

## PLANNING PERMIT

|                               |                                                                                                                                                                                                                               |
|-------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Permit No.:</b>            | PA2604326                                                                                                                                                                                                                     |
| <b>Planning scheme:</b>       | Yarra Planning Scheme                                                                                                                                                                                                         |
| <b>Responsible authority:</b> | Minister for Planning                                                                                                                                                                                                         |
| <b>ADDRESS OF THE LAND:</b>   | <b>188-202 Swan Street Cremorne</b> <ul style="list-style-type: none"><li>• Lot 1 on Title Plan 372526T</li><li>• Lots 1 and 2 on Plan of Subdivision 348063J</li><li>• Lots 1 and 2 on Plan of Subdivision 335544P</li></ul> |

### THE PERMIT ALLOWS:

| <b>Planning scheme clause</b> | <b>Matter for which the permit has been granted</b>                                    |
|-------------------------------|----------------------------------------------------------------------------------------|
| 34.01-4                       | Construct a building or construct or carry out works                                   |
| 43.01-1                       | Demolish or remove a building<br>Construct a building or construct or carry out works  |
| 43.02-2                       | Construct a building or construct or carry out works                                   |
| 45.07-1                       | Develop land not in the City Link Project Area or CityLink Tulla Widening Project Area |

### 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.

#### Early works plan

3. Before the development starts, including demolition, bulk excavation, piling, and site preparation works, early works plans must be approved and endorsed by the responsible

**Date of issue:** 31 July 2026 **Signature for the responsible authority:**



authority. The plans must be prepared to the satisfaction of the responsible authority, be drawn to scale with dimensions, and include the following details:

- a) Demolition floor plans and elevations.
- b) Notations confirming extent of retention of the retained heritage building and any elements to be reconstructed.

#### **Conservation Management Plan**

4. Before the development starts, including demolition, bulk excavation, piling, and site preparation works, a Conservation Management Plan (CMP) must be approved and endorsed by the responsible authority in consultation with Yarra City Council. The conservation plan must be prepared to the satisfaction of the responsible authority, and must:

- a) Identify the buildings and works to be conserved and include:
  - i. window and door repairs/restoration
  - ii. external joinery restoration
  - iii. stripping of painted brickwork
- b) Details of how the retained portion of the heritage building is going to be supported during demolition, excavation and construction works. This detail must be supported through a Structural Engineering Report
- c) Detailed construction drawings
- d) Comprehensive colour photographic record of the heritage building recording the interior and exterior of the building and accompanied by plans indicating the location of the photographs.
- e) Reconstruction of the eastern return wall with materials/finishes consistent with the original, reusing existing bricks where possible.
- f) Restoration of the front facade, retained chimney and shopfront awning

#### **Approved and endorsed plans – changes required**

5. Before the development starts, excluding demolition, bulk excavation, piling, and site preparation works, plans must be approved and endorsed by the responsible authority. The plans must be prepared to the satisfaction of the responsible authority, be drawn to scale with dimensions, be generally in accordance with the plans prepared by Cox Architecture and dated 27 March 2026, Revision 2, but amended to show the following details:

- c) Podium height, street wall height and maximum building height dimensioned from NGL on all elevations.
- d) The 'Commercial' tenancy in the south-east corner changed to 'Office' use in accordance with Clause 34.02-1.
- e) Apartment Type C03.1 layout reconfigured to have balcony relocated from northwest frontage to northeast frontage and remove privacy screening treatment to the bedrooms of Apartment Type C04.1.
- f) Studio apartments to have Juliette balconies in metal balustrade material or similar, consistent with façade strategy requirements



