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## PLANNING PERMIT

<b>Permit No.:</b>	PA2503894
<b>Planning scheme:</b>	Port Phillip Planning Scheme
<b>Responsible authority:</b>	Minister for Planning
<b>ADDRESS OF THE LAND:</b>	636 St Kilda Road, Melbourne (Vol 10667 Fol 883 Plan of Consolidation 359608T)

### THE PERMIT ALLOWS:

<b>Planning scheme clause</b>	<b>Matter for which the permit has been granted</b>
Clause 34.01-1	Use of the land for a Dwelling in the Commercial 1 Zone
Clause 34.01-4	Construct a building or construct or carry out works in the Commercial 1 Zone
Clause 43.02-2	Construct a building or construct or carry out works in Design and Development Overlay Schedule 13  Construct a building or construct or carry out works in Design and Development Overlay Schedule 26-5B
Clause 52.06-3	Reduce the number of car parking spaces required under Clause 52.06-5
Clause 52.29-2	Create or alter access to a road in a Transport Zone 2

### THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

#### Amended plans

1. Before the development starts, excluding demolition, bulk excavation and site preparation works, plans must be approved and endorsed by the responsible authority. The plans must be prepared to the satisfaction of the responsible authority, be drawn to scale with dimensions, be generally in accordance with the plans prepared by Bates Smart, Plan set dated 21 August 2025, but amended to show the following details:
  - a) Names of Street/Lane and crossover widths on the ground floor plans.
  - b) Natural ground level and Finished floor levels throughout the development- within and outside the building. Grade differences between the ground floor level and natural ground level and finished floor levels must ensure, stairs, terraces and accessible ramps are designed so that they do not visually dominate the frontage setback or materially reduce areas available for landscaping and provide seamless transition between the private and public realm.

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- c) The internal pedestrian footpath between St Kilda Road and Queens Lane widened to minimum 1.8m to allow pedestrians to pass in both directions or, provide the internal 5.5m wide driveway and footpath at the same level (shared zone at grade), with the driveway and footpath differentiated through use of different materials and finishes.
- d) Design details of gates provided to the basement car park (detailed elevation drawings at 1:50) and annotated on ground plans.
- e) Pedestrian corner splays in accordance with Design Standard 1 at Clause 52.06-9.
- f) Access hatch or door to the rainwater tank at Basement 4 for maintenance purposes.
- g) Notation of one dedicated car share parking space with appropriate signage.
- h) Capacity of bins as per the Waste Management Plan.
- i) Delineation between private and common areas, with area annotated.
- j) The green roof on Level 21 (as per the Sustainable Management Plan).
- k) Any requirement identified to be shown on the floor plans on page 2 of the BESS under 'Supporting Evidence'.
- l) Location of urban art as required by Condition 10- Urban Art Plan.
- m) The relocated crossing on St Kilda Road with the protected bike lanes, line marking, green bike lane treatment and all associated works as required (as required by Condition by Head, Transport for Victoria).
- n) A notation that each dwelling will be provided with secure storage space in accordance with clause 58.05-4 (storage) of the Port Phillip Planning Scheme.
- o) Dimension clearance heights in waste collection area. Clearance must be sufficient to accommodate waste collection vehicle.
- p) Crossover to St Kilda Road to be designed in accordance with City of Port Phillip design and standards.
- q) Any changes required by the following amended reports/conditions
  - i. Acoustic Services report.
  - ii. Arboricultural Impact Assessment and Tree Protection Plan.
  - iii. Landscape Plans Required.
  - iv. Sustainability Management Plan.
  - v. Water Sensitive Urban Design Report.
  - vi. Traffic Engineering Report.
  - vii. Green Travel Plan.
  - viii. Waste Management Plan Required.
  - ix. Pedestrian Wind Environment Study.
  - x. Urban Art Plan.

**Commencement of Permit**

- 2. This permit will operate from the issued date of this permit.

**Compliance with documents approved under this permit**

- 3. At all times what the permit allows must be carried out in accordance with the requirements of any document approved under this permit to the satisfaction of the responsible authority. This does not apply to any exemption specified in clause 62 of the Port Phillip Planning Scheme.

**Layout not altered**

- 4. The use and development as shown on the endorsed plans must not be altered (unless the Port Phillip Planning Scheme specifies that a permit is not required) without the prior written consent of the responsible authority.

**No Alterations**

- 5. The layout of the site and the size, levels, design and location of buildings and works shown on the endorsed plans must not be modified for any reason (unless the Port Phillip Planning Scheme specifies that a permit is not required) without the prior written consent of the responsible authority.

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**Satisfactory Continuation and Completion**

6. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.

**Section 173 Agreement - Affordable Housing**

7. Before the use or development of the land begins, excluding demolition, excavation, piling, site preparation works, and works to remediate contaminated land, the owner of the land must enter into an agreement with the responsible authority under section 173 of the Act, in a form to the satisfaction of the responsible authority, that provides for a contribution towards affordable housing (affordable housing contribution) by way of either of the following options:
- a) At least 10 per cent of the total number of dwellings in the development must be provided as affordable housing for sale or lease to a registered housing agency or to Homes Victoria. The details of when and how the affordable housing will be delivered and the total value of the affordable housing contribution must be set out in the agreement. The affordable housing dwellings provided should be representative of the approved dwelling mix to the satisfaction of the responsible authority.
  - b) An alternative contribution towards the provision of affordable housing must be provided to the satisfaction of the responsible authority. The details of when and how the alternative contribution is to be made and the total value of the affordable housing contribution must be set out in the agreement to the satisfaction of the responsible authority.

