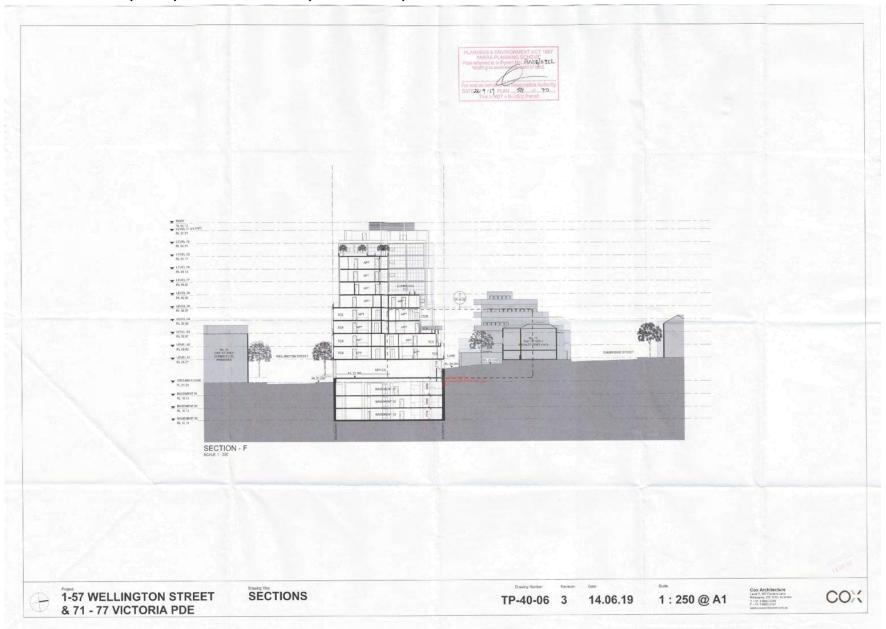




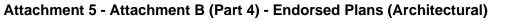


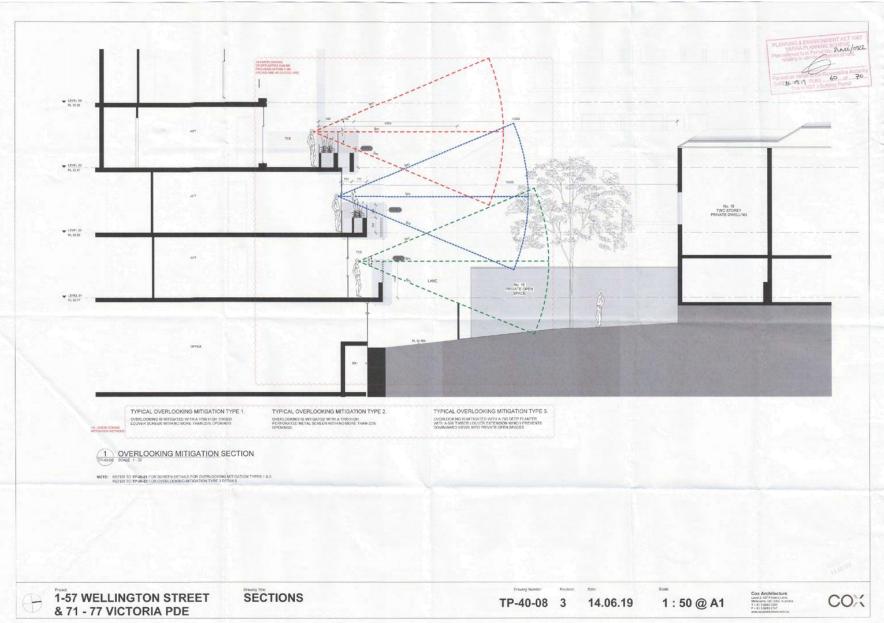


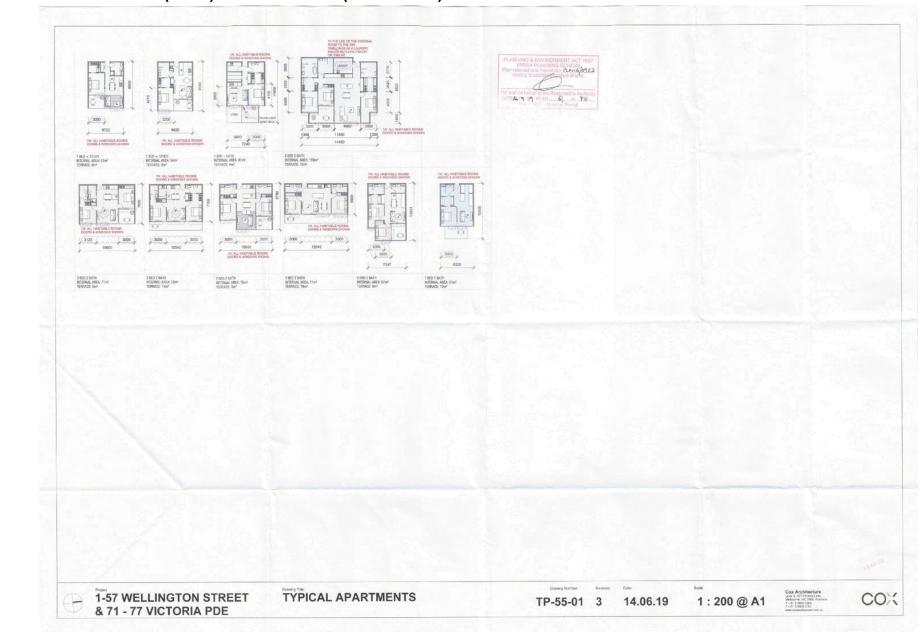




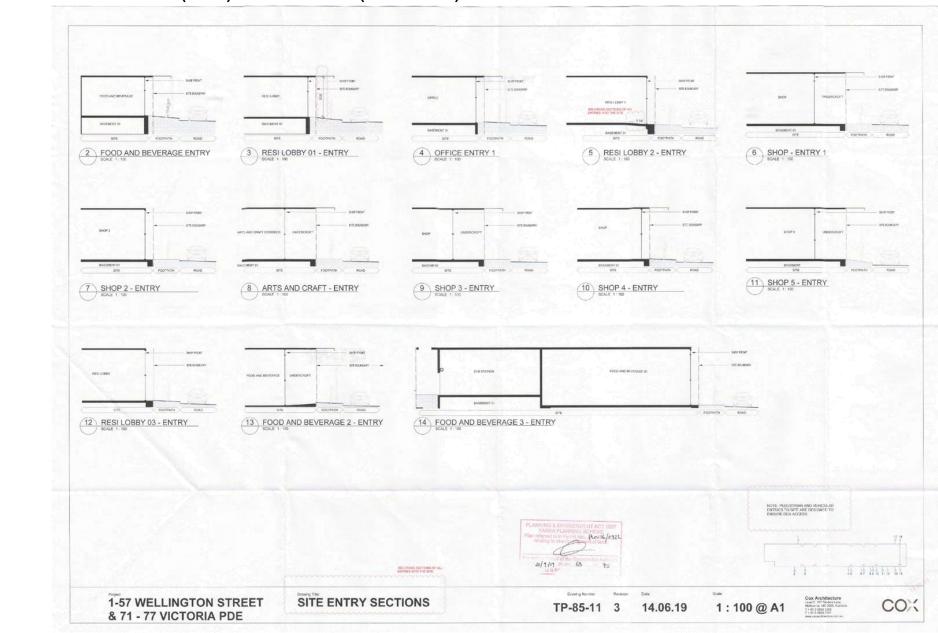


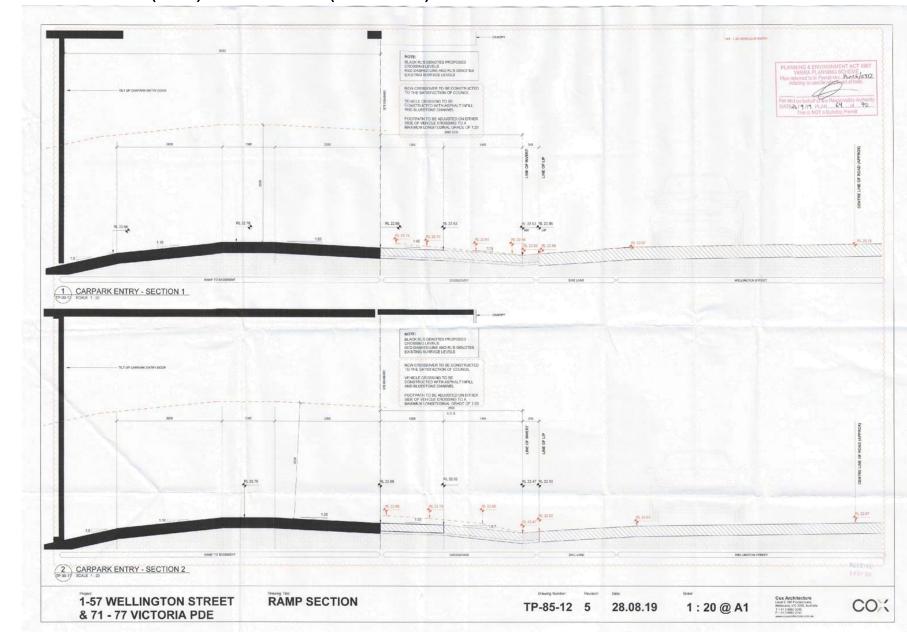


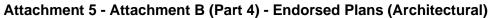