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- g) Provide non-trafficable landscaping to the periphery of the Level 1 outdoor amenity space to provide buffer to apartments fronting onto the resident amenity space.
- h) Bicycle parking allocation notated between residents, employees and visitors.
- i) Notation showing the secure north-south laneway entry provides unobstructed access during business hours and safe/efficient access after-hours, without obstructing the Swan Street footpath or laneway.
- j) Notation showing the location of signage and wayfinding directional signs provided at the entrances of the north-south pedestrian link.
- k) Clearly show awnings over the ground floor Swan Street frontage, with dimensions and setback from kerb.
- l) Residential mailroom replaced with concierge desk and seating area, including an entry into the residential lobby from the southern wall.
- m) Remove landscaping along Royal Place; replace with paving within the setback between the 'Commercial' tenancy and the laneway.
- n) Relocate the 8 visitor bicycle spaces along Royal Place to near a main entrance, complying with the Clause 52.34 visitor rate and AS2890.3.
- o) Provision of lighting along the north-south laneway.
- p) Provision of a secure door at the entrance to the back-of-house / retail passage and the north-south laneway.
- q) Provision of bicycle parking in accordance with Clause 52.34 of the Yarra Planning Scheme
- r) Dimensions of bicycle parking spaces (door openings, aisle widths, lifts, corridors, accessways) demonstrating compliance with Clause 52.34 and AS2890.3
- s) Bicycle parking wayfinding signage locations shown and a schedule provided in accordance with Clause 52.34-7.
- t) Full compliance with the Standards for Clause 58.05-1 (Accessibility), 58.07-1 (Functional Layout), and 58.07-4 (Natural Ventilation).
- u) North correctly depicted on the plans.
- v) Any changes required by the Façade Strategy
- w) Any changes required by the Conservation Management Plan
- x) Any changes required by the Landscape Plans
- y) Any changes required by the Sustainability Management Plan
- z) Any changes required by the Public Realm Plan
- aa) Any changes required by the Waste Management Plan
- bb) Any changes required by the Traffic and Carparking Management Plan
- cc) Any changes required by the Wind Report
- dd) Any changes required by the Acoustic Report



**Layout not altered**

6. 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.

**Retention of architect**

7. Except with the written consent of the responsible authority, Cox Architecture 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 responsible authority.

**Landscape and Public Realm Plan**

8. Before the development starts, excluding demolition, bulk excavation, piling, and site preparation works, a landscape plan must be approved and endorsed by the responsible authority in consultation with Yarra City Council. The landscape plan must be prepared to the satisfaction of the responsible authority, be drawn to scale with dimensions, be generally in accordance with the Landscape Report prepared by Oculus and dated 2 April 2026, but amended to include the following details:

- a) Layout of landscaping and planting within all open areas of the subject land
- b) A survey (including botanical names) of all existing vegetation to be retained and/or removed
- c) Details of surface finishes of pathways and driveways
- d) a planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant
- e) Details of how the project responds to water sensitive urban design principles, including how storm water will be mitigated, captured, cleaned and stored for onsite use and the location and type of irrigation systems to be used including the location of any rainwater tanks to be used for irrigation
- f) Clear demarcation of public realm and private spaces, including arrangements for pedestrian, bicycle and vehicular circulation
- g) The extent of any cut, fill, embankments or retaining walls associated with the landscape treatment of the site
- h) Streetscape infrastructure and works, including any works along Swan Street
- i) Provide non-trafficable landscaping to the periphery of the Level 1 outdoor amenity space to provide buffer to apartments fronting onto the resident amenity space.
- j) External lighting for north-south pedestrian link to address pedestrian safety, this can include centenary lighting and other measures to ensure appropriate visibility and perceived safety for pedestrians.
- k) Dimensioned paths and parking bays
- l) DDA-compliant level transitions across footpaths and into the principal entrance
- m) Works necessary to facilitate continued legal vehicle access between Railway Place and Royal Place, including tree removal, kerb reinstatement and localised road resurfacing.



- n) A detailed maintenance schedule including arrangements for tasks, frequency, record keeping, façade access and contractor obligations.

### **Completion of Landscaping**

9. Before the development is occupied or within six months of completion of the development, the landscaping shown on the approved landscape plan must be carried out and completed to the satisfaction of Yarra City Council.

Yarra City Council may consent in writing to vary this requirement.

### **Public Realm Works**

10. Before the development starts, excluding demolition, bulk excavation, piling, and site preparation works detailed design drawings of the Public Realm Plan works (incl. soft/hard landscaping) to be submitted to and approved by Yarra City Council's Civil Engineering Department.
11. Before the building is occupied, all public realm works on the endorsed detailed design plans must be fully constructed and completed to the Yarra City Council's Civil Engineering Department's satisfaction, at no cost to the council.

### **Façade Strategy**

12. Concurrent with the endorsement of plans, a façade strategy must be approved and endorsed by the responsible authority. The façade strategy must be prepared to the satisfaction of the responsible authority, be drawn to scale, and must include the following details:
- a) A concise description by the architect of the building design concept and how the façade works to achieve this.
  - b) A schedule of colours, materials and finishes, including the colour, type and quality of materials showing their application and appearance. This can be demonstrated in coloured elevations or renders from key viewpoints, to show the materials and finishes, and linking them to a physical sample board with clear coding.
  - c) Elevation details generally at a scale of 1:50, or other suitable scale agreed to by the responsible authority, illustrating typical building details, entries and doors, utilities, and any special features which are important to the building's presentation.
  - d) Cross sections or other 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, maintained and cleaned.
  - f) Confirmation external glazing and cladding reflects no more than 20% visible light at 90 degrees to the surface of the material, except with the written consent of the responsible authority.
  - g) Entrance to the north-south laneway (west) and street wall (west of retained heritage buildings) to adopt a higher degree of solid to void.
  - h) Apartment Type C03.1 layout reconfigured to have balcony relocated from northwest frontage to northeast frontage and remove privacy screening treatment to the bedrooms of Apartment Type C04.1.



- i) Extend burgundy coloured masonry (Material MS 04) or similar tone material to the recessed upper levels to create a more cohesive materiality to built form.
- j) Introduce metal (or similar material) balustrades to reduce glazed expression and improve overall articulation.
- k) Any screening to improve internal amenity being well integrated and resolved.

#### **Sustainability Management Plan**

13. Before the development starts, excluding demolition, bulk excavation, piling, and site preparation works, a Sustainability Management Plan (SMP) must be approved and endorsed by the responsible authority. The SMP must be prepared to the satisfaction of the responsible authority, be generally in accordance with the SMP prepared by Wrap Consulting and dated 2 April 2026, but modified to include the following details:
- a) Preliminary NatHERS report for a representative sample showing min. 7-star average and no dwelling exceeding 30 MJ/m2 cooling load.
  - b) Office use at ground the floor

#### **Implementation of SMP Statement Initiatives**

14. Within six months of the occupation of the development, a report from the author of the endorsed SMP report must be submitted to and approved by the responsible authority. The report must outline how the design initiatives implemented within the completed development achieve the performance outcomes specified in the endorsed report and in accordance with Clause 43.02, to the satisfaction of the responsible authority.

#### **Green Travel Plan**

15. Before the development starts, excluding demolition, bulk excavation, piling, and site preparation works, a Green Travel Plan must be approved and endorsed by the responsible authority. The Green Travel Plan must be prepared to the satisfaction of the responsible authority, be generally in accordance with the SMP prepared by Trafix Group and dated 7 April 2026.

#### **Waste Management Plan**

16. Before the development starts, including demolition, bulk excavation and site preparation works, a Waste Management Plan must be approved and endorsed by the responsible authority. The plan must be prepared to the satisfaction of the responsible authority and be generally in accordance with Waste Management Plan prepared by Trafix Group and dated 7 April 2026 but modified to include the following details:
- a) Office use at the ground floor

#### **Traffic and Parking Management Plan**

17. Before the development starts, excluding demolition, bulk excavation and site preparation works, a Traffic and Parking Management Plan must be approved and endorsed by the responsible authority. The plan must be prepared to the satisfaction of the responsible authority and be generally in accordance with Traffic Engineering Assessment prepared by Trafix Group and dated 7 April 2026 but modified to include the following details:
- a) Office use at the ground floor.



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- b) The means by which the on-site car parking and bicycle parking spaces will be allocated and managed.
- c) The location of all areas on-site and/or off-site to be used for staff and visitor parking.
- d) The means by which the direction of traffic, bicycle and pedestrian flows to and from car parking areas will be controlled both on-site and off-site.
- e) The number and location of all on-site security staff
- f) A wayfinding signage schedule
- g) End-of-trip bicycle facilities
- h) Waste storage and collection details, including loading and unloading
- i) Measures to preclude staff parking in designated patron car parking areas.

**Wind Assessment**

18. Before the development starts, excluding demolition, bulk excavation and site preparation works, a Wind Assessment must be approved and endorsed by the responsible authority. The plan must be prepared to the satisfaction of the responsible authority and be generally in accordance with Wind Assessment prepared by Mel Consultants and dated 1 April 2026 but modified to include the following details:
- a) Wind tunnel testing demonstrating that acceptable wind levels will result from the development on and off site.
  - b) Any further modifications and mitigation measures required to the development in order to ensure acceptable wind conditions to the surrounding streets, public areas and pedestrian through site link.
  - c) Wind impact and any further mitigation measures on external balconies/communal open spaces.

