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PLANNING PERMIT

Permit No.:	PA2604312
Planning scheme:	Yarra Planning Scheme
Responsible authority:	Minister for Planning
ADDRESS OF THE LAND:	43 and 63-67 River Street, Richmond and Crown Allotment 2324 Parish of Jika Jika

THE PERMIT ALLOWS:

Planning scheme clause	Matter for which the permit has been granted
34.01-1	Use of the land for dwellings
34.01-4	Construct a building or construct or carry out works
42.03-2	Construct a building or construct or carry out works
	Construct a fence
	To remove, destroy and lop vegetation
43.02-2	Construct a building or construct or carry out works
	Construct a fence
44.04-2	Construct a building or construct or carry out works
52.06-3	Reduce the minimum number of car parking spaces required for the food and drink premises

Date of issue: 17 September 2026 **Signature for the responsible authority:**



THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

Amended Plans

1. Before the development starts, excluding bulk excavation, piling, site preparation works, and works to remediate contaminated land, 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 SJB Architects titled '43 & 63-67 River Street, Richmond' and within the plan package received May 2026, but amended to show:
 - a) All wind mitigation measures identified in the wind report to achieved acceptable comfort criteria;
 - b) Operable glazing to the west facing bedroom windows for the townhouses;
 - c) Capacity for the solar panels on the roof of Tower B (south building);
 - d) Rainwater tank capacity and reuse connections to address the Stormwater Management requirements;
 - e) Raingardens (as specified in the Stormwater Management Plan) to address the Stormwater Management requirements;
 - f) Dimensions and details of the awnings (including depth, length, headroom clearance and material) on elevations and sections;
 - g) Dimensions of the vehicle crossover to River Street;
 - h) The height clearance of all pergola structures as measured above natural ground level;
 - i) The application of a high-quality finish to the substation, integrated with the overall architectural features;
 - j) Provision of a convex mirror at the development entrance (Murphy Street) for the exit lane;
 - k) Dimensions of wall-to-wall of internal ramped accessways;
 - l) Dimensions of garage lengths of the townhouses;
 - m) Any encroaching columns into adjacent car spaces repositioned or the impacted car spaces affected nominates as Small Car Spaces;
 - n) The car spaces numbered;
 - o) A cross-sectional drawing for each vehicle crossing fronting the site, together with a ground clearance check using the B99 design vehicle to confirm that vehicle can enter and exit the development via the frontage roads without scraping or bottoming out;
 - p) Dimensions of all bicycle storage spaces, lifts, corridors and relevant access ways noted to demonstrate compliance with Australian Standard AS2890.3;
 - q) Bicycle security arrangements for the bicycle storage locations;
 - r) A plan notation confirming that utility doors that open over a Public Highway are able to swing at 180-degrees and be latched onto the building wall;
 - s) Any changes as a result of the Façade Strategy;
 - t) Any changes as a result of the Landscape Plans; and
 - u) Any changes as a result of the Sustainability Management Plan.



Compliance with documents approved under this permit

2. 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

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

Layout not altered

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

Architects

5. As part of the ongoing consultant team, SJB Architects, or an architectural firm to the satisfaction of the responsible authority, must be engaged to:
 - a) Oversee design and construction of the development; and
 - b) Ensure the design quality and appearance of the development is realised as shown in the endorsed plans or otherwise to the satisfaction of the responsible authority.

Façade Strategy

6. Concurrent with the endorsement of plans pursuant to Condition 1, a Façade Strategy must be submitted to and be approved by the responsible authority. The Façade Strategy must be generally in accordance with the decision plans and must detail:
 - 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 upper level details, key junctures and any special features which are important to the building's presentation.
 - c) Street level elevations at a scale of 1:20 (or similar) for all public interfaces. These elevations should include (where possible) plinths, canopies, integrated seating, window framing, operable windows, awnings over entries, integrated planters and the use of robust and fine-grained materials to different elements (columns, plinths, bench seats etc.).
 - 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.
 - 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.

The endorsed Façade Strategy 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.