The land owner must pay the responsible authority's reasonable costs of the preparation, execution, registration and ending of the section 173 agreement (where applicable).

**Urban Art Plan**

8. Prior to the issue of any Certificate of Occupancy or Certificate of Final Inspection for the development approved by this permit, an urban art plan in accordance with Council's Urban Art Strategy must be submitted to, be to the satisfaction of and approved by the City of Port Phillip. The value of the urban art must be at least 0.5% of the total building cost of the development to the satisfaction of City of Port Phillip. Urban art in accordance with the approved plan must be installed prior to the occupation of the building to the satisfaction of the City of Port Phillip.

**Façade Strategy**

9. Before the development starts, excluding demolition, bulk excavation, site preparation, soil removal, site remediation, retention works, footings, ground beams and ground slab and temporary structures, a facade strategy must be submitted to and approved by the Responsible Authority. Unless otherwise approved by the Responsible Authority, the facade strategy must include, but not be limited to:
- a) Details of how the architecture will be showcased at dark (e.g. through lighting effects or similar).
  - b) A concise description by the architect of the building design concept and how the façade works to achieve this.
  - c) A schedule of colours, materials and finishes, including the colour, type and quality of materials identifying their application and appearance. This can be demonstrated in coloured elevations or renders from key viewpoints and must be accompanied by a physical sample board with clear coding linking back to the schedule and elevations.
  - d) Elevation details at a scale of 1:50 (or as otherwise appropriate) illustrating typical podium details, entries and doors, privacy screening, building services, typical tower details, and any special features which are important to the building's presentation.

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- e) Cross sections (or other method as appropriate) demonstrating the façade systems, including fixing details indicating junctions between materials, and significant changes in form and/or material.
- f) Information about how the façade will be accessed for maintenance and cleaning, including planting upkeep where proposed.
- g) Example prototypes and/or precedents that demonstrate the intended design outcome and how a high-quality built outcome will be achieved in accordance with the design concept.

All materials and finishes must be in accordance with the Façade Strategy, to the satisfaction of the Responsible Authority.

**Materials and Finishes**

- 10. Before the development starts, excluding demolition, bulk excavation, site preparation, soil removal, site remediation, retention works, footings, ground beams and ground slab and temporary structures, a schedule and samples of all external materials, colours and finishes, including a colour rendered and notated plans/elevations, in electronic form, must be submitted to and approved by the Responsible Authority.

**No change to external finishes**

- 11. All external materials, finishes and colours as shown on the endorsed plans must not be altered without the written consent of the responsible authority.

**Reflectivity**

- 12. Specular light reflectance must be less than 15 per cent for all external building glazing and cladding materials and finishes when measured at an angle of 90 degrees to the surface of the material (normal incidence), except with the written consent of the responsible authority.

**Glare**

- 13. External building materials and finishes must not result in hazardous or uncomfortable glare to pedestrians, public transport operators and commuters, motorists, aircraft, or occupants of surrounding buildings and public spaces, to the satisfaction of the Responsible Authority.
- 14. The recommendations and requirements of the endorsed Glare Report prepared by ARUP dated 7 November 2025 must be implemented at no cost to and be to the satisfaction of the Responsible Authority. All mitigation measures must be incorporated as part of the overall architectural design.

**Retain Architects**

- 15. Except with the written consent of the Responsible Authority, Bates Smart Architects must be retained to provide architectural oversight during construction and completion of the detailed design as shown in the endorsed plans and schedule of materials and finishes to the satisfaction of the Responsible Authority.

**Construction Management Plan**

- 16. Before development starts, a detailed Construction Management Plan (CMP) must be submitted to and approved by Port Phillip City Council. The CMP's objectives must be to minimise the impact of works associated with the development. The CMP must address the following matters:
  - a) Staging of dismantling/demolition;
  - b) Site preparation;
  - c) Public safety, amenity and site security;
  - d) Management of the construction site and land disturbance;
  - e) Operating hours, noise and vibration controls;
  - f) Air and dust management;
  - g) Waste and materials reuse;
  - h) Stormwater and sediment control;

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- i) Management of public access and vehicle, bicycle and pedestrian linkages around the site during construction;
- j) Protection of any existing artworks in the public realm;
- k) Site access and traffic management (including any temporary disruptions to adjoining vehicular, bicycle and pedestrian access ways);
- l) Details of temporary buildings or works (such as landscaping works to activate the site and street frontage) to be constructed should works cease and the site remain vacant for 6 months after completion of demolition.

Works must be carried out in accordance with the approved CMP to the satisfaction of City of Port Phillip.

**Acoustic Services Report**

- 17. Concurrent with the endorsement of plans required under Condition 1, Acoustic Services report prepared by NDY dated 21 August 2025 must be approved and endorsed by the responsible authority. When approved, the Acoustic Services report will form part of the permit.
- 18. The recommendations in the approved Acoustics Assessment prepared by NDY dated 21 August 2025 must be implemented, at no cost to and be to the satisfaction of the City of Port Phillip.
- 19. All air conditioning and refrigeration plant must be screened and baffled and/or insulated to minimise noise and vibration to ensure compliance with noise limits determined in accordance with State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade) No. N-1 to the satisfaction of the City of Port Phillip.

**Incorporation of Noise Attenuation Measures**

- 20. Prior to the occupation of the building allowed by this approval, a report by a suitably qualified acoustic consultant must be submitted to, approved by and be to the satisfaction of the City of Port Phillip:
  - a) Certifying that the dwellings incorporate the noise attenuation measures as specified in the endorsed Acoustic Report and shown on the endorsed plans.
  - b) Verifying the dwellings achieve the internal noise levels specified in the corresponding condition(s) in this approval.

The report must detail the set-up on site and methodology of the testing process.

Where post construction measurement and testing show internal noise levels exceeding those specified in the corresponding condition above, the applicant must make rectifications and retest as necessary to demonstrate compliance with the noise levels to the satisfaction of the Responsible Authority.

The cost of certification acoustic works is to be met by the permit holder.

**Wind Report**

- 21. Concurrent with the endorsement of plans required under Condition 1, Pedestrian Wind Environment Study prepared by Windtech Consultants dated 22 August 2025 must be submitted to, approved and endorsed by the responsible authority. When approved, the Pedestrian Wind Environment Study will form part of the permit.
- 22. The recommendations and requirements of the approved Wind Impact Assessment Report must be implemented to the satisfaction of City of Port Phillip before the development is occupied.
- 23. Any further modifications required to the development in order to ensure acceptable wind conditions to the surrounding streets and public areas must be located within the development (not on public

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land), carefully developed as an integrated high-quality solution with the architectural design and not rely on street trees or rely on wind amelioration screens within the public realm to the satisfaction of City of Phillip.

**Arboricultural Impact Assessment and Tree Protection Plan**

24. Concurrent with the endorsement of plans required under Condition 1, an amended Arboricultural Impact Assessment and Tree Protection Plan to the satisfaction of the City of Port Phillip must be submitted to and approved by the City of Port Phillip. When approved, the Arboricultural Impact Assessment and Tree Protection Plan will be endorsed and will then form part of the permit. The Arboricultural Impact Assessment and Tree Protection Plan must be generally in accordance with Preliminary Arboricultural Assessment prepared by Greenwood Consulting dated 1 August 2025 but amended as follows:
- a) An Arboricultural Impact Assessment that considers the impact of the proposal on trees on and off-site.
  - b) A Tree Management Plan (written report) must provide details of:
    - i. Proposed footings and construction methods for any buildings or structures within the Tree Protection Zone nominated on the Tree Protection Plan.
    - ii. How excavation impacts, including soil level changes, on trees to be retained will be managed.
    - iii. Stages of development at which inspections are required to ensure tree protection measures are adhered to must be specified.
    - iv. Maintenance of the area(s) within the Tree Protection Zone in accordance with AS4970-2009.
    - v. Any pruning to be undertaken being in accordance with AS4373-2007.
    - vi. How the canopy of trees nominated on the Tree Protection Plan will be protected.
  - c) A Tree Protection Plan (scale drawing) must provide details of:
    - i. The Tree Protection Zone and Structural Root Zone, calculated in accordance with AS4970-2009, for all trees to be retained on the site and for all trees on neighbouring properties where the Tree Protection Zone falls partially within the subject site.
    - ii. Tree protection fencing, or ground protection where required, provided in accordance with AS4970-2009.
    - iii. A notation to refer to the Tree Management Plan.

**Amended Landscape Plans**

25. Concurrent with the endorsement of plans required under Condition 1, amended Landscape Plans to the satisfaction of the City of Port Phillip must be submitted to and approved by the City of Port Phillip. When approved, the Landscape Plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and an electronic copy must be provided. The Landscape Plans must be generally in accordance with the Landscape Plans submitted with the application prepared by Tract Consultants edition 7 November 2025, but modified to show:
- a) Depiction and labelling of trees as per Condition 24 Arboricultural Impact Assessment and Tree Protection Plan.
  - b) Replace the following species with an alternative species that is not an environmental weed or invasive species: *Dichondra repens*, *Casuarina glauca*, *Asparagus densiflorus* 'Myersii'.
  - c) Pedestrian corner splays in accordance with Design Standard 1 at Clause 52.06-9.
  - d) The green roof on Level 21 as claimed in the Sustainable Management Plan.
  - e) Depiction of the trees along the St Kilda Road frontage from the side boundary to the proposed vehicle crossover as being 'trees in planters', not deep soil.

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- f) Sections of planters that are dimensioned to demonstrate that they are of a height, width and depth, including soil volume, to support the proposed plantings. Minimum dimensions for planters for trees are 1m in depth, width, height. Minimum dimensions for all other plants in planters are 700mm in depth, width, height.
- g) Modification of note '*Plant species shown are indicative and may change during detailed design or construction due to availability or site conditions. Any changes will maintain the intended landscape character and design intent*' to also include that any species substitution will provide equivalent of increased mature canopy.
- h) All tree soil and garden bed soil depth must meet requirements of Clause 58.
- i) Trees along Queens Road edge must have a minimum soil depth of 800mm and width of 1000mm x 1000mm.
- j) Section E updated to match the plan.
- k) At Section E, remove the wall at the property boundary, mound the ground between the accessway and the kerb line, and reduce the height of the wall adjacent the accessway.
- l) Kerb adjacent the footpath (shown in Section C) increased to 500mm and the planter recessed.
- m) Expand the unimpeded root zone / deep root zone where there is the kink in the property boundary.
- n) Notation that all boundary walls are to be designed to not collapse onto the public footpath.
- o) Demonstrate how the private landscape design appropriately integrates with, and responds to, the approved public realm plan at Condition 29, including consistency in materials, levels, interface treatments and planting at the public-private interface

**Completion of Landscaping**

26. Before the occupation of the development, the landscaping shown on the endorsed Landscape Plan must be carried out and completed to the satisfaction of the City of Port Phillip. The City of Port Phillip may consent in writing to vary this requirement.

**Landscaping Maintenance**

27. The landscaping as shown on the endorsed Landscape Plan must be maintained and any dead, diseased or damaged plants replaced in accordance with the Landscape Plan to the satisfaction of the City of Port Phillip.
28. All landscaping shown in the approved landscape and public realm plans must be carried out and completed prior to occupation of buildings and thereafter maintained to the satisfaction of the City of Port Phillip.

**Public Realm Plan**

29. Before the development starts, a Public Realm Plan including engineering drawings and computations (as applicable) to the satisfaction of the City of Port Phillip must be submitted to and approved by the City of Port Phillip. When approved, the Public Realm Plan will be endorsed and will then form part of the permit. The Public Realm Plan must include:
- a) A lighting plan as per Condition 35.
  - b) All road works and associated drainage to the satisfaction of the City of Port Phillip.
  - c) A cross section of the new works in the road must be submitted showing above and below ground placement of services, footpaths, streetlights and trees (as applicable).
  - d) New footpath generally to the west of the site abutting Queens Road must be concrete and consistent with existing public realm paving.
  - e) A clear and legible delineation between public and private land through a change in surface material, texture or finish, which may be achieved by a narrow banding or an expansion joint, with the overall floorscape so that the public realm reads as a

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- consistent and cohesive surface.
- f) The plans and cross section of the road must demonstrate how services, the footpath, streetlights, tree planting and landscaping will be placed and accommodated.
  - g) Independent drainage, the direction of stormwater runoff and a point of discharge for the land to the satisfaction of the City of Port Phillip.
  - h) Underground reticulated water sewerage, gas, electricity and telecommunications located and bundled (utilising common trenching) to the satisfaction of the City of Port Phillip and the relevant servicing authority(s).
  - i) All works for stormwater, Water Sensitive Urban Design, drainage, street trees, and landscaping.
  - j) All bearings, distances, levels, street names, lot numbers, lot sizes, reserves and easements.
  - k) A plan certified by an engineer showing the extent and depth and compaction of fill in excess of 300mm placed on the land.
  - l) Payment to the City of Port Phillip of an engineering design checking fee equivalent to 0.75% of the values of documented works.
  - m) Notation that any hardscape or landscaping works within land owned by Port Phillip City Council must be to Port Phillip City Council's standard materials, plant species and finishes.
  - n) Allow for safe vehicle movements, including the ability for vehicles to safely change direction and turn around at the end of Queens Lane (passenger vehicles and 8.8m service vehicles), without impacting vehicles entering the off ramp from Queens Road and other relevant requirements in the Traffic Engineering Manual.
  - o) Address potential traffic conflicts arising from vehicles entering and exiting driveways and/or Queens Road via the off ramp.

30. As constructed drawings (in pdf and dwg formats) must to be provided to Council at practical completion of Public Realm works.

**Section 173 Agreement**

31. Within 1 year of the commencement of development (other than demolition or works to remediate contaminated land) or as otherwise agreed in writing by the responsible authority, the applicant must enter into an agreement under Section 173 of the Planning and Environment Act 1987 with the responsible authority. The agreement must be in a form to the satisfaction of the responsible authority, and the applicant must be responsible for the expense of the preparation and registration of the agreement, including the responsible authority's reasonable costs and expenses (including legal expenses) incidental to the preparation, registration and enforcement of the agreement. The agreement must contain covenants to be registered on the Title of the property so as to run with the land pursuant to Section 181 of the Section 173 of the Planning and Environment Act 1987, and must provide for the following:

- a) Construction of public realm works in accordance with the endorsed plans under Public Realm Plan of this permit. Any costs associated with the public realm update must be paid for by the landowner.
- b) All materials and assets in the public realm are to be to the responsible authority's satisfaction and standards.
- c) Garden areas in public realm to be maintained by developer for a minimum 24 months with all plants established, healthy and vigorous growing. Maintenance includes watering, pruning, weeding and rubbish removal.
- d) Practical completion and handover (following maintenance period) inspections of works in the public realm to be coordinated with the responsible authority and other asset owners as relevant.
- e) Developer to liaise with the responsible authority on specific requirements and timeframes prior to requesting inspections.

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- f) A bond for landscape and planting establishment maintenance works for 24 months in the public realm is to be provided to City of Port Phillip. Part bond will be released at practical completion for completed works with maintenance bond retained until handover is achieved.

**Project Arborist**

32. Before the development starts, the name and contact details of the project arborist responsible for implementing the Tree Management Plan must be submitted to the City of Port Phillip.

**Implementation of the Tree Management Plan**

33. All protection measures identified in the Tree Management Plan must be implemented, and development works undertaken on the land must be undertaken in accordance with the Tree Protection Plan, to the satisfaction of the City of Port Phillip.

**No Damage to Existing Street Tree**

34. The proposed works must not cause any damage to the existing street trees. Root pruning of this tree must be carried out to the satisfaction of the City of Port Phillip prior to the construction of the crossover/works. All trees will require a tree protection zone which complies with AS 4970-2009 at all times throughout the demolition and construction phase of the development. A tree protection fence is to be installed around any tree that is likely to be impacted by construction.

The fence is to be constructed in a diamond or square position around each tree trunk from 4 panels of a minimum height 1.8m x minimum length 2.1m, interlocking by bolted clamps and concrete pads. No entry to this area is permitted without the consent of the City of Port Phillip.

**Public lighting plan**

35. Before the development starts, excluding demolition, excavation, piling, site preparation works and works to remediate contaminated land, a detailed lighting plan must be approved by the responsible authority in consultation with City of Port Phillip. This plan must:
- a) Identify all proposed lighting sources, lux levels and spillage details and address how the lighting will integrate with the existing lighting in the interfacing public spaces.
  - b) Show all public lighting in conformity with *AS1158.3.1-2000 Lighting for roads and public spaces Pedestrian area (Category P) lighting – Performance and design requirements* and *AS/NZS 428:2019.2 Control of the obtrusive effects of outdoor lighting and the Public Lighting Code December 2015 (v2)*.

The approved lighting plan must be implemented as part of the development to the satisfaction of City of Port Phillip.

**Amended Sustainability Management Plan**

36. Concurrent with the endorsement of plans required under Condition 1, an amended Sustainability Management Plan (SMP) to the satisfaction of the City of Port Phillip must be submitted to and approved by the City of Port Phillip. When approved, the SMP will be endorsed and will then form part of the permit. The SMP must be generally in accordance with the SMP submitted with the application, prepared by NDY dated 22 August 2025, but modified to show:
- a) Building users guide that details essential information on the efficient, safe and sustainable operation of the building.

Where alternative ESD initiatives are proposed to those specified in this condition, the City of Port

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Phillip may vary the requirements of this condition at its discretion, subject to the development achieving equivalent (or greater) ESD outcomes. When approved, the updated SMP will be endorsed and will then form part of this permit.

**Implementation of Sustainability Management Plan requirements**

37. The provisions, recommendations and requirements of the endorsed Sustainability Management Plan must be implemented and complied with to the satisfaction of the City of Port Phillip and must not be varied except with the written approval of the City of Port Phillip.

**Pre-Occupation Sustainability Management Plan Compliance**

38. Within 12 months of occupation of the approved development, a report must be submitted to the City of Port Phillip confirming that all measures specified in the endorsed Sustainability Management Plan have been implemented in accordance with the approved plan. The report must be prepared by a suitably qualified Environmentally Sustainable Design professional and be to the satisfaction of the City of Port Phillip.

**Water Sensitive Urban Design Report**

39. Concurrent with the endorsement of plans required under Condition 1, an amended Water Sensitive Urban Design (Stormwater Management Plan) to the satisfaction of the City of Port Phillip must be submitted to and approved by the City of Port Phillip. When approved, the Water Sensitive Urban Design (Stormwater Management Plan) will be endorsed and will then form part of the permit. The Water Sensitive Urban Design (Stormwater Management Plan) must be generally in accordance with the Water Sensitive Urban Design (Stormwater Management Plan) submitted with the application, prepared by NDY dated 21 August 2025, but modified to:
- a) Demonstrate how the development meets the water quality performance objectives as set out in the *Urban Stormwater – Best Practice Environmental Management Guidelines* (CSIRO 1999) or its updated equivalent. This must include:
    - i. Design details of the water sensitive urban design stormwater treatments to be used, including cross-sections and connection to legal point of discharge.
    - ii. A Blue Factor report demonstrating compliance (or MUSIC modelling for large scale developments).
    - iii. A plan showing all stormwater catchment areas, permeable and impermeable areas in square metres (m<sup>2</sup>).
    - iv. A plan illustrating the location of the nominated water sensitive urban design stormwater treatment measures in relation to buildings, sealed surfaces and landscaping areas, with connection notations.
  - b) Show details of how the water sensitive urban design stormwater treatment measures will be maintained on an on-going basis. This must be demonstrated by providing a maintenance manual including the following information:
    - i. A full list of maintenance tasks.
    - ii. The required frequency of each maintenance task (monthly, annually etc.).
    - iii. Person responsible for each maintenance task
  - c) Demonstrate that any subterranean water that infiltrates into the basement must be managed on-site through reuse such as irrigation or toilet flushing.
  - d) Demonstrate that any subterranean water encountered after the completion of construction which may infiltrate into the basement or site must not discharge to the

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- e) point of discharge as nominated by City of Port Phillip.  
e) Demonstrate that runoff from the landscape area within the title boundaries must be captured within the site and discharged to the legal point of discharge, being the stormwater put in St Kilda Road.

**Construction Management Water Sensitive Urban Design**

40. Throughout the construction of the building(s) and construction and carrying out of works allowed by this permit:
- a) No water containing oil, foam, grease, scum or litter will be discharged to the stormwater drainage system from the site.
  - b) All stored wastes are kept in designated areas or covered containers that prevent escape into the stormwater system.
  - c) The amount of mud, dirt, sand, soil, clay or stones deposited by vehicles on the abutting roads is minimised when vehicles are leaving the site.
  - d) No mud, dirt, sand, soil, clay or stones are washed into, or are allowed to enter the stormwater drainage system.
  - e) The site is developed and managed to minimise the risks of stormwater pollution through the contamination of run-off by chemicals, sediments, animal wastes or gross pollutants in accordance with currently accepted best practice. Any subterranean water encountered which may infiltrate into the basement or site must not discharge to the point of discharge as nominated by City of Port Phillip.

**Implementation of Water Sensitive Urban Design requirements**

41. The provisions, recommendations and requirements of the endorsed Water Sensitive Urban Design Report (Stormwater Management Plan) must be implemented and complied with to the satisfaction of the City of Port Phillip and must not be varied except with the written approval of the City of Port Phillip.

**Amended Waste Management Plan**

42. Concurrent with the endorsement of plans required under Condition 1, an amended Waste Management Plan (WMP) to the satisfaction of the City of Port Phillip must be submitted to and approved by the City of Port Phillip. When approved, the WMP will be endorsed and will then form part of the permit. The WMP must be generally in accordance with the WMP submitted with the application prepared by SALT dated 22 August 2025 and with City of Port Phillip's Guidelines for Preparing a Waste Management Plan 2021 but modified to show:
- a) Electronic waste storage and removal.
  - b) Charity storage and removal.
  - c) Waste generation rates as follows:
    - i. Studio/1bed apartment – 80L per week general waste, 80L per week recycling
    - ii. 2bed apartment – 100L per week general waste, 100L per week recycling
    - iii. 3bed or greater apartment – 120L per week general waste, 120L per week recycling
  - d) Minimum 1.5m-wide corridors and door widths.
  - e) Colour code bin chutes on each floor: red for waste and yellow for recycling.
  - f) Description of e-waste disposal with a private contractor.
  - g) Collection truck height.
  - h) Scaled waste management drawing that shows:
    - i. Size of bin room in square metres
    - ii. Colour code and show size of bins

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- iii. E-waste bin
- iv. Movement diagram showing each material from the point of disposal, storage and collection, including any gradient, lift or slope.
- i) Waste collection hours as follows:
  - i. 6.30am – 8.00pm Monday to Saturday and public holidays
  - ii. 9.00am to 8.00pm Sunday

Once submitted and approved, the waste management plan must be carried out to the satisfaction of City of Port Phillip.

**Traffic, Car Parking, Access, Layout and Loading**

**Amended Traffic Engineering Report**

43. Concurrent with the endorsement of plans under Condition 1, an amended Traffic Engineering Report to the satisfaction of the City of Port Phillip must be submitted to and approved by the City of Port Phillip. When approved, the Traffic Engineering Report will be endorsed and will then form part of the permit. The Traffic Engineering Report must be generally in accordance with the traffic engineering Report prepared by SALT dated 20 August 2025 but modified to include:
- a) Access control measures such as boom gates, roller doors or other gating system
  - b) A queue length assessment on the proposed control measures to ensure there will be no adverse impact on footpaths or existing traffic conditions.
  - c) Dimension the width and depth of car parking spaces.
  - d) Dimension height clearance.
  - e) Notation that all columns in the basement will comply with Design Standard 2 at Clause 52.06-9 and AS2890.1.
  - f) Dimension 500mm in length between each tandem space in accordance with Design Standard 2 at Clause 52.06-9.
  - g) Notation of one dedicated car share parking space with appropriate signage.
  - h) Allow for safe vehicle movements, including the ability for vehicles to safely change direction and turn around at the end of Queens Lane (passenger vehicles and 8.8m service vehicles), without impacting vehicles entering the off ramp from Queens Road and other relevant requirements in the Traffic Engineering Manual.  
Address potential traffic conflicts arising from vehicles entering and exiting driveways and/or Queens Road via the off ramp.
44. Prior to the occupation of the development, a formal independent desktop Road Safety Audit of the proposed development must be undertaken, at the owner / permit holder's costs, which must include the works within the public realm, vehicular / bicycle / pedestrian access arrangements, loading arrangements and internal circulation / layout to the satisfaction of the City of Port Phillip. The findings of the Road Safety Audit must be incorporated into the detailed design, at the owner / permit holder's costs.
45. The internal design of the car park and loading docks, the positioning of boom gates, card readers, control equipment, including car park control points, and ramp grades must be generally in accordance with the Australian and New Zealand Standard 2890.1-2004 and to the satisfaction of the City of Port Phillip.
46. Mechanical exhaust systems to the car park must be sound attenuated to prevent noise nuisance to the occupants of the building and surrounding properties to the satisfaction of the City of Port Phillip.
47. The parking, loading and unloading areas shown on the endorsed plans must be kept available for that use at all times and the car parking spaces and accessways must not be obstructed or otherwise rendered inaccessible.

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48. Traffic access and parking and loading/unloading arrangements must not be altered without the prior written consent of the City of Port Phillip.
49. The loading and unloading of goods from vehicles must only be carried out on the subject land within the designated loading bay, as detailed on the endorsed plans, and must be conducted in a manner which does not cause any interference with the circulation and parking of vehicles on the land to the satisfaction of the City of Port Phillip.
50. The accessways and areas set aside for car parking must be constructed, delineated and clearly line-marked to indicate each car space and the direction in which vehicles must proceed along the accessways, in conformity with the endorsed plans. Accessways and parking areas must be kept available for these purposes at all times and maintained to the satisfaction of the City of Port Phillip.

**Car and Bicycle Parking Areas Must be Available**

51. Car and bicycle parking and loading areas and access lanes must be developed and kept available for those purposes at all times and must not be used for any other purpose such as storage to the satisfaction of the City of Port Phillip.
52. Bicycle parking must be provided, located and appropriately signed in accordance with the endorsed plans.

**Car Parking Management Plan**

53. Before the use commences, a Car Park Management Plan must be submitted and approved to the satisfaction of the City of Port Phillip. When approved, the plan will be endorsed and will then form part of the permit. Digital copies of plans must be submitted and must include:
  - a) Details of access and security arrangements.
  - b) Arrangements for use of the share car including availability, seating capacity, person(s) responsible and any restrictions on the use.

The car parking management plan must be implemented to the satisfaction of the City of Port Phillip.

**Green Travel Plan**

54. Concurrent with the endorsement of plans required by Condition 1, an amended Green Travel Plan (GTP) must be submitted to and approved the City of Port Phillip. The GTP must be generally in accordance with the GTP prepared by SALT dated 5 November 2025 but modified to:
  - a) provide detailed advice regarding how traffic movements will be managed and ensure an alternative, non-private vehicle transport modes will be encouraged.
  - b) Identify specific opportunities for the provision of more sustainable transport options and encouragement of their use. The plan should include but not be limited to:
    - i. Provision of web links to Public Transport Victoria - Tram, train and bus timetables posted in prominent locations in lifts and public areas (on noticeboards, etc);
    - ii. Bicycle parking areas to be installed in well secured and prominent locations;
    - iii. Provide a 'Share Car' parking space within the development for use by residents of the proposed development, as well as the wider community. Install directional signs in prominent locations advising of the location of existing and proposed share car schemes, bicycle parking facilities for residents and visitor, tram stops, taxi ranks, railway stations, bus stops and bicycle paths. Ensure that access to the on-site parking is restricted and controlled.
  - c) A plan for monitoring and review of the Travel Plan on an annual basis for at least three years.

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**Vehicle Crossings – Removal**

55. Prior to the issue of any Certificate of Occupancy or Certificate of Final Inspection for the development approved by this permit, all disused or redundant vehicle crossings must be removed and the area re-instated with footpath, nature strip and kerb and channel at the cost of the applicant/owner and to the satisfaction of the City of Port Phillip.

**Public Services**

56. Before the occupation of the development allowed by this permit, any modification to existing infrastructure and services within the road reservation (including, but not restricted to, electricity supply, telecommunications services, gas supply, water supply, sewerage services and stormwater drainage) necessary to provide the required access to the site, must be undertaken by the permit holder/owner to the satisfaction of the relevant authority and the City of Port Phillip. All costs associated with any such modifications must be borne by the permit holder/owner.

**Applicant to Pay for Reinstatement**

57. Before the occupation of the development allowed by this permit, the permit holder/owner must do the following things to the satisfaction of the City of Port Phillip:
- a) Pay the costs of all alterations/reinstatement of Council and Public Authority assets necessary and required by such Authorities for the development.
  - b) Obtain the prior written approval of the Council or other relevant Authority for such alterations/reinstatement.
  - c) Comply with conditions (if any) required by the Council or other relevant Authorities in respect of alterations/reinstatement.

**Vehicle Crossing**

58. Before the occupation of the development, vehicle crossings must be constructed in accordance with Council's current Vehicle Crossing Guidelines and standard drawings to the satisfaction of the City of Port Phillip.

**No equipment or services**

59. Any plant, equipment or domestic services visible from the primary street frontage (other than a lane) or public park must be located and visually screened to the satisfaction of the City of Port Phillip.

**No Reticulated Gas**

60. Any new dwelling allowed by this permit must not be connected to a reticulated gas service (within the meaning of Clause 53.03 of the Port Phillip Planning Scheme). This condition continues to have force and effect after the development authorised by this permit has been completed.

**General Amenity Provision**

61. The use and development must be managed so that the amenity of the area is not detrimentally affected through the:
- a) Transport of materials, goods or commodities to or from the land.
  - b) Appearance of any building, works or materials.
  - c) Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, wastewater, waste products, grit or oil.
  - d) Presence of vermin to the satisfaction of the City of Port Phillip.

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**Conditions required by Head, Transport for Victoria**

62. Unless otherwise approved in writing from the Head, Transport for Victoria, prior to commencement of the development amended plans must be submitted to and approved by the Head, Transport for Victoria. When approved by the Head, Transport for Victoria, the plans must be endorsed by the Responsible Authority and will then form part of the permit. The plans must be generally in accordance with the plans submitted but modified to show:
- the relocated crossing on St Kilda Road with the protected bike lanes, line marking, green bike lane treatment and all associated works as required.
63. Unless otherwise agreed in writing with the Head, Transport for Victoria, prior to the occupation of the development, the crossings and associated works shown on the endorsed plans must be completed to the satisfaction and at no cost to the Head, Transport for Victoria.
64. All disused or redundant crossings along St Kilda Road must be removed and the area reinstated to kerb, channel and footpath to the satisfaction of and at no cost to the Head, Transport for Victoria prior to the occupation of the buildings hereby approved.

**Expiry**

65. This permit as it relates to development (buildings and works) and use will expire if one of the following circumstances applies:
- The development is not started within 3 years of the issued date of this permit.
  - The development is not completed within 5 years of the issued date of this permit.
  - This use does not commence within two years of the completion of the development.
  - The use is discontinued for a period of 2 years.

In accordance with section 69 of the *Planning and Environment Act 1987*, the responsible authority may extend the permit if a request is made in writing before the permit expires, or within six months afterwards. The responsible authority may extend the time for completion of the development if a request is made in writing within twelve months after the permit expires and the development started lawfully before the permit expired.

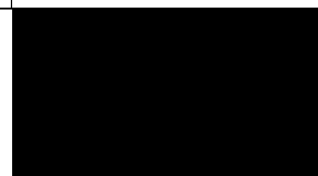
**THIS PERMIT HAS BEEN AMENDED AS FOLLOWS:**

Date of amendment	Brief description of amendment	Name of responsible authority that approved the amendment	Section of the Act under which the permit has been amended
N/A	N/A	N/A	N/A

**THIS PERMIT HAS BEEN EXTENDED AS FOLLOWS:**

Date of extension	Brief description of the extension	Duration of extension
N/A	N/A	N/A

**Date of issue:** 5 March 2026 **Signature for the responsible authority:**



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**USEFUL INFORMATION:**

(the following information does not form part of this permit)

**Head, Transport for Victoria**

Separate consent for works within the road reserve and the specifications of these works is required under the Road Management Act 2004. The proposed development requires construction of new crossover to St Kilda Road. Please contact the Department of Transport prior to commencing any works on email [MetroExternalProjectsDevelopment@roads.vic.gov.au](mailto:MetroExternalProjectsDevelopment@roads.vic.gov.au)

**Date of issue:** 5 March 2026 **Signature for the responsible authority:**



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## IMPORTANT INFORMATION ABOUT THIS PERMIT

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### WHAT HAS BEEN DECIDED?

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The responsible authority has issued a permit.

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### CAN THE RESPONSIBLE AUTHORITY AMEND THIS PERMIT?

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The responsible authority may amend this permit under Division 1A of Part 4 of the **Planning and Environment Act 1987**.

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### WHEN DOES A PERMIT BEGIN?

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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.

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### WHEN DOES A PERMIT EXPIRE?

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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 five years of the certification of the plan of subdivision or consolidation under the **Subdivision Act 1988**.
2. A permit for the use of land expires if—
  - the use does not start within the time specified in the permit, or if no time is specified, within two years 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.
5. The expiry of a permit does not affect the validity of anything done under that permit before the expiry.

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### WHAT ABOUT REVIEWS?

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- The person who applied for the permit may apply for a review of any condition in the permit unless it was granted at the direction of the Victorian Civil and Administrative Tribunal, in which case no right of review exists.
- An application for review must be lodged within 60 days after the permit was issued, unless a notice of decision to grant a permit has been issued previously, in which case the application for review must be lodged within 60 days after the giving of that notice.
- An application for review is lodged with the Victorian Civil and Administrative Tribunal.
- An application for review must be made on the relevant form which can be obtained from the Victorian Civil and Administrative Tribunal, and be accompanied by the applicable fee.
- An application for review must state the grounds upon which it is based.
- A copy of an application for review must also be served on the responsible authority.
- Details about applications for review and the fees payable can be obtained from the Victorian Civil and Administrative Tribunal.

Date of issue: 5 March 2026 Signature for the responsible authority:

