

PLANNING PERMIT

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| Permit No.: | PA2503754 |
| Planning scheme: | Melbourne Planning Scheme |
| Responsible authority: | Minister for Planning |
| ADDRESS OF THE LAND: | 400 Queen Street, Melbourne |

THE PERMIT ALLOWS:

| Planning scheme clause | Matter for which the permit has been granted |
|-------------------------------|---|
| 37.04-4 | Construct a building or construct or carry out works |
| 37.04-4 | Demolish or remove a building or works |
| 43.02-2 | Construct a building or construct or carry out works |
| 52.34-2 | Reduce the number of bicycle parking spaces required under Clause 52.34-5 |

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

Compliance with documents approved under this permit

1. 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.

Commencement

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

Amended Plans

3. Prior to the commencement of demolition of the existing building, bulk excavation and site preparation works on site, detailed plans showing the extent of demolition and early bulk excavation and site preparation works must be submitted to and approved by the responsible authority.

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4. Before the development starts, excluding demolition, bulk excavation and site preparation works, plans must be approved and endorsed by the responsible authority, in consultation with the Melbourne City Council. 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 Cox Architects, titled '400 Queen Street', Drawings TP00-0000 to TP90-0010, listed on Cover Sheet TP00-0000, Revision 3 and received 30 September 2025, but amended to show the following details:
- a) The northern section of easement E1 generally between Anthony Street and the eastern boundary of the main part of the land to be closed to public access, and the reconfiguration of internal publicly accessible spaces to minimise safety and entrapment risks to comply with the relevant design requirements for pedestrian connections at Clause 2.4 of Schedule 1 to the Design and Development Overlay.
 - b) The communal spaces associated with the student housing modified as follows:
 - i. The amount of communal outdoor space to be at least 1 square metre per student, over a maximum of two parcels with a minimum internal dimension of 3 metres; and
 - ii. The overall amount of communal space to be at least 3.5 square metres per student.
 - c) The layout of student units modified to:
 - i. Provide that all beds are located in individual rooms with no reliance on 'retractable privacy curtains' for separation from other beds and/or shared areas; and
 - ii. Provide all living spaces with direct access to daylight.
 - d) A revised apartment mix which provides an increased number of three-bedroom dwellings and reduces the number of studios to no more than 30% of the total dwellings.
 - e) At least 50% of apartments are designed in accordance with the requirements of Standard D18 of Clause 58.05-1 (Accessibility), with any necessary modifications to internal layouts.
 - f) A notation that all bicycle spaces are to be designed in accordance with the relevant Australian Standards.
 - g) An updated development summary to ensure that it reflects the architectural plans.
 - h) The depth of the architectural fins along the northern elevation be reduced from 600mm to 300mm to ensure compliance with Design and Development Overlay, Schedule 10.
 - i) Replace the small, staggered planters along the Queen Street frontage with continuous planters to provide a stronger edge and integration with seating elements.
 - j) In terms of wind impacts, the Level 8 outdoor communal areas designed to achieve a minimum of standing criterion.
 - k) Any changes, technical information or plan notations (or otherwise) required as a result of any other condition in this permit.

Layout not altered

5. The development as shown on the endorsed plans must not be altered (unless the Melbourne Planning Scheme specifies that a permit is not required) without the prior written consent of the responsible authority.



Retention of Architect

6. Except with the consent of the responsible authority, Cox Architects must be retained to complete and provide architectural oversight during construction of the detailed design as shown in the endorsed plans to the satisfaction of the responsible authority.

Façade Strategy

7. Concurrent with the endorsement of plans pursuant to Condition 4, a Façade Strategy must be approved and endorsed by the responsible authority, in consultation with the Melbourne City Council. The Façade Strategy must be generally in accordance with the decision plans and must include:
- a) A concise description by the architect of the building design concept and how the façade works to achieve this.
 - b) Elevation details (generally at a scale of 1:50) illustrating typical lower level details, balcony niches, entries, lobbies and doors, utilities and structural columns, as well as typical tower details, key junctures and any special features which are important to the building's presentation.
 - c) Street level elevations (generally at a scale of 1:20) for all public interfaces. All proposed materials at the street wall level should be robust and of high quality.
 - d) Cross sections or another method of demonstrating the façade systems, including fixing details indicating junctions between materials and significant changes in form and/or material.
 - e) Information about how the façade will be accessed and maintained and cleaned, including any planting if proposed.
 - f) Example prototypes and/or precedents that demonstrate the intended design outcome as indicated on plans and perspective images, to produce a high quality built outcome in accordance with the design concept.
 - g) A schedule of colours, materials and finishes, including the colour, type and quality of materials showing their application and appearance. Materials and finishes must be of a high quality, contextually appropriate, durable and fit for purpose. This can be demonstrated in coloured elevations or renders from key viewpoints, to show the materials and finishes linking them to a sample board with coding.
 - h) A greater variation in depth and tactility on the central form/northern podium to reinforce the variation in the distinct parts of the podium form.
 - i) Elevation details (generally at a scale of 1:20) for all elevations of the arcade, including soffit details.