Landscape Plan

7. Concurrent with the endorsement of plans pursuant to Condition 1, an amended Landscape Plan to the satisfaction of the responsible authority, in consultation with the Yarra City Council must be submitted to and approved by the responsible authority. When approved, the Landscape Plan will be endorsed and will form part of this permit. The amended Landscape Plan must be generally in accordance with the Landscape Plan prepared by Arcadia Landscape Architecture, dated May 2026, but modified to show / include:
- a) Consistency with the endorsed plans under condition 1;
 - b) Details of bench seat furniture item and planters, including typical soil depth and width for planted area and planters;
 - c) Drainage methods and lining materials;
 - d) Volume and type of growing media, of plant species, with wind-proof mulch to planters above the ground floor (such as screened rock/pebbles) is to be used;
 - e) Typical planting details for trees, shrubs, grasses, groundcovers and climbers, including details of proposed vertical growing structures including detail drawings, mounting technique etc;
 - f) Information on proposed irrigation including proposed water supply (potable or other), and type of irrigation (pop-ups or drip irrigation) for all garden bed areas and all upper-level loose pots/planters;
 - g) A maintenance schedule, including task details and frequency and access for maintenance purposes must be provided to all planted areas and planters;
 - h) The extent of the title boundary fence along the eastern title along the river interface;
 - i) Include the land within the title boundary as part of the private road to the south in the overall canopy cover calculation (including overall soil area calculations) and increase spacing and decrease proposed number of trees;
 - j) Provide tree planter details – including materials, dimensions, drainage and lining materials, and tree anchors where required. Trees should be planted in a minimum soil depth of 700mm, with sufficient soil volume to support long term growth;
 - k) Load bearing weights for the building structure checked and confirmed by a suitably qualified structural engineer against the saturated bulk density of soil media, planter box and plant mass being proposed;
 - l) Provision of a 24 month landscape maintenance of all landscape works to be included at the cost of the owner;
 - m) Provide detailed drawings for built elements such as furniture and planters, including:
 - i. Typical cross sections showing the width and depth of planter boxes and planting, including growing media, irrigation, drainage, water proofing and tree anchors;



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- ii. Dimensions (particularly soil depth and width for typical planted area and planters);
 - iii. Proposed materials, including drainage method and lining;
 - iv. For above ground planted areas (particularly rooftop terraces and green roofs), wind-resistant mulch is to be used; and
 - v. Provide information on any proposed vertical growing structures including detail drawings, mounting technique etc.;
 - n) Details of any proposed Water Sensitive Urban Design (WSUD) features such as raingardens including (but not limited to) dimensions, mulch, soil layers and filtration media, water supply method (from rooftop or otherwise), overflow measures;
 - o) Plant species and quantities for each planted area including plant species and quantities, as well as a legend containing key features, materials, and surfaces.
Proposed plants are to be:
 - i. Drawn at their mature size on the plan;
 - ii. Labelled or coded to correspond with the proposed plant schedule; and
 - iii. Appropriately selected for suitability to site conditions such as light, shade, microclimate, etc.
 - p) Provide information on proposed irrigation including proposed water supply (potable or other), and type of irrigation (pop-ups or drip irrigation). Note: the submitted Sustainable Management Plan states that landscape irrigation is to be connected to the proposed rainwater tank. This should be clearly noted on the landscape plans; and
 - q) Drainage information demonstrating that all raised planters are to be connected to stormwater (planters are not allowed to drain onto the footpath),
to the satisfaction of the responsible authority.
8. Before the building is occupied, or by such later date as approved in writing by the responsible authority, the landscaping works shown on the endorsed landscape plan must be carried out and completed to the satisfaction of the Yarra City Council. The landscaping shown on the endorsed landscape plan must be maintained by:
- a) Implementing and complying with the provisions, recommendations and requirements of the endorsed landscape maintenance plan;
 - b) Not using the areas set aside on the endorsed landscape plan for landscaping for any other purpose; and
 - c) Replacing any dead, diseased, dying or damaged plants,
to the satisfaction of the Yarra City Council.

Tree Protection Specification (TPS) and Tree Protection Plan (TPP) Required

9. Before development commences, a Tree Protection Specification (TPS) and Tree Protection Plan (TPP) must be prepared by a suitably qualified arborist (minimum AQF Level 5). All documents must be prepared in accordance with AS 4970:2025 – Protection of Trees on Development Sites. These documents must be submitted to and approved by the Yarra City Council.
10. The provision, recommendation and requirements of the endorsed TPS and TPP must be complied with and implemented to the satisfaction of the Yarra City Council.