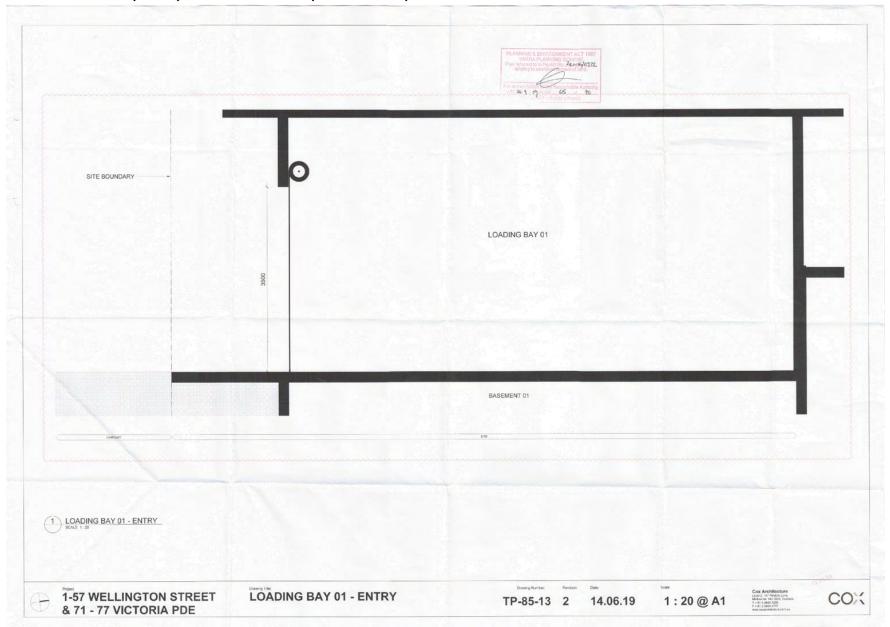


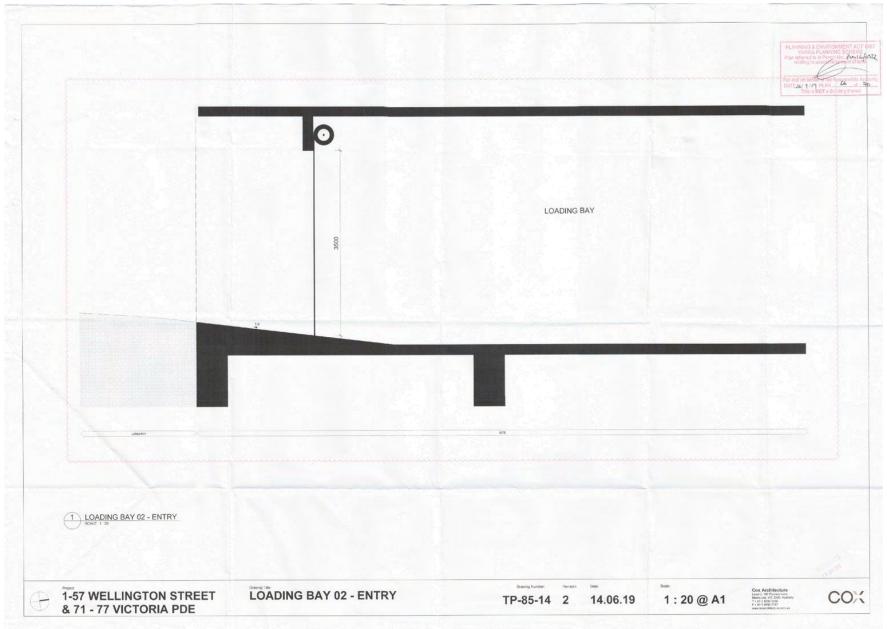


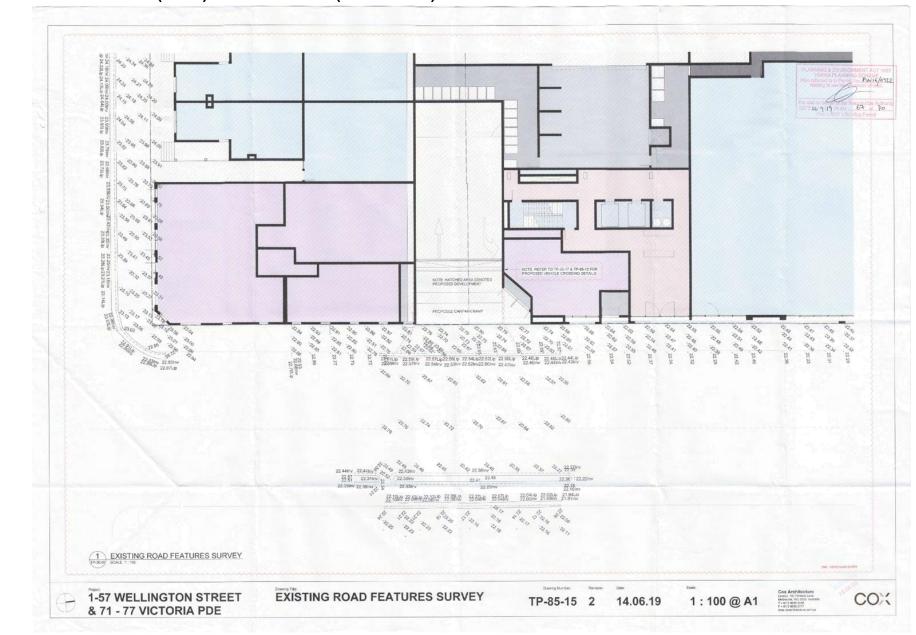


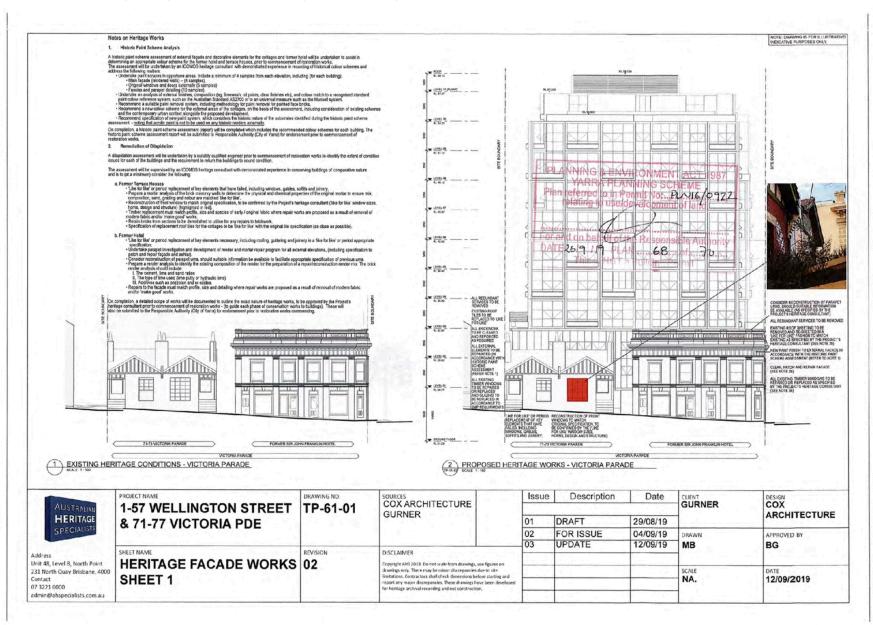












Plan referred to is relating to use	MIRONMENT ACT 1987 ANNING SCHEME Permit No:PLAVIS/c0122 Idevelopment of land.							
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SPECIALISTS	SHEET NAME	REVISION	DISCLAIMER	02	FOR ISSUE	04/09/19	DRAWN MB	APPROVED BY
8, Level 8, North Point lorth Quay Brisbane, 4000 ict 21 0000 n@ahspecialists.com.au	HERITAGE FACADE WORKS SHEET 2	02	Copyright AHS 2019 Dc rest scale from drawings, use figures on drawings only. There may be minor discuspanetis due to ske limitations. Constructions shall below dismession belows attrite and report any major discrepancies. These drawings have been developed for heritage archival recording and not construction.				SCALE NA.	DATE 04/09/2019