The development must be in accordance with the Façade Strategy, to the satisfaction of the responsible authority. The Façade Strategy must not be altered or amended without the written consent of the responsible authority.

Reflected Glare

8. Prior to the commencement of buildings and works, excluding demolition, bulk excavation and site preparation works, or at another time as agreed to by the responsible authority, a Reflected Glare Assessment of external building materials and finishes, utilising an

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appropriate methodology prepared by a suitably qualified person, must be approved and endorsed by the responsible authority. The reflected glare assessment must be prepared to the satisfaction of the responsible authority.

9. External glazing and cladding materials and finishes must avoid disability glare to public transport operators, road users and aircraft, to the satisfaction of the responsible authority.
10. 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.

Sustainability Management Plan

11. Concurrent with the endorsement of plans pursuant to Condition 4, an amended Sustainability Management Plan (SMP) must be submitted to and approved by the responsible authority, in consultation with the Melbourne City Council. When approved, the amended SMP will be endorsed and will form part of this permit. The amended SMP must be generally in accordance with the SMP prepared by Stantec and dated 6 June 2025, but modified to show or detail:
 - a) Any changes as required by Condition 4 of this Permit.
 - b) Evidence that the development has been registered with the Green Building Council of Australia for a 5 Star Green Star Buildings rating.
 - c) Daylight modelling to demonstrate the development can achieve acceptable levels of daylight, to at least 40% of the regularly occupied areas for non-residential spaces and 60% of combined living and bedroom areas.
 - d) Assumptions used for daylight modelling Visual Light Transmittance values provided and shown on plans.
 - e) The pre-screening climate change checklist.
 - f) Project specific climate change risk and adaptation assessment.
 - g) A consolidated site plan that shows the areas of all compliant materials and provides calculations that show 75% of the total site area features materials that reduce the urban heat island effect.
 - h) Further detail and evidence that the development can achieve the minimum requirements (buildings up front carbon emissions are 20% less than those of a reference building). Modelling or calculations via the Upfront Emissions Calculator to be provided as adequate evidence.
 - i) Alternative pathway of J1V5 energy modelling to align to the reference building pathway in Green Star. Modelling to be provided that demonstrates an overall building improvement of 20% and an individual dwelling improvement of 10%, between the proposed design and reference building.
 - j) A Zero Carbon Action Plan for the building indicating how and when the project intends to operate as fossil fuel free, indicating 100% of the buildings electricity will come from renewable sources and 100% of the buildings energy comes from renewables. An alternative pathway exists via registration to state that the development is committing to being 100% electric.
 - k) Evidence via the Movement and Place calculator that the project is meeting the minimum requirements for bicycle parking spaces and associated change facilities,



electric vehicle parking spaces and related infrastructure, a reduction in car parking and prioritising walking.

- l) A report that indicates how the minimum expectations for the credit will be met by the design response including the building was not built on, or significantly impacted, a site with a high ecological value.
 - m) Further detail of the Green Factor tool assessment that shows the full scorecard including the 'Specified Green Infrastructure Elements' and a Green Factor Plan to locate and show where these inputs exist.
 - n) The 20kL rainwater tank shown on plans with a note to indicate re-use for toilets, landscape and wash down.
 - o) A Proprietary Product used in conjunction with the rain water tank to achieve water quality outcomes to be notated on plans and a signed 5 year maintenance contract provided.
12. The provisions, recommendations and requirements of the endorsed SMP must be implemented and complied with to the satisfaction of the responsible authority and must not be altered or modified without the prior written consent of the responsible authority.
13. Prior to the occupation of the development approved under this permit, a report from the author of the SMP endorsed pursuant to this permit, or similarly qualified person or company, must be submitted to the responsible authority. The report must be to the satisfaction of the responsible authority and must confirm that all measures specified in the SMP have been implemented in accordance with the approved SMP.
14. Within 24 months from the date of occupancy evidence of a certified 5 Star Green Star Buildings rating should be provided to the satisfaction of the responsible authority and the Melbourne City Council.

Landscape Plans and Landscape Maintenance Plan

15. Prior to the commencement of the development, excluding demolition, bulk excavation and site preparation works, amended Landscape Plans must be submitted to and be approved by the responsible authority, in consultation with the Melbourne City Council. When approved, the Landscape Plans will be endorsed and will form part of this permit. The amended Landscape Plans must be generally in accordance with the Landscape Plans prepared by Tract Consultants and dated 6 June 2025, but modified to show:
- a) Any changes as required by Condition 4 of this permit.
 - b) Details of proposed green infrastructure and planters (including volume of planter soil/media and depths) and mulch specifications.
 - c) Annotated cross-sectional details for green infrastructure and planters including materials, waterproofing, drainage, dimensions, support structures and tree anchors.
 - d) Irrigation systems demonstrating use of alternative water sources such as rainwater, stormwater and recycled water.
 - e) Planting schedule of planter vegetation, including common and scientific names, height/width specs, amounts, pot size and location of plants.
 - f) Details to accord with the approved Green Factor tool scorecard.
 - g) Replace the small, staggered planters along the Queen Street frontage with continuous planters to provide a stronger edge and integration with seating elements.



The endorsed Landscape Plans must be implemented and complied with to the satisfaction of the responsible authority and must not be altered or modified without the prior written consent of responsible authority.

16. Concurrent with the endorsement of plans pursuant to Condition 14, a Green Infrastructure Landscape Package and Landscape Maintenance Plan in connection with the proposed development must be submitted to and be approved by the responsible authority. The landscape package should include but not limited to, detailed planter sections including soil volumes, diverse schedule of species including indicative planting locations with specific consideration given to tree species/placement/soil volume requirements and specified lightweight growing media.

The Landscape Maintenance Plan should provide comprehensive details of proposed maintenance regimes with provision for maintenance beyond the fifty-two week period following Practical Completion. Except with the prior written consent of the responsible authority, the approved landscaping must be implemented prior to the occupation of the development. The landscaped areas must be maintained to the satisfaction of the Melbourne City Council.

Waste Management

17. Concurrent with the endorsement of plans pursuant to Condition 4, an amended Waste Management Plan (WMP) prepared by a suitably qualified person, must be approved and endorsed by the Melbourne City Council – Waste and Recycling. The amended WMP must be generally in accordance with the WMP prepared by Leigh Design and dated 1 October 2025, but modified to include or show:
- Any changes as required by Condition 4 of this Permit.
 - A sequence diagram showing the waste vehicle passing under the roller door demonstrating there is adequate clearance as the vehicle passes under the door.
18. Once approved, the WMP will be endorsed and will form part of this permit. At all times waste management and collection must be carried out in accordance with the requirements of the approved and endorsed WMP to the satisfaction of the Melbourne City Council – Waste and Recycling. Waste storage and collection arrangements must not be altered without prior consent of the Melbourne City Council – Waste and Recycling.
19. No garbage bin or waste materials generated by the development may be deposited or stored outside the site and bins must be returned to the garbage storage area as soon as practical after garbage collection, to the satisfaction of the Melbourne City Council – Waste and Recycling.

Parking Management Plan

20. Concurrent with the endorsement of plans pursuant to Condition 4, a Parking Management Plan must be prepared and submitted to and approved by the responsible authority in consultation with the Melbourne City Council. The plan must include details such as signs,



line markings and other traffic management (mirrors, etc) measures to be developed to manage the internal operation of the car park and mitigate potential vehicle conflict.

The Parking Management Plan must be to the satisfaction of the responsible authority and when approved shall form part of the endorsed plans of this permit.

Sustainable Transport Plan

21. Prior to the occupation of the development, a Sustainable Transport Plan (STP) for the student housing must be submitted to the satisfaction of and be endorsed by the responsible authority in consultation with the Melbourne City Council. The STP must:
- a) Describe the location of the site in the context of alternative modes of transport and objectives for the STP.
 - b) Outline STP measures for the building including:
 - i. Employee welcome packs to include public transport information.
 - ii. Other incentives for employees (i.e. provision of public transport discounts if available).
 - iii. Cycle parking and facilities available.
 - iv. Management, monitoring and review.

Once approved, the STP will be endorsed to form part of the permit to ensure the STP continues to be implemented by the owners/management of the site to the satisfaction of the responsible authority. The STP must not be altered without prior consent of the responsible authority in consultation with the Melbourne City Council.

Loading Management Plan

22. Prior to the commencement of the development, excluding demolition, bulk excavation and site preparation works, a Loading Management Plan (LMP) must be submitted to and approved and submitted to the responsible authority in consultation with the Melbourne City Council. The LMP must specify how the access / egress of loading vehicles is to be managed and ensuring that:
- a) The delivery needs of the uses within the development are accommodated.
 - b) Any potential conflicts between vehicles and other users are satisfactorily addressed.
 - c) There are no obstructions in the path of the vehicles (kerbs, walls, etc.) and appropriate height clearances are provided for all required vehicles / manoeuvres.
 - d) A Loading Dock Manager, Building Manager or similar person is nominated, with the following responsibilities:
 - i. Present on site when deliveries are undertaken.
 - ii. Act as a spotter for any reversing movements into the loading bay.
 - iii. Act as informal traffic controller to discourage pedestrian movements when vehicles reverse.
 - iv. Ensure conflicts do not occur between loading / other vehicles.
 - v. Ensure that space used for vehicle manoeuvring is kept clear of other vehicles / obstructions at all times.

Once approved, the LMP will be endorsed to form part of the permit. Loading arrangements must not be altered without prior consent of the Melbourne City Council.



Road Safety Audit

23. Concurrent with the endorsement of plans pursuant to Condition 4, a formal and independent Road Safety Audit must be undertaken and approved by the Melbourne City Council. The Road Safety Audit must include an assessment of:
- Internal layout.
 - Access arrangements.
 - Loading arrangements.
 - Pedestrian and bicycle access and movements within the site and in the public realm.
 - Potential conflicts between vehicles / pedestrians / cyclists, having regard to the existing access arrangements for other properties.
 - Road safety issues affecting all road users.

The findings of the Audit must be incorporated into the design at the developer's expense to the satisfaction of the Melbourne City Council.

Noise

24. Concurrent with the endorsement of plans pursuant to Condition 4, the Acoustic Report prepared by Acoustic Logic dated and 6 June 2025 must amended to reflect the changes as required by Condition 4 of this permit and must be submitted to and approved by the responsible authority. When provided to the satisfaction of the responsible authority, the Acoustic Report will be endorsed to form part of this permit.
25. Prior to the occupation of the development, the provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the responsible authority. The report must not be altered or amended without the written consent of the responsible authority.

Wind

26. Concurrent with the endorsement of plans under Condition 4, the Environmental Wind Conditions Study report prepared by MEL Consultants dated 18 August 2025 must be amended to reflect the amended plans required by Condition 4 of this permit, include wind tunnel testing zones at all building entrances and publicly accessible spaces and ensure that the Level 8 communal outdoor area achieves standing criteria, and must be submitted to approved by the responsible authority.
27. Prior to the occupation of the development, the provisions, recommendations and requirements of the endorsed Environmental Wind Conditions Study must be implemented and complied with to the satisfaction of the responsible authority. The report must not be altered or amended without the written consent of the responsible Authority.

Environmental Audit – Preliminary Risk Screen Assessment (Part 1)

28. Before the development starts (excluding any works necessary to undertake the assessment), a Preliminary Risk Screen Assessment (PRSA) of the site must be conducted

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by a suitably qualified environmental auditor. The PRSA statement and report must be submitted to the responsible authority in accordance with section 205 of the *Environment Protection Act 2017* and respond to the matters contained in Part 8.3, Division 2 of the *Environment Protection Act 2017* to the satisfaction of the responsible authority.

Environmental Audit (Part 2)

29. If the PRSA requires an Environmental Audit to be undertaken, then prior to the commencement of the development (excluding any works necessary to undertake the audit), an Environmental Audit of the site must be carried out by a suitably qualified environmental auditor. On completion of the Environmental Audit, an Environmental Audit Statement (EAS) and report must be submitted to the responsible authority in accordance with section 210 of the *Environment Protection Act 2017* responding to the matters contained in Part 8.3, Division 3 of the *Environment Protection Act 2017* to the satisfaction of the responsible authority. The EAS must either:
- a) State the site is suitable for the use and development allowed by this permit; or
 - b) State the site is suitable for the use and development allowed by this permit if the recommendations contained within the EAS are complied with.

Environmental Audit (Part 3)

30. All the recommendations of the EAS must be complied with to the satisfaction of the responsible authority for the full duration of any buildings and works on the land in accordance with the development hereby approved and must be fully satisfied prior to the occupation of the development. Written confirmation of compliance must be provided by a suitably qualified environmental auditor in accordance with any requirements in the EAS.

Environmental Audit (Part 4)

31. If any of the conditions of the EAS require ongoing maintenance or monitoring, prior to the commencement of the use and prior to the issue of a statement of compliance under the *Subdivision Act 1988*, the owner of the land must enter into an agreement with the responsible authority under section 173 of the *Planning and Environment Act 1987* to the satisfaction of the responsible authority to the effect that all conditions of the EAS issued in respect of the land will be complied with.

Legal Agreement – Temporary Works

32. Prior to the commencement of the development, including demolition and bulk excavation, the owner of the land must enter into an agreement pursuant to Section 173 of the *Planning and Environment Act 1987* and have it recorded on title. The agreement must provide that the owner must construct temporary works on the land to the satisfaction of the Melbourne City Council in the following scenarios:
- a) If the land remains vacant for six (6) months after completion of the demolition;
 - b) Demolition or construction activity ceases for a period of six (6) months; or
 - c) Construction activity ceases for an aggregate of six (6) months after commencement of the construction.



Planning and Environment
Regulations 2015

Form 4

Sections 63, 64, 64A and 86

Prior to the commencement of construction of the temporary works, details of the works must be submitted to and be to the satisfaction of the Melbourne City Council.

Temporary works may include:

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

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

Legal Agreement – Publicly Accessible Areas

33. Prior to the occupation of the development, the owner of the land must enter into an agreement with the Melbourne City Council pursuant to Section 173 of the *Planning and Environment Act 1987* and have it recorded on title. The agreement must provide the following:
 - a) Provide access to all publicly accessible areas 24 hours a day, 7 days a week, unless otherwise agreed in writing by the Melbourne City Council.
 - b) The owner must, at its cost, maintain the area in accordance with any endorsed Landscape Plan to the satisfaction of the Melbourne City Council.

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

Legal Agreement – Public Benefits

34. Prior to the commencement of development, excluding demolition, bulk excavation and site preparation works, the owner of the land must enter into an agreement with the responsible authority and the Melbourne City Council, pursuant to Section 173 of the *Planning and Environment Act 1987*.

The agreement must be to the satisfaction of the responsible authority and the Melbourne City Council, must be registered on the title to the land, and must secure the delivery of the following public benefits associated with the development approved and endorsed under this permit:

- a) Office floor space:
Provision of office floor space within the development equivalent to 10 per cent of the total public benefit required, with an agreed value of \$3,289,250, to be delivered and retained for a minimum period of 10 years from the date of issue of a certificate of occupancy for the building, unless otherwise agreed in writing by the responsible authority and the Melbourne City Council.
- b) Affordable housing contribution:
An affordable housing contribution equivalent to 24 per cent of the total public benefit required, with an agreed value of \$8,202,350, to be delivered by:
 - i. A monetary contribution towards the provision of affordable housing must be provided to the satisfaction of the responsible authority. The details of when and

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- how the 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; or
- ii. An alternative method of delivering affordable housing or an equivalent contribution of equal or greater value, as agreed in writing between the owner, the responsible authority and the Melbourne City Council.

Unless otherwise agreed in writing, any monetary contribution must be paid prior to the issue of a Statement of Compliance for any subdivision of the land or prior to the occupation of the development (whichever occurs first).

Where an alternative delivery mechanism is agreed, the agreement must specify the timing and form of delivery to the satisfaction of the responsible authority and the Melbourne City Council.

- c) Publicly accessible open space areas/links and arcade:
The delivery of publicly accessible open space areas/links and an arcade within the site equivalent to 66 per cent of the total public benefit required, with an agreed value of \$22,674,400, to be provided, maintained and made available for public use in accordance with the approved and endorsed plans and any further requirements specified in the agreement, unless otherwise agreed in writing by the responsible authority and the Melbourne City Council. The publicly accessible open space areas/links are to be delivered prior to the occupation of the development.

The agreement must include covenants that run with the land to secure the delivery, timing and ongoing operation of the public benefits, and must make provision for the amendment or removal of the agreement once the obligations have been satisfied, where appropriate.

The values referenced in sub-conditions a) – c) may be amended with prior written agreement of the responsible authority and the Melbourne City Council.

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

Existing Legal Agreements

35. Prior to the occupation of the development, and following the demolition of the existing car park on the site, registered Agreements L929335J and AC278000J must be ended and removed from all titles affected by the Agreements, to the satisfaction of the Melbourne City Council.

Land Survey

36. Prior to occupation of the development, the pedestrian links must be named in accordance with the *Geographic Place Names Act 1998* to provide appropriate street addressing for the retail tenancies. Any proposed road name must comply with the Naming Rules for Places in Victoria, Statutory Requirements for Naming Roads, Features and Localities 2016.

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Demolition and Construction Management and Tree Protection

37. Prior to the commencement of the development, including demolition and site preparation works, a detailed demolition and construction management plan must be submitted to and be approved by the Melbourne City Council – Site Services. This demolition and construction management plan must be prepared in accordance with the City of Melbourne's Code of Practice for Building, Construction and Works and is to address the following:
- a) Public safety, amenity and site security.
 - b) Operating hours, noise and vibration controls.
 - c) Air and dust management.
 - d) Stormwater and sediment control.
 - e) Waste and materials reuse.
 - f) Traffic management.
 - g) Include an Arboricultural Impact Assessment (AIA) and Tree Protection Plan (TPP). It may be required to stage these documents to cover the demolition, excavation, construction or civil works. The AIA-TPP must collectively identify all impacts to public trees, be in accordance with AS 4970-2025 (*Protection of trees on development sites*), AS4373-2007 (*Pruning of Amenity Trees*), and be authored by a qualified consulting arborist (min. AQF Level 5), including, but not limited to:
 - i. A public tree protection plan drawn to scale including approved building design, construction zones, site access, machinery, equipment, temporary structures and dimensioned tree protection zones required to enable demolition, excavation, and construction, where these works are to impact public trees.
 - ii. City of Melbourne asset numbers for the public trees to be impacted.
 - iii. A written assessment of all public trees located adjoining property, detailing the general condition and specific data of each public tree, and any construction impact the proposal will have on the trees, presented concisely with the assistance of tables and photos.
 - iv. Reference finalised Demolition and Construction Management Plan, including designs, details, and dimensions of any public protection gantries, scaffold, loading zones and machinery locations.
 - v. Site specific details of the temporary tree protection fencing or hoarding to be used to isolate public trees from the demolition and construction activities. These must be shown on the TPP. Details of any other tree protection measures considered necessary and appropriate to the works.
 - vi. Specific details of any design modifications or construction methodologies to be used within the Tree Protection Zone of any public trees. These must be provided for any utility connections or civil engineering works.
 - vii. Any pruning required to public trees must include detailed specifications with reference to marked images.
 - viii. A supervision schedule for the Project Arborist, interim reporting periods and final completion report (necessary for bond release).
38. All works, including demolition, within the Tree Protection Zone of public trees must be undertaken in accordance with the endorsed TPP and supervised by a suitably qualified Arborist where identified in the report, except with the further written consent of the Melbourne City Council.



39. Following the approval of the TPP, a bond equivalent for the combined environmental and amenity values of public trees that may be affected by the development will be held against the TPP for the duration of construction activities. The bond amount will be calculated by council and provided to the applicant/developer/owner of the site. Should any tree be adversely impacted on, the Melbourne City Council will be compensated for any loss of amenity, ecological services or amelioration works incurred.

Public Tree Removal / Pruning

40. No public tree adjacent to the site can be removed or pruned in any way without the written approval of the Melbourne City Council.

Operational Management Plan – Student Housing

41. Prior to the occupation of the student housing, an Operational Management Plan for the student housing must be submitted to and approved by the Melbourne City Council. When approved, the plan will be endorsed and will then form part of the permit. The Operational Management Plan must establish a set of 'house rules' for the use, to be followed thereafter to the satisfaction of the Melbourne City Council. The Operational Management Plan must ensure that a suitably qualified full time manager with responsibility to oversee students is either on-site during general business hours or contactable off-site after hours by both professionally trained staff and students. The Operational Management Plan must also detail the maintenance, cleaning, garbage storage and collection, supervision and security of the site, and include provision for bicycle share arrangements for students utilising the bicycle parking provided within the site.

Legal Agreement - Student Housing

42. Prior to the occupation of the student housing, the owner of the land must enter into an agreement with the Melbourne City Council pursuant to Section 173 of the *Planning and Environment Act 1987*. The agreement must provide the following:
- a) The accommodation provided on the subject land is to be used for the exclusive accommodation of students enrolled full time at a secondary or tertiary level educational institution and to be vacated within six months of completion of full time or part time studies.
 - b) The student accommodation to operate at all times in accordance with the endorsed Operational Management Plan as required by this permit to the satisfaction of the Melbourne City Council.
 - c) Any on-site facilities, including bicycle parking spaces and communal space, approved under this permit must at all times be managed in accordance with this permit to the satisfaction of the Melbourne City Council. The on-site facilities are only permitted to be used by the occupants / employees of the student housing, in accordance with the endorsed plans, and such facilities must not be subdivided, leased or sold separate from the facility for any reason without the prior written consent of the Melbourne City Council.



- d) The requirements contained in the agreement shall form part of any lease of the premises which the owner of the land under this permit may enter into with another party.

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

Melbourne City Council – City Infrastructure

Drainage of projections

43. All projections over the street alignment must be drained to a legal point of discharge in accordance with plans and specifications first approved by the Melbourne City Council – City Infrastructure.

Drainage system upgrade

44. Prior to the commencement of the development, including demolition and bulk excavation, a stormwater drainage system, incorporating integrated water management design principles, must be submitted to and approved by the Melbourne City Council – City Infrastructure. This system must be constructed prior to the occupation of the development and provision made to connect this system to the Melbourne City Council's underground stormwater drainage system. Where necessary, the Melbourne City Council's drainage network must be upgraded to accept the discharge from the site in accordance with plans and specifications first approved by the Melbourne City Council – City Infrastructure.

Groundwater management

45. All groundwater and water that seeps from the ground adjoining the building basement (seepage water) and any overflow from a reuse system which collects groundwater or seepage water must not be discharged to the Melbourne City Council's drainage network. All contaminated water must be treated via a suitable treatment system and fully reused on site or discharged into a sewerage network under a relevant trade waste agreement with the responsible service authority.

Demolish and construct access

46. Prior to the occupation of the development, all necessary vehicle crossings must be constructed and all unnecessary vehicle crossings must be demolished and the footpath, kerb and channel reconstructed, in accordance with plans and specifications first approved by the Melbourne City Council – City Infrastructure.

Roads

47. Prior to the occupation of the development, all portions of roads affected by the building related activities of the subject land must be reconstructed together with associated works including the reconstruction or relocation of services as necessary at the cost of the



developer, in accordance with plans and specifications first approved by the Melbourne City Council – City Infrastructure.

Footpaths

48. Prior to the occupation of the development, the footpaths adjoining the site along Queen Street and A'Beckett Street must be reconstructed in sawn bluestone together with associated works including the renewal of kerb and channel with new sawn 300mm wide bluestone kerb and new 250mm wide bluestone gutterstone, provision of street furniture and modification of services as necessary at the cost of the developer, in accordance with plans and specifications first approved by the Melbourne City Council – City Infrastructure.

Street levels not to be altered

49. Existing street levels in roads adjoining the site must not be altered for the purpose of constructing new vehicle crossings or pedestrian entrances without first obtaining approval from the Melbourne City Council – City Infrastructure.

Existing street lighting not altered without approval

50. All street lighting assets temporarily removed or altered to facilitate construction works shall be reinstated once the need for removal or alteration has been ceased. Existing public street lighting must not be altered without first obtaining the written approval of the Melbourne City Council – City Infrastructure.

Existing street furniture

51. Existing street furniture must not be removed or relocated without first obtaining the written approval of the Melbourne City Council – City Infrastructure.

Street furniture

52. Prior to the occupation of the development, all street furniture such as street litter bins, recycling bins, seats and bicycle rails must be supplied and installed on the Queen Street and A'Beckett Street footpaths outside the proposed building to plans and specifications first approved by the Melbourne City Council – City Infrastructure.

Public lighting

53. Prior to the commencement of the development, excluding demolition and bulk excavation, or as may otherwise be agreed with the Melbourne City Council, a lighting plan must be prepared to the satisfaction of the Melbourne City Council. The lighting plan should be generally consistent with Council's Lighting Strategy and include the provision of public lighting in Queen Street and A'Beckett Street.
54. Prior to the occupation of the development, the lighting works must be undertaken in accordance with plans and specifications first approved by the Melbourne City Council – City Infrastructure.



Building Appurtenances and Services

55. No architectural features, plant and equipment or services other than those shown on the endorsed plans are permitted above roof level, unless with the prior written consent of the responsible authority and the Melbourne City Council or as otherwise exempt under the Melbourne Planning Scheme.

Head, Transport for Victoria Conditions

56. The demolition and construction of the development must not disrupt bus operations on Queens Street without the prior written consent of the Head, Transport for Victoria.
57. Any request for written consent to disrupt bus operations on Queen Street during the demolition and construction of the development must be submitted to the Head, Transport for Victoria not later than 8 weeks prior to the planned disruption and must detail measures that will occur to mitigate the impact of the planned disruption.
58. If the existing bus stop on Queens Street at the property frontage cannot be used during the construction of the development and a temporary bus stop must be provided at no cost and to the satisfaction of the Head, Transport for Victoria. Any request for a temporary bus stop must be submitted to the Head, Transport for Victoria not later than 8 weeks prior to the planned works.
59. Prior to the occupation of the development the temporary bus stop must be removed and reinstated to its original location (shown on the endorsed plans) all to the satisfaction of and at no cost to the Head, Transport for Victoria.

Residential Reticulated Gas Service Connection

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

3D Model

61. Prior to the occupation of the development, or as otherwise agreed with the responsible authority, a 3D digital model of the development must be submitted to and must be to the satisfaction of the responsible authority. In the event that substantial modifications are made to the building envelope and design, a revised 3D digital model must be submitted to and be to the satisfaction of the responsible authority, before these modifications are approved.



Expiry – Development

62. This permit 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.

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.

USEFUL INFORMATION

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

Building Approval Required

This permit does not authorise the commencement of any demolition or construction on the land. Before any demolition or construction may commence, the applicant must apply for and obtain appropriate building approval from a Registered Building Surveyor.

Other Approvals May be Required

This Planning Permit does not represent the approval of other departments of Melbourne City Council or other statutory authorities. Such approvals may be required and may be assessed on different criteria from that adopted for the approval of this Planning Permit.

Melbourne City Council - City Infrastructure

All necessary approvals and permits are to be first obtained from the Melbourne City Council and the works performed to the satisfaction of Melbourne City Council – City Infrastructure.

All projections over the street alignment must conform to Building Regulations 2018, Part 6, Sections 98 to 110 as appropriate. Reference can be made to the Melbourne City Council's Road Encroachment Operational Guidelines with respect to projections impacting on street trees and clearances from face / back of kerb.

The publicly accessible areas must remain the responsibility of the landowner(s) in perpetuity. Melbourne City Council is unlikely to agree to the internal laneways being made public.

Melbourne City Council - Transport

Melbourne City Council will not change on-street parking restrictions to accommodate the servicing, delivery and parking needs of this development, as the restrictions are designed to cater for other competing demands and access requirements. However, new parking restrictions may be introduced in the surrounding streets at the discretion of Melbourne City Council. As per Council's policy, new developments in this area that increase the density of residential development are not entitled to resident parking permits. Therefore, the residents of this development will not be eligible to receive parking permits and will not be exempt from any on-street parking restrictions.

Date of issue: 23 March 2026 Signature for the responsible authority:



Planning and Environment
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Melbourne City Council - Urban Forest and Ecology

A tree protection bond can be provided as a bank guarantee or by EFT. A bank guarantee must be:

1. Issued to City of Melbourne, ABN: 55 370 219 287.
2. From a recognised Australian bank.
3. Unconditional (i.e., no end date).
4. Executed (i.e., signed and dated with the bank stamp).

If the bond is to be lodged as an EFT, Council's bank details will be provided on request.

An acceptable bank guarantee is to be supplied to Council House 2, to a representative from Council's Urban Forest and Ecology Team. Please email trees@melbourne.vic.gov.au to arrange a suitable time for the bank guarantee to be received. A receipt will be provided at this time.

Any pruning works identified and approved in the Tree Protection Plan will only be undertaken once the Tree Protection Bond is lodged, all permits issued, and works are ready to commence.

On completion of the works, the Tree Protection Bond will only be released when evidence is provided of Project Arborist supervision throughout the works and a final completion report confirms that the public trees have not been affected by the works.

Approval for any tree removal is subject to the Tree Policy 2021, Melbourne City Council's Delegations Policy and requirements for public notification, and a briefing paper to Councillors. All options for tree retention must be explored and exhausted to the satisfaction of a Melbourne City Council Arborist before public tree removal, or significant pruning, is approved.

All costs in connection with the removal and replacement of public trees, including any payment for the amenity and ecological services value of a tree to be removed, must be met by the permit holder/developer/owner of the site. Costs will be provided and must be agreed to before Melbourne City Council removes the subject tree/s.

All new or replacement tree plots must maximise available soil volume and rooting area, with either enlarged pit dimensions, relocating, or providing protection of underground services or the use of structural soils.

Road naming

The names to any Roads or public areas shown on plans are indicative and have not been formally determined as a part of this application. Any naming process will need to occur in accordance with the relevant naming conditions within this Planning Permit.

Date of issue: 23 March 2026 **Signature for the responsible authority:**



Planning and Environment
Regulations 2015

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IMPORTANT INFORMATION ABOUT THIS PERMIT

WHAT HAS BEEN DECIDED?

The responsible authority has issued a permit.

(Note: This is not a permit granted under Division 5 or 6 of Part 4 of the **Planning and Environment Act 1987**.)

CAN THE RESPONSIBLE AUTHORITY AMEND THIS PERMIT?

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

WHEN DOES A PERMIT BEGIN?

A permit operates:

- from the date specified in the permit; or
- if no date is specified, from—
 - i. the date of the decision of the Victorian Civil and Administrative Tribunal, if the permit was issued at the direction of the Tribunal; or
 - ii. the date on which it was issued, in any other case.

WHEN DOES A PERMIT EXPIRE?

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

WHAT ABOUT REVIEWS?

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

Date of issue: 23 March 2026 **Signature for the responsible authority:**