Date of issue: 17 September 2026 Signature for the responsible authority:



Sustainability Management Plan

11. Concurrent with the endorsement of plans pursuant to Condition 1, an amended Sustainability Management Plan (SMP) to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority, in consultation with the Yarra 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 HIP V. HYPE Sustainability and dated 03 March 2026 but modified to have regard and include:
 - a) To the architectural drawings required at Condition 1 of this permit. to the satisfaction of the responsible authority.
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.

Stormwater Management Plan

14. Concurrent with the endorsement of plans pursuant to Condition 1, the Stormwater Management Plan prepared by Webber Design dated and 20 February 2026 must be endorsed by the responsible authority.
15. Prior to the occupation of the development, the provisions, recommendations and requirements of the endorsed Stormwater Management Plan 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.

Noise

16. Concurrent with the endorsement of plans pursuant to Condition 1, the Acoustic Report prepared by Acoustic Logic dated and 10 October 2025 must be endorsed by the responsible authority.
17. 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.

Waste Management Plan

18. Concurrent with the endorsement of plans pursuant to Condition 1, the Waste Management Plan (WMP) prepared by OneMileGrid and dated 8 May 2026 must be endorsed by the responsible authority.

Date of issue: 17 September 2026 **Signature for the responsible authority:**



19. The provisions, recommendations and requirements of the endorsed WMP 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.

Wind Assessment

20. Concurrent with the endorsement of plans pursuant to Condition 1, the Environmental Wind Conditions Study prepared by MEL Consultants and dated 5 May 2026 must be endorsed by the responsible authority.
21. The provisions, recommendations and requirements of the endorsed wind assessment report 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.

Green Travel Plan

22. Concurrent with the endorsement of plans pursuant to Condition 1, the Green Travel Plan prepared by OneMileGrid and dated 27 March 2026 must be endorsed by the responsible authority.
23. The provisions, recommendations and requirements of the endorsed Green Travel Plan 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.

Public Realm Improvements

24. Before the development starts, excluding bulk excavation, piling, site preparation works, and works to remediate contaminated land, or by such later date as is approved by the responsible authority, a Public Realm Works plan must be submitted to and approved by the responsible authority, in consultation with the Yarra City Council. When approved, the plan will be endorsed and will then form part of the permit. The Public Realm Works plan must show / include the following:

River Street

- a) Streetscape interface sections to show unobstructed path widths between the title boundary and the back of kerb;
- b) If kept in its location, a plan notation confirming that Council's infrastructure will be unaffected by the existing substation;

Crown Street

- c) The integration of a protection barrier such as bollards (located within site boundary) to delineate between parallel parking bays and pedestrian path;
- d) The relocation of bike hoops along the building line, with no obstruction to pedestrian access and broken down into smaller groupings;



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Birrarung interface

- e) Bicycle channels along at least one side of the stairs leading to the Main Yarra Trail, unless otherwise agreed by the responsible authority;
- f) Integrate directional signs to the top and bottom of the stairs;
- g) Plan notations confirming ownership and maintenance obligations for the stairs;

General

- h) Layout plan indicating all existing and proposed features and surface levels;
- i) Show all existing and proposed streetscape infrastructure including (but not limited to) light poles, drains and street signs;
- j) Clearly dimensioned elements including pedestrian paths and parking bays;
- k) All existing and proposed levels and surface grades;
- l) Demonstrate a seamless / DDA accessible transition from the public realm into the principal entrance to the proposed building(s) at ground floor level including any proposed setback;
- m) Reconstruction of all footpaths adjacent to the property in accordance with Council standards;
- n) Any existing and proposed trees and low cover planting;
- o) Directional signage to building entrances and key destinations with signs wall or fence mounted (i.e. not free standing) must be integrated into the design of the buildings;
- p) A clear paving delineation between public and private land and compliance with all relevant Australian standards;
- q) A plan notation confirming that all tactiles, handrails, ramps and landings will be accommodated within the subject site boundary and not protrude outside the subject site's title boundaries;
- r) Anti-skate measures must be incorporated into the design of relevant elements, ensuring they are discreetly integrated and do not contribute to material damage or increased maintenance requirements; and
- s) The design of any streetscape improvements must consider and address, including, but not limited to, the following matters:
 - i. Rationalisation of on-street parking bays, which has regard to public realm improvements and pedestrian amenities;
 - ii. Provision of vehicle swept-path diagrams demonstrating that all affected vehicle movements can occur safely and efficiently to the satisfaction of the responsible authority;
 - iii. Resolution of all drainage requirements associated with the kerb outstands and adjoining infrastructure;
 - iv. Compliance with all relevant accessibility requirements, ensuring all levels, grades and transitions are seamless and compliant;
 - v. Integration of existing and new street trees; and
 - vi. An assessment of existing street lighting conditions, with provision for lighting upgrades or improvements were required to support pedestrian safety and amenity.

25. Before the development starts, excluding bulk excavation, piling, site preparation works, and works to remediate contaminated land, or by such later date as approved in writing by the Responsible Authority, detailed design drawings of the works approved under the Public Realm Plan addressing all road infrastructure works (including soft/hard landscaping), must

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be submitted to and approved by the Yarra City Council's Civil Engineering Department. Once approved, the detailed design drawings will be endorsed and will then form part of the permit.

26. Before the building is occupied, all associated works shown on the endorsed detailed design plans for the public realm must be fully constructed and completed to the satisfaction of the Yarra City Council's Civil Engineering Department and at no cost to Yarra City Council.

Environmental Audit – Preliminary Risk Screen Assessment

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

28. 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.
29. 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.
30. If any of the recommendations 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 – Affordable Housing

31. Before the 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).

Legal Agreement – Staircase Link

32. Before the occupation of the development, the owner of the land must enter into an agreement pursuant to section 173 of the *Planning and Environment Act 1987* with the Yarra City Council. The agreement must provide the following:
 - a) Publicly accessible staircase link to remain unobstructed and maintained in good order to the satisfaction of the Yarra City Council; and
 - b) 24-hour 7 day a week unfettered public access provided to the Main Yarra Trail from River Street.

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

Civil Works

33. Before the buildings are occupied or by such later date as approved in writing by the Yarra City Council, the footpaths along the property's frontage(s) to River Street and Crown Street must be re-sheathed in asphalt:
 - a) at the permit holder's cost; and
 - b) to the satisfaction of the Yarra City Council.
34. Before the buildings are occupied, or by such later date as approved in writing by the Yarra City Council, the kerb and channel along the property's frontage(s) to River Street and Crown Street must be reconstructed:
 - a) at the permit holder's cost; and
 - b) to the satisfaction of the Yarra City Council.
35. Within 2 months of the completion or by such later date as approved in writing by the Yarra City Council, any damage to Council infrastructure resulting from the development must be reinstated:



- a) In accordance with Yarra Standard Drawings | Yarra City Council;
- b) at the permit holder's cost; and
- c) To the satisfaction of the Yarra City Council.

36. Any services poles, structures or pits that interfere with the proposal must be adjusted, removed or relocated at the Permit Holder's expense after seeking approval from the relevant authority.

Car Parking

37. Before the buildings are occupied, or by such later date as approved in writing by the Yarra City Council, the area set aside on the endorsed plans for the car parking spaces, access lanes, driveways and associated works must be:
- a) constructed and available for use in accordance with the endorsed plans;
 - b) formed to such levels and drained so that they can be used in accordance with the endorsed plans;
 - c) treated with an all-weather seal or some other durable surface; and
 - d) line-marked or provided with some adequate means of showing the car parking spaces,

to the satisfaction of the Yarra City Council.

Vehicle Crossings

38. Before the development commences (excluding bulk excavation, piling, site preparation works and works to remediate the site), or by such later date as approved in writing by the Yarra City Council, a vehicle crossing design must be submitted to the Yarra City Council's Civil Engineering Department for approval. The submitted design must demonstrate compliance with City of Yarra's, Vehicle Crossing Information Sheet.
39. Before the building is occupied, or by such later date as approved in writing by the Yarra City Council, the new vehicle crossings must be designed and constructed:
- a) at the Permit Holder's cost; and
 - b) to the satisfaction of the Yarra City Council.
40. Before the building is occupied, or by such later date as approved in writing by the Yarra City Council, any redundant vehicular crossing must be demolished and re-instated as standard footpath and kerb and channel:
- a) at the permit holder's cost; and
 - b) to the satisfaction of the Yarra City Council.

Bicycle Parking

41. All visitor and employee bicycle spaces must be ground level (horizontal) hoops and must comply with Clause 52.34 of the Yarra Planning Scheme, and the clearance and access-way requirements of AS2890.3.



Public Lighting Plan Required

42. Before the development commences (excluding demotion, bulk excavation, piling, and site preparation work), or by such later date as approved in writing by the Yarra City Council, a Public Lighting Plan must be submitted to and approved by the Yarra City Council's Civil Engineering Department. When approved, the Public Lighting Plan will be endorsed by the Yarra City Council and will form part of this permit. The Public Lighting Plan must be designed:
- a) address lighting along the length of the property to River, Murphy and Crown Streets including the Yarra River interface and the pedestrian and vehicle entrances to the approved building;
 - b) to comply with uniformity, access and maintenance requirements as per standard AS1158.3.1; and
 - c) to control light spillage in accordance with the requirements of AS 4282 – 2019, "Control of the obtrusive effects of outdoor lighting",

to the satisfaction of the Yarra City Council.

Ongoing Public Lighting Plan Requirement

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

Temporary Lighting Plan

44. Before any existing public lighting is removed, or by such later date as approved in writing by the Yarra City Council, a temporary lighting plan must be submitted to and approved by Yarra City Council. The temporary lighting is to be installed at the permit holder's cost and must remain operational until a new permanent lighting scheme is installed and operational, to the satisfaction of Yarra City Council.

General

45. Before the development is occupied, or by such later date as approved in writing by the responsible authority, all screening and other measures to prevent overlooking as shown on the endorsed plans must be installed to the satisfaction of the Yarra City Council. Once installed the screening and other measures must be maintained to the satisfaction of the Yarra City Council.
46. Before the building is occupied, or by such later date as approved in writing by the Yarra City Council, all new on-boundary walls must be cleaned and finished to the satisfaction of the Yarra City Council.
47. Before the building is occupied, any wall located on a boundary facing public property must be treated with a graffiti proof finish to the satisfaction of the Yarra City Council.



48. Finished floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Yarra City Council.
49. The amenity of the area must not be detrimentally affected by the use or development, including through:
- a) the transport of materials, goods or commodities to or from land;
 - b) the appearance of any buildings, works or materials;
 - c) the emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil; or
 - d) the presence of vermin,
- to the satisfaction of the Yarra City Council.

Development Contributions Plan

50. Prior to the commencement of the development, the Development Infrastructure Levy must be paid to Yarra City Council in accordance with the approved Development Contributions Plan, or the Owner must enter into an agreement with Yarra City Council to pay the amount of the levy within a time specified in the agreement.

Community Infrastructure Levy

51. Prior to the issue of a building permit, the Community Infrastructure Levy must be paid to Yarra City Council in accordance with the approved Development Contributions Plan.

Street Trees

52. Before the development commences, the permit holder must make a one-off contribution of \$11,496.00 (inclusive of GST and subject to annual CPI increase) to the Yarra City Council to be used for new street tree plantings that are required as a result of the development.

Construction Management Plan

53. Before the development commences, a Construction Management Plan to the satisfaction of the Yarra City Council must be submitted to and approved by the Yarra City Council. When approved, the plan will be endorsed and will form part of this permit. The plan must provide for (as appropriate):
- a) a pre-conditions survey (dilapidation report) of the land and all adjacent Council road frontages and nearby road infrastructure;
 - b) works necessary to protect road and other infrastructure;
 - c) remediation of any damage to road and other infrastructure;
 - d) containment of dust, dirt and mud within the land and method and frequency of clean up procedures to prevent the accumulation of dust, dirt and mud outside the land;
 - e) facilities for vehicle washing, which must be located on the land;
 - f) the location of loading zones, site sheds, materials, cranes and crane/hoisting zones, gantries and any other construction related items or equipment to be located in any street;
 - g) site security;



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- h) management of any environmental hazards including, but not limited to:
 - i. contaminated soil;
 - ii. materials and waste;
 - iii. dust;
 - iv. stormwater contamination from run-off and wash-waters;
 - v. stormwater runoff to the Yarra River during all phases of construction;
 - vi. sediment from the land on roads;
 - vii. washing of concrete trucks and other vehicles and machinery; and
 - viii. spillage from refuelling cranes and other vehicles and machinery;
- i) the construction program;
- j) preferred arrangements for trucks delivering to the land, including delivery and unloading points and expected duration and frequency, including having regard to the surrounding cycling network;
- k) parking facilities for construction workers;
- l) measures to ensure that all work on the land will be carried out in accordance with the Construction Management Plan;
- m) an outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services;
- n) an emergency contact that is available for 24 hours per day for residents and the Yarra City Council in the event of relevant queries or problems experienced;
- o) the provision of a traffic management plan to comply with provisions of AS 1742.3-2002 Manual of uniform traffic control devices - Part 3: Traffic control devices for works on roads;
- p) measures to mitigate any impacts on the Main Yarra Trail and the river environs;
- q) a Noise and Vibration Management Plan showing methods to minimise noise and vibration impacts on nearby properties (including businesses) and to demonstrate compliance with Noise Control Guideline 12 for Construction (Publication 1254) as issued by the Environment Protection Authority in October 2008. The Noise and Vibration Management Plan must be prepared to the satisfaction of the Yarra City Council. In preparing the Noise and Vibration Management Plan, consideration must be given to:
 - i. using lower noise work practice and equipment;
 - ii. the suitability of the land for the use of an electric crane;
 - iii. silencing all mechanical plant by the best practical means using current technology;
 - iv. fitting pneumatic tools with an effective silencer; and
 - v. other relevant considerations (including impacts on the operation of businesses);
- r) a detailed dilapidation report detailing and documenting the existing and post construction conditions of surrounding road infrastructure and adjoining private properties;
- s) if any existing public lighting assets require temporary disconnection, alternative lighting must be provided to maintain adequate lighting levels. A temporary lighting scheme can only be approved by Council and relevant power authority. Existing public lighting could only be disconnected once temporary alternative lighting scheme becomes operational; and
- t) any site-specific requirements.



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54. During construction:
- a) any stormwater discharged into the stormwater drainage system must be in compliance with Environment Protection Authority guidelines;
 - b) stormwater drainage system protection measures must be installed as required to ensure that no solid waste, sediment, sand, soil, clay or stones from the land enters the stormwater drainage system;
 - c) vehicle borne material must not accumulate on the roads abutting the land;
 - d) the cleaning of machinery and equipment must take place on the land and not on adjacent footpaths or roads; and
 - e) all litter (including items such as cement bags, food packaging and plastic strapping) must be disposed of responsibly.
55. The provisions, recommendations and requirements of the endorsed Construction Management Plan must be implemented and complied with to the satisfaction of the Yarra City Council.
56. Except with the prior written consent of the Yarra City Council, demolition or construction works must not be carried out:
- a) Monday-Friday (excluding public holidays) before 7 am or after 6 pm;
 - b) Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday) before 9 am or after 3 pm; or
 - c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.

Parks Victoria

57. Before the development on Crown land starts, a Landscape Rehabilitation Plan must be prepared in consultation with Parks Victoria and must be submitted to and approved by the responsible authority. The Landscape Rehabilitation Plan to be prepared for Crown Allotment 2324 must include, but not limited to:
- a) Weed management;
 - b) Landform stability measures; and
 - c) Planting with locally indigenous species where possible.

Once approved, the Landscape Rehabilitation Plan must be implemented to the satisfaction of Parks Victoria and must not be altered or modified without the prior written consent of Parks Victoria and the responsible authority.

58. Before the development on Crown land starts, a Construction and Environmental Management Plan (CEMP) must be prepared in consultation with Parks Victoria and must be submitted to and approved by the responsible authority. The CEMP must include, but not limited to:
- a) Construction methodology and access;
 - b) Sediment control;
 - c) Vegetation protection measures (where required); and
 - d) Any measures required to maintain safe public access to the adjacent Main Yarra Trail during construction within Crown land.



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

59. Before the development on Crown land starts, geotechnical and engineering advice demonstrating that the construction (including drainage) will not impose on the stability of the Crown land embankment or retaining structure adjacent to the Main Yarra Trail must be submitted to and approved by the responsible authority, in consultation with Parks Victoria.

Melbourne Water

60. The development (all buildings/dwellings) must be constructed with finished floor levels set no lower than 10.50 metres to Australian Height Datum (AHD), which is 600mm above the applicable flood level of 9.90 m to AHD.
61. Any proposed garage/s must be constructed with finished floor levels set no lower than 9.90 metres to AHD.
62. Any proposed basement ramps must provide an apex protection set no lower than 10.50 metres to Australian Height Datum (AHD).
63. All openings to the basement must be set no lower than 10.50 metres to Australian Height Datum (AHD).
64. Waterways setback - 30 metre setback from top of bank.
65. Any new fencing/gates (eastern property boundary) must be of an open style of construction (minimum 50% open) to allow for the passage of overland flows.
66. Prior to the commencement of works, a separate build over application must be made directly to Melbourne Water's Asset Protection Team for assessment and approval of any proposed works over or near Melbourne Water's sewer assets. Any proposed development within the vicinity of the assets must be designed to ensure there is no detrimental impact upon its structural integrity and performance.
67. Landscaping within 5.0 metres of the asset must comply with Melbourne Water's Planting Guidelines. A Plant near sewers, drains, waterways and water mains application detailing landscaping must be submitted for approval. If a Build Over application is also being made then Landscaping can be assessed under the Build Over application.
68. No services are to be installed across a Melbourne Water Asset, within an easement or owned land that are in favour of Melbourne Water unless approved by Melbourne Water. A separate Utility Installation application must be submitted.
69. The impact of the sewer gases from the ventilation stack must be assessed on the nearby units on levels 1-3. An odour distribution analysis study must be conducted to demonstrate that the residential units are not impacted by the proximity of the ventilation stack and include



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measures to mitigate potential impacts. The report must be submitted to Melbourne Water for records.

70. Works to be conducted surrounding the sewer must be undertaken in a manner that protects the sewer (i.e. minimum vibration, loading etc.).
71. Melbourne Water must always have access to the sewer assets, including the sewer vent stacks (i.e. during construction and after).
72. Prior to the commencement of works a separate application direct to Melbourne Water, must be made and approved of any new or modified storm water connection to Melbourne Water's drains or watercourses. Prior to accepting an application, evidence must be provided demonstrating that Council considers that it is not feasible to connect to the local drainage system.
73. Prior to the commencement of works, a detailed landscape plan must be submitted to Melbourne Water for approval. This plan must address the outcomes of any flora and fauna reports on the proposed works site and all areas potentially affected, both upstream and downstream, and must show:
 - a) A survey (including botanical names) of all existing vegetation to be retained and/or removed.
 - b) The survey should include a weed management program, the details of which must be provided to Melbourne Water and include the following information: botanical name of species targeted; location; method of control and timing of control;
 - c) Buildings and trees (including botanical names) on neighbouring properties within three metres of the boundary;
 - d) Details of surface finishes located on recreational pathways, maintenance access or any other pathways near waterways;
 - e) A planting schedule of all proposed trees, shrubs and ground covers, including: botanical names; common names; pot sizes; life-form; quantities of each plant; planting density (plants per square metre); planting zones/locations (in plan and cross-section form in colour). Landscape treatments with specifications of products such as mulching, erosion control matting, and rock beaching.

Note: planting zones must match with those in the planting schedule and that local indigenous plants should only be used. Weed control information should also be presented in tabular format.

74. Prior to commencement of site establishment works, a Site Environmental Management Plan (SEMP) must be produced and provided to Melbourne Water for approval. This document must be adopted on-site. The SEMP must address the following:

Staging plan of works as to clearly showing where minimisation of risks to waterway are being considered and disturbance to the riparian area is being avoided.

- a) Sediment and silt management controls
- b) Vegetation management techniques
- c) Access tracks

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- d) Spoil stockpiling
- e) Machinery/ Plant locations
- f) Exclusion fencing around native vegetation/habitat

Head, Transport for Victoria

75. Before the use starts (or at such other time agreed to in writing by the Head, Transport for Victoria), a Functional Layout Plan (FLP) must be submitted to and approved by the Head, Transport for Victoria. The FLP must be generally in accordance with the application plans prepared by OneMileGrid , report no. 250452TIA001C-F, Figure 20 and must:
- a) be prepared to the satisfaction of and at no cost to the Head, Transport for Victoria; and
 - b) include the following details:
 - i. installation of barrier linemarking on the east approach to River Street
76. Before the use starts, (or at such other time agreed to in writing by the Head, Transport for Victoria), the works must be completed generally in accordance with the approved Functional Layout Plan to the satisfaction of and at no cost to the Head, Transport for Victoria,

Residential Reticulated Gas Service Connection

77. 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 relevant planning scheme). This condition continues to have force and effect after the development authorised by this permit has been completed.
78. 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 relevant planning scheme). This condition continues to have force and effect after the development authorised by this permit has been completed.

3D Model

79. 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

80. This permit will expire if one of the following circumstances applies:
- c) The development is not started within 3 years of the issued date of this permit.
 - d) 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



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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)

Notes:

Head, Transport for Victoria

1. Before works start, separate approval/s under the Road Management Act 2004 may be required from the Head, Transport for Victoria for works within the road reserve.

Parks Victoria

Prior to the commencement of works on Crown Allotment 2324 Parish of Jika Jika (SPI 2324\PP2796), authorisation for both construction and maintenance of the staircase and associated works must be granted by Parks Victoria.

Yarra City Council

A building permit may be required before development is commenced. Please contact Council's Building Services on 9205 5555 to confirm.

Provision must be made for drainage of the site to a legal point of discharge. Please contact Council's Building Services on 9205 5555 for further information.

All property owners or occupiers within a development approved under this planning permit, will not be eligible for residential or visitor parking permits unless the development has heritage controls where parking would adversely affect the integrity of the heritage place, or if there's no increase in occupancies and the development does not reduce existing on-site parking. For more information refer to www.yarracity.vic.gov.au/residents/transport/parking/parking-permits.

All future business (whether as owners, lessees/tenants, occupiers) within a development approved under this planning permit, will not be eligible for business parking permits unless the development has heritage controls where parking would adversely affect the integrity of the heritage place, or if there's no increase in separate occupancies and the development does not reduce existing on-site parking. For more information refer to www.yarracity.vic.gov.au/residents/transport/parking/parking-permits.

These premises will be required to comply with the *Public Health and Wellbeing Act 2008*. The use must not commence until registration has been granted by Council's Health Protection Unit.

In accordance with the Yarra Planning Scheme, an 8.65% public open space contribution will apply in the event of the subdivision of the land.

A local law permit (e.g. Asset Protection Permit, Road Occupation Permit) may be required before development is commenced. Please contact Council's Construction Management Branch on Ph. 9205 5555 to confirm.

The site is located within an Environmental Audit Overlay. Pursuant to Clause 45.03 of the Yarra Planning Scheme, the requirements of the Environmental Audit Overlay must be met prior to the commencement of development permitted under the permit.

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The permit holder must apply for a Legal Point of Discharge under Regulation 133 – Stormwater Drainage of the Building Regulations 2018 from Yarra Building Services unit. Any storm water drainage area within the property must be provided for and be connected to the nearest Council pit of adequate depth and capacity (legal point of discharge), or to Council's satisfaction under Section 200 of the Local Government Act 1989 and Regulation 133. Areas must be provided inside the property line and adjacent to the footpath to accommodate pits and meters. No private pits, boundary traps, valves or meters on Council property will be accepted.

No parking restriction signs or line-marked on-street parking bays are to be removed, adjusted, changed or relocated without approval or authorisation from Council's Parking Management Unit and Construction Management branch.

The removal of any kerbside parking sensors and any reinstatement of parking sensors will require the Permit Holder to pay Council the cost of each parking sensor taken out from the kerb/footpath/roadway. Any costs associated with the reinstatement of road infrastructure due to the removal of the parking sensors must be borne by the Permit Holder.

Any services poles, structures or pits that interfere with the proposal must be adjusted, removed or relocated at the owner's expense after seeking approval from the relevant authority.

Any on-street parking reinstated as a result of development works must be approved by Council's Parking Management unit.

A local law permit may be required for tree removal or lopping. Please contact Council's Compliance Branch on 9205 5555.



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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.

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