**Acoustic Report**

19. Before the development starts, excluding demolition, bulk excavation and site preparation works, an Acoustic Report must be approved and endorsed by the responsible authority. The plan must be prepared to the satisfaction of the responsible authority and be generally in accordance with Acoustic Report prepared by Acoustic Logic and dated 1 April 2026.

The responsible authority may consent in writing to alter the requirements.

**Light emissions**

20. External lighting must be designed, baffled and located to prevent any adverse effect of light spill on adjoining land to the satisfaction of the responsible authority.

**Noise Implementation**

21. Before occupation of the development, an Acoustic Report by a suitably qualified acoustic engineer assessing compliance of the residential use and, where necessary, recommending measures to limit noise impacts per the Environment Protection Regulations under the EPA Act 2017 and the Noise Protocol (Publication 1826.4, EPA May 2021).

Date of issue: 31 July 2026 Signature for the responsible authority:



### Street Trees

22. Before the development starts, excluding demolition, bulk excavation and site preparation works, Tree Protection Fencing must be installed and maintained around any street trees proposed to be retained along the Railway Place frontage and eastern side of Royal Place until works are completed to the satisfaction of Yarra City Council.
23. All works within the nominated Tree Protection Zones must be:
- a) Carried out in accordance with Australian Standard 4373–2007 Pruning of amenity trees and Australian Standard 4970–2025 Protection of trees on development sites
  - b) Overseen by a suitably qualified, level-5 arborist
  - c) Carried out to the satisfaction of the responsible authority by suitably trained and qualified arboricultural staff.
24. Any removal, pruning or impact to street trees requires the prior consent of Yarra City Council. All associated fees and costs are to be borne by the permit holder.
25. Before development commences (incl. demolition/site prep/bulk excavation), the permit holder must provide an Asset Protection Bond of \$20,000 (ex GST) per tree for the trees within on the eastern side of Royal Place, on terms to Yarra City Council's satisfaction.

### Section 173 Agreement – Affordable Housing

26. Before the use or development of the land begins, excluding demolition, excavation, piling, site preparation works, and works to remediate contaminated land, the owner of the land must enter into an agreement with the responsible authority under section 173 of the Act, in a form to the satisfaction of the responsible authority, that provides for a contribution towards affordable housing (affordable housing contribution) by way of either of the following options:
- a) At least 10 per cent of the total number of dwellings in the development must be provided as affordable housing for sale or lease to a registered housing agency or to Homes Victoria. The details of when and how the affordable housing will be delivered and the total value of the affordable housing contribution must be set out in the agreement. The affordable housing dwellings provided should be representative of the approved dwelling mix to the satisfaction of the responsible authority.
  - b) An alternative contribution of at least 3 per cent of the total development cost 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 landowner must pay the responsible authority's reasonable costs of the preparation, execution, registration and ending of the section 173 agreement (where applicable).

### Section 173 Agreement – Privately owned public spaces/links

27. Before occupation, the owner of the land must enter into an agreement with Yarra City Council under section 173 of the *Planning and Environment Act 1987*. The agreement must be in a form to the satisfaction of Yarra City Council, and the permit holder must be responsible for the expense of the preparation and registration of the agreement, including the responsible authorities' reasonable costs and expenses (including legal expenses) incidental to the



preparation, registration and enforcement of the agreement. The agreement must provide the following:

- a) The north-south pedestrian link will remain privately owned and controlled;
- b) Require the owner of the land to maintain unobstructed public access between 7am to 10pm (7 days a week) to the pedestrian link, excepting building and pedestrian link maintenance;
- c) Provide that the owner of the land is solely responsible for the maintenance and management of the pedestrian link at the owner's cost and to the satisfaction of Yarra City Council and
- d) Provide that the design, materiality, function and operation of the pedestrian link be to the satisfaction of Yarra City Council.

**Head, Transport for Victoria Conditions**

28. Prior to the endorsements of any development plans, excluding demolition works, an Engineering report from a suitably qualified Engineer outlining the design, management and construction techniques to be implemented prior, during and following excavation to prevent any impact of the City Link assets and infrastructure is to be submitted to the Head, Transport for Victoria and City Link for approval. Once approved, the Engineering Report will form part of the planning permit. Without limiting the scope of the report, it must consider all relevant structural and geotechnical issues, including but not limited to, demonstrating:

- a) That the development will not compromise the structural integrity of CityLink assets and infrastructure
- b) The load and ground stress effected by the development
- c) That the development will not result in temporary or permanent drawdown of the regional groundwater table.
- d) Any holding points requiring the Head, Transport for Victoria inspection and approval prior to releasing the hold points.

29. In addition to Condition 28 above, the Head, Transport for Victoria and City Link must be informed of the following:

- a) Initial ground water level
- b) The reduced level temporary dewatering during basement excavation is intended to lower the water table to, the extraction rate and duration of dewatering, and the expected recharge duration after cessation of dewatering
- c) If the completed basement is tanked or drained
- d) If drained, confirm flow rate into the basement and the height and extent of the permanent lowering of the water table.



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30. Before the development starts, or such other time agreed to in writing by the Head, Transport for Victoria, amended plans to the satisfaction of the Head, Transport for Victoria must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the plans submitted with the application (Drawings TP11-0000, TP210600-1141, TP30-1010-1040, TP31-0100-0500, TP41-1010-1020, TP51-000-1073, TP8500-08, TP85-00-08, dated 27/3/2026, Revision 8 prepared by Cox Architecture Pty Ltd but modified to show:
- a) the designs prevent items from being thrown or falling onto railway land from any part of the building development.
  - b) the development design does not require people to access onto railway land, or breach electrical safety requirements, for the purposes of routine cleaning, replacement, inspection, maintenance and repair of any part of the building or development.
  - c) the development does not cause reflected sunlight to interfere with train driver visibility or interpretation of rail signals.
  - d) the development does not reflect or refract artificial light such that it interferes with train driver visibility or interpretation of rail signals.
  - e) the development exterior avoids use of red, green or yellow colour schemes that may interfere with driver operations.
  - f) the development's landscaping and planting will not interfere with train driver visibility or interpretation of rail signals upon completion or in the future.
  - g) the development's landscaping and planting will not facilitate illegal access to railway land over boundary fence or wall via tree climbing upon completion or in the future.
  - h) the development's landscaping and planting will not cause damage to any rail assets or infrastructure, via root or branch ingress, upon completion or in the future.
31. Any windows doors and balconies that are set back from, and generally facing the railway land title boundary shall:
- a) be designed to prevent items from being thrown or falling onto railway land.
  - b) not require people to access onto railway land for the purposes of cleaning, replacement, inspection and maintenance.
  - c) not cause reflected sunlight to interfere with train driver visibility or interpretation of rail signals.
  - d) not reflect or refract artificial light such that it interferes with train driver visibility or interpretation of rail signals.



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32. Prior to the commencement of work on site detailed construction / engineering plans and structural computations for any construction facing railway infrastructure or railway land must be submitted and approved by Vic Track and the Head, Transport for Victoria. The plans must detail all basement excavation design, retention works and controls of the site adjacent to the railway corridor having any impact on railway land. The design plans must ensure compliance with:
- a) the relevant Rail Transport Operator's engineering standard for minimum structural gauge clearances
  - b) minimum clearances to all electrical assets and procedures for works adjacent such assets, including:
    - i. Energy Safe Victoria (ESV) requirements for minimum clearances to electrical assets and works adjacent.
    - ii. Australian Standards AS2067, AS7000 and Electricity Safety (General Regulations 2019, Part 6) for clearances to electrical assets. Clearances required include for safe working, fire life safety design, electromagnetic interference and earthing, bonding, and electrolysis mitigation design.
    - iii. Any other reasonable safety requirements required by the Rail Operator.
  - c) the required rail collision loadings and collision protection measures for the building supports adjacent the rail tracks in accordance with AS5100 Part 1 – 'Bridge Design, Scope and General Principles'.
  - d) earthquake design loadings for structure designated as a minimum Importance Level 2, by AS1170.4 – 'Structural Design Actions, Earthquake Actions in Australia'.
  - e) demonstration that ground stabilisation devices, such as temporary or permanent ground anchors, soil nails, reinforced earth straps, do not penetrate onto railway land.
33. Before development starts (including demolition and bulk excavation), all necessary construction control agreements and indemnity agreements must be prepared and entered into with the Head, Transport for Victoria to the satisfaction of, and at no cost to, the Head, Transport for Victoria and the Rail Operator.
34. Prior to commencement of demolition or construction works, the Rail Operator must be contacted through the email address [metrositeaccess@metrotrains.com.au](mailto:metrositeaccess@metrotrains.com.au) to obtain the Rail Operator's conditions and safety requirements for works on, over or near to railway land. Furthermore, the developer is required to contact the Developer Interface Projects team, Department of Transport and Planning on [developerinterfaceprojects@transport.vic.gov.au](mailto:developerinterfaceprojects@transport.vic.gov.au) to obtain guidance and information regarding pre-construction activities.
35. Prior to the commencement of works, at no cost to the Head, Transport for Victoria, the Permit Holder must engage the Rail Operator to undertake appropriate radio coverage modelling and analysis of the development.

Where the modelling demonstrates that the development will adversely affect rail operational communications or safe operations, the Permit Holder must implement reasonable and suitable mitigation measures to the satisfaction of, and at no cost to, the Rail Operator and the Head, Transport for Victoria.

Such mitigation measures may include, but are not limited to, relocation, reconstruction, or upgrading of radio communications antennas and supporting infrastructure. Prior to the



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occupation of the buildings hereby approved, the development must be demonstrated, to the satisfaction of the Rail Operator, not to interfere with Digital Train Radio Systems (DTRS).

36. Before development starts (including demolition and bulk excavation), a Traffic Management Plan must be submitted to, and approved by, the Head of Transport for Victoria. The Traffic Management Plan must provide for:

- a) how public transport operations, traffic, walking and cycling movements will be managed during the demolition and construction; and
- b) how any traffic impact to the railway land and associated infrastructure assets will be mitigated.

The Traffic Management Plan must be implemented and complied with to the satisfaction of the Head, Transport for Victoria.

All costs associated with the preparation and implementation of the Traffic Management Plan will be at no cost to the Head, Transport for Victoria.

The endorsed Traffic Management Plan must not be modified without the prior written consent of the Head, Transport for Victoria.

37. Before development starts (including demolition and bulk excavation), separate Demolition and/or Construction Management Plan must be submitted to and approved by the Head, Transport for Victoria. When approved, the Demolition and Construction Management Plan will form a part of this permit. The Demolition and Construction Management Plan must include (but not be limited to) details of:

- a) the buildings, works and other measures necessary to:
  - i. protect railway land, track, overhead power and associated infrastructure.
  - ii. Prevent or minimise disruption to the operation of the railway.
- b) the remediation of any damage to railway land, track, overhead and underground power and communication assets, and associated infrastructure.
- c) details of required access to the railway land during demolition and construction of the development with appropriate durations and schedules.
- d) arrangements for:
  - i. any hoarding associated with the construction of the development at the railway boundary or that encroaches onto or overhangs railway land.
  - ii. piling, excavation, shoring, stabilising, anchoring, filling, earthworks or construction associated with the development occurring on or next to the boundary of the railway land.
  - iii. crane location(s), slew radius and slew locking proposals
  - iv. the deposit or store of waste, fill or other materials associated with the development on the railway land.
  - v. air and dust management.
  - vi. operating hours.
  - vii. noise and vibration controls.
  - viii. the management of site drainage, effluent and waste.
  - ix. the security of the railway land and associated infrastructure.

All demolition and construction works must be carried out in accordance with the approved Demolition and Construction Management Plan unless with the prior written consent of the



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Head, Transport for Victoria. The Demolition and Construction Management Plan must be prepared, implemented and monitored at no cost to the Head, Transport for Victoria. The Demolition and Construction Plan must be consistent with any Construction Management Plan required by the Responsible Authority.

38. There are two tramway poles in the vicinity but carry no aerial feeder cables. Prior to working proximity to the tram poles, please lodge an inquiry at [permits@yartratams.com.au](mailto:permits@yartratams.com.au) and arrange a site visit with one of our No-Go Zone assessors. The site visit should include development construction supervisor/contractor to ensure that the proposed work methodology and use of mobile plant will be informed and confirmed.
39. Yarra Trams is concerned that the new traffic volumes generated by this development will exacerbate negative tram performance on Route 70, which already experiences delays in this precinct. Traffic impact assessment must be submitted at no cost to and to the satisfaction of Head, Transport for Victoria and relevant Rail Transport Operator. The contact detail for traffic impact submission should be [DL-TrafficEngineer@yartratams.com.au](mailto:DL-TrafficEngineer@yartratams.com.au)
40. No drainage, effluent, waste soil or other materials must enter or be directed to railway land from the development site or be stored or deposited on railway land by the proponent.
41. Access to railway assets by rail staff for the purposes of inspection, cleaning, maintenance and repair shall be maintained at all times. Existing access routes to railway land shall not be closed, diverted or modified without prior agreement with the by the Head, Transport for Victoria and the relevant Rail Transport Operator(s).

**Construction Management Plans**

42. Before the development starts including early works, demolition, remediation, bulk excavation and site preparation works, a Construction Management Plan (CMP) must be submitted to, and approved by Yarra City Council. Once approved, the Construction Management Plan will be endorsed to form part of this permit and must be implemented to the satisfaction of Yarra City Council. The plan must address, but not be limited to, the following:
  - a) Pre-conditions (dilapidation) survey
  - b) Protection and remediation of road/infrastructure
  - c) Containment of dust/dirt/mud
  - d) On-site vehicle washing
  - e) Locations of loading zones/site sheds/cranes/gantries
  - f) Site security; management of environmental hazards (contaminated soil, materials/waste, dust, stormwater contamination, sediment, truck washing, refuelling spillage); construction program; truck delivery arrangements; worker parking
  - g) Compliance measures; requests to occupy footpaths/roads
  - h) A24-hour emergency contact; a traffic management plan (AS 1742.3-2002)
  - i) And a Noise and Vibration Management Plan (Noise Control Guideline 12, Publication 1254). During construction: EPA-compliant stormwater discharge and protection measures
  - j) No vehicle-borne material on roads
  - k) On-site machinery cleaning; responsible litter disposal.

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l) Any other relevant matters

43. Before the development starts excluding early works, demolition, remediation, bulk excavation and site preparation works, a Construction Management Plan (CMP) must be submitted to, and approved by Yarra City Council. Once approved, the Construction Management Plan will be endorsed to form part of this permit and must be implemented to the satisfaction of Yarra City Council. The plan must address, but not be limited to, the following:
- a) Pre-conditions (dilapidation) survey
  - b) Protection and remediation of road/infrastructure
  - c) Containment of dust/dirt/mud
  - d) On-site vehicle washing
  - e) Locations of loading zones/site sheds/cranes/gantries
  - f) Site security; management of environmental hazards (contaminated soil, materials/waste, dust, stormwater contamination, sediment, truck washing, refuelling spillage); construction program; truck delivery arrangements; worker parking
  - g) Compliance measures; requests to occupy footpaths/roads
  - h) A24-hour emergency contact; a traffic management plan (AS 1742.3-2002)
  - i) And a Noise and Vibration Management Plan (Noise Control Guideline 12, Publication 1254). During construction: EPA-compliant stormwater discharge and protection measures
  - j) No vehicle-borne material on roads
  - k) On-site machinery cleaning; responsible litter disposal.
  - l) Any other relevant matters

**Development Contributions**

44. Unless otherwise agreed in writing by Yarra City Council, a Development Infrastructure Levy in accordance with the approved Development Contributions Plan which applies to the land must be paid to Yarra City Council as the Collecting Agency not more than 21 days prior to the grant of a building permit for main works (i.e. not early works) under the Building Act 1993 or the commencement of development of any buildings and works associated with the permitted development, whichever occurs first; or the owner must enter into an agreement with Yarra City Council as the Collecting Agency to pay the Development Infrastructure Levy within a time specified in the agreement.
45. Unless otherwise agreed in writing by Yarra City Council, a Community Infrastructure Levy in accordance with the approved Development Contributions Plan which applies to the land must be paid to Yarra City Council as the Collecting Agency not more than 21 days prior to the grant of a building permit for main works (i.e. not early works) under the Building Act 1993 or the commencement of development of any buildings and works associated with the permitted development, whichever occurs first; or the owner must enter into an agreement with Yarra City Council as the Collecting Agency to pay the Community Infrastructure Levy within a time specified in the agreement.

**Stormwater Management System**

Date of issue: 31 July 2026 Signature for the responsible authority:



46. Before the development starts, excluding demolition, bulk excavation and site preparation works, a stormwater management system must be approved and endorsed by the responsible authority. The plan must be prepared to the satisfaction of the responsible authority and be generally in accordance with the Sustainability Management Plan prepared by Wrap Consulting and dated 2 April 2026.

**Stormwater management system – implementation and management**

47. The stormwater management system approved by the responsible authority and included in the endorsed Sustainability Management Plan must be constructed, managed and maintained to the satisfaction of Yarra City Council.

**Drainage point and method of discharge**

48. Before the development starts, excluding demolition, bulk excavation and site preparation works, engineering construction plans for drainage and discharge of stormwater from the site must be approved and endorsed by Yarra City Council. The plans must be prepared to the satisfaction of Yarra City Council.
49. Before the development is occupied, stormwater management system must be installed and the legal point of stormwater discharge established to the satisfaction of Yarra City Council.

**Civil Works**

50. Before the development is occupied:
- a) All new vehicle crossings must be constructed in accordance with the endorsed plans.
  - b) Any redundant vehicular crossing must be demolished and reinstated as standard footpath, verge (if applicable), and kerb and channel.
  - c) Any damage to Council infrastructure resulting from the development must be reinstated.
  - d) Any service poles, structures or pits located within the public realm areas that interfere with the proposal, must be adjusted accordingly.
  - e) Any on-street parking reinstated as a result of development works must be approved.
- to the satisfaction of Yarra City Council.

**Expiry**

51. This permit as it relates to development (buildings and works) will expire if one of the following circumstances applies:
- a) The development is not started within 3 years of the issued date of this permit.
  - b) 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.



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Form 4

Sections 63, 64, 64A and 86

USEFUL INFORMATION:

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

- The permitted use or development may need to comply with, or obtain the following further approvals:
  - A building permit under the *Building Act 1993*.
- Any damage to Council infrastructure as a result of the development must be reinstated (incl. re-sheeting the Railway PI and Royal PI footpath/road pavement for the frontage width if required) at the permit holder's cost.



Planning and Environment  
Regulations 2015

Form 4

Sections 63, 64, 64A and 86

**IMPORTANT INFORMATION ABOUT THIS PERMIT**

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**WHAT HAS BEEN DECIDED?**

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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**.)

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**CAN THE RESPONSIBLE AUTHORITY AMEND THIS PERMIT?**

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

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**WHEN DOES A PERMIT BEGIN?**

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A permit operates:

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

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**WHEN DOES A PERMIT EXPIRE?**

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1. A permit for the development of land expires if—
  - the development or any stage of it does not start within the time specified in the permit; or
  - the development requires the certification of a plan of subdivision or consolidation under the **Subdivision Act 1988** and the plan is not certified within two years of the issue of the permit, unless the permit contains a different provision; or
  - the development or any stage is not completed within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit or in the case of a subdivision or consolidation, within five years of the certification of the plan of subdivision or consolidation under the **Subdivision Act 1988**.
2. A permit for the use of land expires if—
  - the use does not start within the time specified in the permit, or if no time is specified, within two years after the issue of the permit; or
  - the use is discontinued for a period of two years.
3. A permit for the development and use of land expires if—
  - the development or any stage of it does not start within the time specified in the permit; or
  - the development or any stage of it is not completed within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit; or
  - the use does not start within the time specified in the permit, or, if no time is specified, within two years after the completion of the development; or
  - the use is discontinued for a period of two years.
4. If a permit for the use of land or the development and use of land or relating to any of the circumstances mentioned in section 6A(2) of the **Planning and Environment Act 1987**, or to any combination of use, development or any of those circumstances requires the certification of a plan under the **Subdivision Act 1988**, unless the permit contains a different provision—
  - the use or development of any stage is to be taken to have started when the plan is certified; and
  - the permit expires if the plan is not certified within two years of the issue of the permit.
5. The expiry of a permit does not affect the validity of anything done under that permit before the expiry.

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**WHAT ABOUT REVIEWS?**

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

Date of issue: 31 July 2026 Signature for the responsible authority:

