

**Erin Baden-Smith**

Manager, Development Approvals and Design  
Department of Transport and Planning  
Level 8, 8 Nicholson Street,  
EAST MELBOURNE VIC 3002

13 April 2023

Dear Erin

**Planning Permit PA2000891 – 77-83 Sutton Street, North Melbourne – Section 72 Amendment and Submission of Plans and Reports for Endorsement (Conditions 1, 7, 9, 15, 18, 22, 27, 28, 31, 35, 37, 57 and 58)**

## 1 Introduction

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Tract continues to act on behalf of 77-83 Sutton Street Pty Ltd in relation to the above property.

On behalf of our client, we write to respectfully request the Department of Environment, Land, Water and Planning (DELWP) amend Planning Permit PA2000891 under Section 72 of the *Planning and Environment Act 1987* (the 'Act') and to concurrently seek endorsement of materials under Conditions 1, 7, 9, 15, 18, 19, 22, 27, 28, 31 and 58 of the amended Planning Permit.

Following on from correspondence with the Department of Transport and Planning (DTP) and the City of Melbourne ('Council') this request seeks to amend the Permit to facilitate revised rear setback and basement arrangements that will both provide an improved public realm outcome and are critical to the development's constructability. The proposed amendments also provide a public realm and laneway arrangement that is consistent with the Macaulay Structure Plan 2021.

The amendments, summarised below, have been informed by an extensive design review and rationalisation process in the context of a careful review of requirements of the Permit as well as updates to Council's strategic vision for the Macaulay Precinct.

In support of this submission, please find enclosed the following documents:

- Amended Architectural Plans prepared by Point Architecture (dated 25 January 2023, Rev P4).
- Amended Façade Strategy prepared by Point Architecture (dated February 2023, Rev 1).
- Statement of Changes prepared by Point Architecture (dated 25 January 2023).
- 3D Digital Model prepared by Point Architecture.
- Amended Landscape Plans prepared by Tract (dated 23 March 2023, Rev 4).
- Landscape Maintenance Plan prepared by Tract (dated 18 July 2022).
- Amended Sustainability Management Plan including Water Sensitive Urban Design (WSUD) response prepared by Ark Resources (dated 30 March 2023).
- Amended Transport Impact Assessment (TIA) prepared by One Mile Grid (dated 16 March 2023).
- Amended Waste Management Plan (WMP) prepared by One Mile Grid (dated 16 March 2023).
- Green Travel Plan prepared by One Mile Grid (dated 04 April 2023).
- Amended Wind Impact Assessment prepared by Vipac (dated 22 February 2023).
- Amended Acoustic Assessment prepared by Acoustic Logic (dated 14 March 2023, Rev 5).

We note that any changes required as a result of the Department of Health and Human Services conditions (Conditions 53-57) must also be incorporated in the Condition 1 plans. A flight path construction management plan and solar glare hazard analysis are currently being prepared and will be lodged with DTP on completion.

## 2 Background

Planning Permit PA2000891 ('the Permit') was originally issued by DELWP at the direction of the Victorian Civil and Administrative Tribunal on 6 August 2021 based on the decision plans prepared by Point Architects (dated 1 July 2021 Revision P3).

The Permit currently allows for:

*'Construction of a mixed-use building and a reduction in the statutory car parking requirements.'*

Plans have not yet been endorsed under the Permit.

### 2.1 Amendment C417

At Council's Future Melbourne Committee Meeting on 14 June 2022 Council resolved to (*inter alia*) request authorisation from the Minister for Planning under the *Act* to prepare and exhibit Planning Scheme Amendment C417 subject to changes and to request the Minister for Planning to apply the controls contained within Amendment C417 on an interim basis, under Section 20(4) of the *Act*.

The Draft Amendment C417 documentation package includes the proposed Incorporated Document '*Macaulay - Stubbs and Boundary Precincts New and Widened Streets and Laneways Alignments and Cross-Sections, June 2022.*' The Incorporated Document identifies Street ID 32 as being a '12m Street' located along the northern boundary of the properties at 62-72 Mark Street, North Melbourne and 63-71 Boundary Road, North Melbourne (i.e. the two properties abutting the Site to the south). Notably, the Incorporated Document does not identify the provision of a new street of any type on the Site.

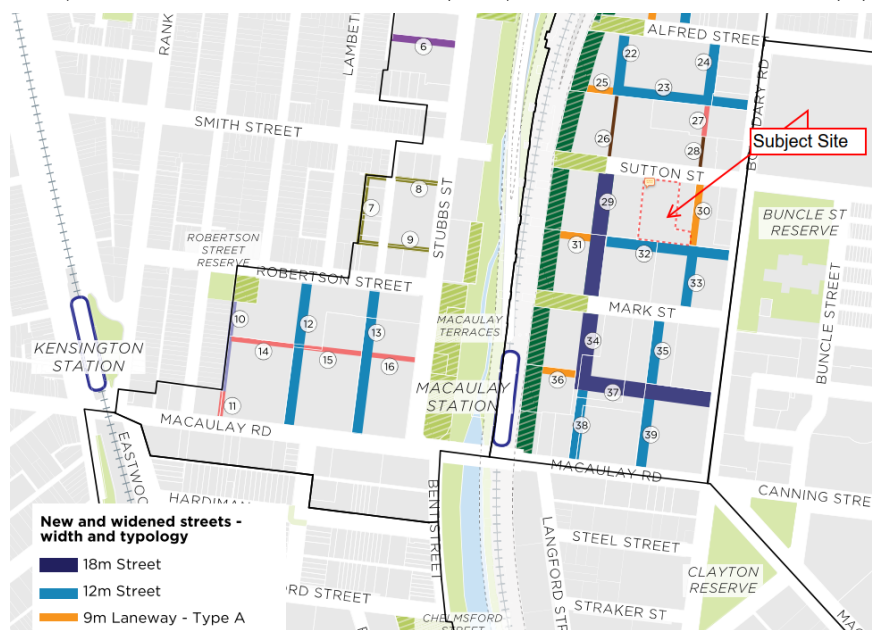


Figure 1: Excerpt of 'Macaulay-Stubbs & Boundary Precincts: Map of new & widened streets - alignment, width and typology' (City of Melbourne)

While Amendment C417 has not been subject to public notice nor reviewed by Planning Panels Victoria and is therefore not considered to be a *seriously entertained* planning policy, it is nonetheless considered to represent Council's long-term vision for pedestrian and vehicular movement within the Macaulay Precinct.

Noting the applicant's commitment to deliver a segment of a new street along the southern boundary of the Site, it is submitted that the delivery of a segment of a future laneway within the Site's southern setback no longer aligns with Council's current aspirations for the future laneway network of the Macaulay Precinct.

The applicant is therefore seeking to amend the relevant conditions to no longer require a portion of the Site be vested in Council (i.e. the 4.5m wide laneway along the southern boundary of the Site that is unencumbered by basement), with this land instead to be retained in private ownership and to be subject to rights of public access 24 hours a day, 7 days a week at the future direction of Council (i.e. at the time of delivery of the adjoining segments of the future east-west laneway).

### 3 Proposal

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#### 3.1 Overview

Following the issuing of the Permit the project team has been involved in further detailed design of the development. In order to lift the building out of the water table Point Architects have sought to reduce the floor-to-floor heights within the basement levels.

In doing so it has become impossible to accommodate the 1500mm clearance under the southern laneway that the Council has required under various conditions of the Permit without losing a large number of car parking spaces and imposing substantial costs on the applicant as a result of a considerably more complicated construction programme.

Moreover, as noted in Section 2.1 above the delivery of a public laneway in this location is no longer consistent with Council's preferred location of new streets and laneways within the Precinct. On this basis it is submitted that delivering this area as a publicly accessible and privately owned plaza – similar in nature to the north-south aligned laneway along the Site's western boundary - will be a more appropriate outcome for this portion of the Site and will continue to provide a demonstrable public benefit in accordance with the DDO63.

Based on the revised basement arrangement, this area would be able to accommodate a 3.4m wide area of deep soil (with a total area of approximately 240sqm) to accommodate future deep soil planting or WSUD treatments, while offering a gathering space and improved pedestrian experience for users of the future laneway.

Further changes to the approved plans have been informed through a detailed design process, including minor variations to the approved building envelope, changes to internal layouts and dwelling mix, a reduction in the number of car and bicycle parking spaces, and subsequent variations to the façade design to accommodate relocated balconies and glazing while retaining the architectural language and façade system of the approved design.

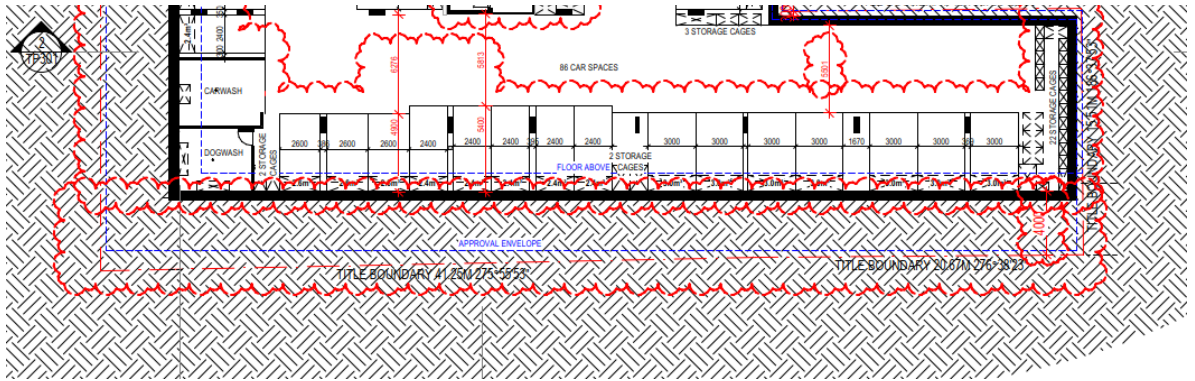


Figure 2 - Excerpt of Amended Basement Level 1 Plan (Point Architects)

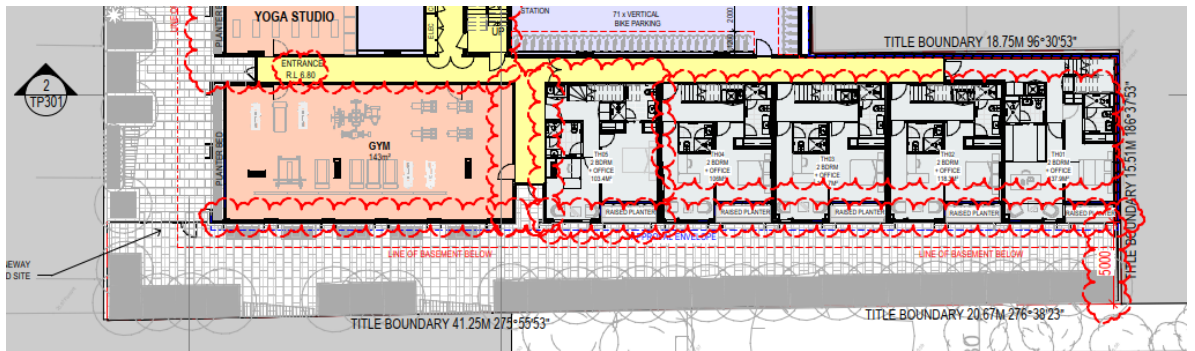


Figure 3 - Excerpt of Amended Ground Floor Plan (Point Architects)

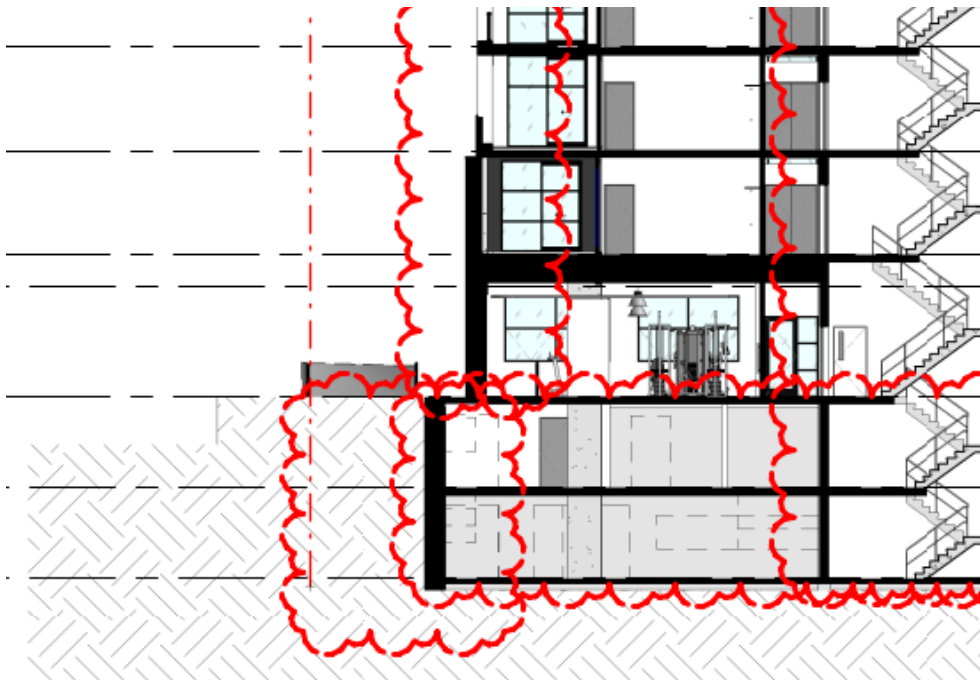


Figure 4 - Excerpt of Amended North-South Section (Point Architects)

### 3.2 Proposed changes to conditions of the Permit

The application also seeks to make the following changes to Conditions 1(a), 12 (title)-(e), and 13 of the Permit to facilitate the changes outlined above.

Condition number(s)	Proposed amendments	Comment
1	Prior to the commencement of the development, excluding bulk excavation, site preparation, soil removal, site remediation and retention works, an electronic set of plans drawn to scale, must be submitted to and approved by the Responsible Authority, generally in accordance with the plans prepared by Point Architects, drawing nos. TPO01 <del>– TPO018 (inclusive)</del> , TPO50- <del>TPO51 (inclusive)</del> , TP100 – TP115 <del>4 (inclusive)</del> , TP150 – TP154 <del>5 (inclusive)</del> , TP200 – TP205 (inclusive), TP300 – TP302 (inclusive), TP400 – TP402 (inclusive), TP800 – TP801 (inclusive) and dated 25 January 2023 Revision P4, but amended to show:	It is proposed to amend Condition 1 to reference the revised Section 72 submission plans, while otherwise retaining the Condition 1 requirements.
1(a)	<del>A minimum 1.5m clearance (free of any building elements) between the east-west laneway finished surface and the top of the building's basement level below.</del>	It is proposed for this condition to be deleted as the east-west laneway would no longer be vested in Council and would be delivered as a privately-owned, publicly-accessible plaza at the future direction of Council.
12 (Title)	Legal agreement <del>for Public Access Southern Plaza southern laneway</del>	It is proposed for this condition to be retitled to reflect the revised intent of the condition and the nature of the space as a public plaza, rather than a laneway.
12	Prior to the <del>occupation commencement</del> of the development, the owner of the land must enter into an agreement with Melbourne City Council, pursuant to Section 173 of the Planning and Environment Act 1987. The owner of the land must pay all of Melbourne City Council's reasonable legal costs and expenses of this agreement, including preparation, execution and registration on title. The agreement must provide for the following:	It is proposed for the condition to be amended to require that rights of public access be guaranteed prior to <i>occupation</i> of the development rather prior to <i>commencement</i> , consistent with condition 10.

12(a)	<p>Give rights of public access 24 hours a day, 7 days a week to the southern plaza located within the subject land, which is to remain at all times in private ownership as part of the subject land, when directed by Melbourne City Council.</p> <p><del>The southern laneway is to have no upper level limit above the road level.</del></p>	<p>The existing condition 12(a) is proposed to be deleted to reflect the area no longer being vested in Council as a laneway.</p> <p>A revised condition in line with condition 10(a) is proposed to be inserted, inclusive of an additional clause requiring Council to direct when the rights of access are to take place.</p>
12(b)	<p>The owner must, at its cost, maintain the internal streets/laneways/public ways to the same standards as is required by the Melbourne City Council for the adjoining roads, as well as maintaining the corresponding public liability insurance.</p> <p><del>The southern laneway is to be unencumbered by basement have a lower level set to the Australian Height Datum lying at least 1.5 metres below the road level.</del></p>	<p>The existing condition 12(a) is proposed to be deleted to reflect the area no longer being vested in Council as a laneway.</p> <p>A revised condition in line with condition 10(b) is proposed to be inserted to require the owner maintain all public ways to the same standards as is required by Council.</p>
12(c)	<p><del>The southern laneway must be designed and constructed to Council requirements.</del></p>	<p>The existing condition 12(c) is proposed to be deleted to reflect the area no longer being vested in Council as a laneway.</p>
12(d)	<p><del>The minimum 4.5m 3.4m wide laneway must be declared a public highway consistent with the upper and lower level clearance provided in paragraphs (a) and (b) must be declared a public highway for vesting in Council as a road under the provision of the Subdivision Act 1988 when directed by Melbourne City Council, in accordance with the Macaulay Structure Plan to create a link between Boundary Road and Moonee Ponds Creek.</del></p>	<p>The existing condition 12(d) is proposed to be deleted to reflect the area no longer being vested in Council as a laneway.</p>
12(e)	<p><del>Indemnify Melbourne City Council against any claims arising from the existence of the structures above and or below the subject land. The agreement must require the owner to maintain and repair all structures above or below the subject land at their cost and to the satisfaction of Melbourne City Council.</del></p>	<p>The existing condition 12(e) is proposed to be deleted to reflect the area no longer being vested in Council as a laneway.</p>

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~~Prior to the commencement of the development, the owner of the land must enter into an agreement with Melbourne City Council, pursuant to Section 173 of the Planning and Environment Act 1987. The owner of the land must pay all of the Melbourne City Council's reasonable legal costs and expenses of this agreement, including preparation, execution and registration on title. The agreement must provide for the following:~~

~~(a) Should the southern laneway not be vested in Council prior to the occupation of the development, the owner must lodge with the Responsible Authority, an application for Planning Permit and Certification pursuant to Section 23 of the Subdivision Act 1988 for the Creation of an Easement for stormwater drainage, way and light and air purposes over the southern laneway. The easement will be to the satisfaction of Melbourne City Council.~~

~~(b) The easement must be limited in depth to 1.5m below the road level, excluding any basement structures below road. The easement must have no upper level.~~

~~(c) The easements shall be in favour of Melbourne City Council and all abutting properties.~~

~~The agreement must also contain such other conditions as may be advised by Council's Chief Legal Counsel.~~

The existing condition 13 is proposed to be deleted to reflect the area no longer being vested in Council as a laneway and there being no subsequent need for the creation of an easement.

### 3.3 Proposed changes to the approved plans

The proposed changes to the approved plans are detailed in the Statement of Changes prepared by Point Architects (dated 25/01/2023) and are summarised below:

- Increase in the number of apartments from 203 to 214, with subsequent changes to the mix of apartment typologies:

Dwelling Type	Approved Plans (Rev P3, 01/07/21)	S72 Amendment (Rev P4, 25/01/23)
One-bedroom	82	78
Two-bedroom	102	127

<b>Three-bedroom</b>	15	4
<b>Townhouse (3BR)</b>	4	5

- Reduction to the provision of car parking spaces from 220 spaces to 195 spaces.
- Reduction to the number of bicycle spaces from 222 spaces to 145 spaces.
- Revised RL heights to Basement Level 1 and Ground Level to shift basement out of the water table resulting in the ground floor being lifted from R.L 6.10 to R.L 6.80. Levels 1 and above have been raised by 300mm.
- Increased setback of basement wall from the western and Southern Boundary.
- General changes to internal apartments layouts and typologies to improve internal amenity outcomes.
- Increased area for the Food and Drinks premise to Sutton St from 110m<sup>2</sup> to 130m<sup>2</sup>
- Revised services arrangement to Sutton Street.
- Addition of one townhouse on ground floor facing Southern Laneway.
- Reconfigured communal amenities along western laneway.
- Reconfigured apartment entry lobby with the addition of an airlock, click & collect and Managers office.
- Reduced setback from the western boundary for the southern podium from 6.5m to 6.35m.
- Increased podium setback to the southern laneway from 4.5m to 5m.
- Increased setback from the eastern boundary from 9.4m to 9.9m for Level 1 and above.
- Increased upper-level setback from Sutton Street to the upper tower from 9.0m to 9.3m.
- Increased length of wall on boundary to the eastern boundary above the ground floor:
  - From 11.75m to 12.95m for the eastern edge of the Sutton Street podium (Level 1 to Level 5).
  - From 6.77m to 7.87m adjacent the southern portion of the western boundary to 71-75 Sutton Street (Level 1 to Level 11)
- Waste chute and services relocated centrally in the building.
- Increased height of Lift over-run from R.L 45.70 to R.L 46.10.
- Increased height of plant screening at Roof level from 1.8m to 2.5m to sufficiently screen services.
- Elevations revised to suit reconfigured floor plans.
- Revised materiality to tower façade with removal of Vertical textured concrete, natural finish (TC2) and replaced with glazing to improve opportunities for outlook.
- Introduction of black metal balustrading to Level 1 throughout building.
- Removal of textured concrete (TC1) to boundary wall and replaced with scribe joints to replicate grid form of podium.
- Removal of Brickwork to Level 1 on eastern façade and continuation of tower façade from above down to floor level of Level 1.



## 4 Assessment

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### 4.1 Proposed changes to conditions of the permit

The proposed changes to conditions of the permit are appropriate to facilitate the amended rear laneway arrangement in accordance with the proposed future street network and road layout outlined in the Macaulay Structure Plan 2021 and Planning Scheme Amendment C417.

These variations will ensure a more consistent arrangement in terms of the ownership and management of publicly accessible space within the Macaulay Precinct. Given it is now proposed for the applicant to have ongoing ownership of the land, it is no longer necessary for the southern setback of the Site to be unencumbered by basement.

The drafting of the conditions is intended to maintain the staged delivery of the southern plaza to align with the future delivery of the east-west aligned laneway to the south of the Site as originally drafted, while allowing DTP and Council oversight over the eventual design of this area once the layout of the future laneway is resolved.

### 4.2 Proposed changes to the decision plans

It is submitted that the proposed changes are in accordance with the decision plans and will not result in any additional amenity impact on the public realm or adjoining landholdings. Changes to the proposed development are generally contained within the approved building envelope and represent further refinements to the approved development that are a result of more detailed design and development process. Noting that the proposal seeks to marginally increase the overall height of the development it is submitted that these changes are motivated by the need to improve the constructability of the building (in shifting the basement levels out of the water table) and will not appreciably change how the building is perceived within the streetscape.

The revised plans are entirely consistent with the approved architectural language and presentation and maintain the design excellence of the approved development by way of its well-resolved materiality, active and engaged public realm interfaces and high degree of internal amenity. The proposed relocated services to the Sutton Street frontage are sensitively integrated within the façade expression to maintain clear visual connection to the food and drinks premises.

The proposal maintains a substantial quantum of communal facilities and communal open space well in excess of the statutory requirements, as well as demonstrating a high-level of compliance with Clause 58 objectives and standards with respect to other internal amenity considerations. The proposal continues to deliver a range of dwelling typologies to suit diverse housing needs, with additional apartments being provided consistent with strategic policy objectives for the Macaulay Precinct. An assessment against the objectives and standards of Clause 58 is provided at Appendix A.

With respect to the proposed reduction to the proposed number of car and bicycle parks we refer to the revised Transport Impact Assessment prepared by One Mile Grid which concludes that:

- *The proposed car parking and access design is considered appropriate;*
- *The proposed resident, employee and visitor bicycle parking design is considered appropriate;*
- *The proposed provision of resident and visitor bicycle parking exceeds the requirements of the Planning Scheme, and is therefore considered appropriate;*
- *The proposed supply of car parking is appropriate for the proposed development;*
- *The proposed development is not expected to have a significant impact on the surrounding*

- road network; and
- There are no traffic engineering reasons which should preclude a permit from being issued for this proposal.

On the basis of the above it is submitted that the proposed amendments to the approved plan are appropriate.

## 5 Submission of materials for endorsement

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A summary outlining how the attached materials address relevant conditions of the Permit is provided at Table 1 (with respect to Condition 1 requirements) and Table 2 (with respect to other condition requirements of the Permit) overleaf.

These materials have been prepared in accordance with the proposed amendments to the Permit detailed at Section 3.1.

## 6 Conclusion

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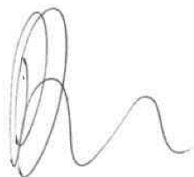
This amendment seeks approval for amendments to Conditions 1 (a), 12 (title)-(e), and 13 of the Permit in addition to a series of changes to the approved plans that seek to better align the proposal with the Macaulay Structure Plan 2021, to provide an improved design outcome by way of architectural presentation and internal amenity, and to address relevant construction considerations by way of the revised basement and ground floor arrangements.

The application is consistent with the intent and specific requirements of the Permit, as well as with the objectives and requirements of the *Melbourne Planning Scheme* including with respect to the DDO63.

We trust that the information submitted satisfies the requirements of Condition 1, 7, 9, 15, 18, 19, 22, 27, 28, 31 and 58 and that the conditions can be discharged following the subsequent lodgement of materials to address the Department of Health and Human Services requirements as outlined above.

If you have any queries regarding any of the above, please contact the undersigned on 03 9429 6133 or alternatively at [plewis@tract.net.au](mailto:plewis@tract.net.au).

Yours sincerely



**Paul Lewis**

Associate Town Planner

Tract

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Table 1 – Condition 1 requirements

Condition No.	Condition Requirement	Plan Reference/ Response
1b	Notation of the location of the five dual car charging points on the basement plan.	Refer to Drawing TP101 of the revised Architectural Plans.
1c	Notation on floor plans and elevations stating 'Average 6.5 star NatHERS rated'	Refer to Drawings TP100-TP114, TP200-TP201 of revised Architectural Plans for relevant notation.
1d	Level 11 floor plan and eastern elevation to be updated to reflect all recommendations in the approved SMP.	There are no specific changes required as part of the approved SMP except for glazing of windows which is addressed in Section 4.
1e	Notation on the Basement Level 2 floor plan that the water tank is connected to toilets and irrigation.	Refer to Drawing TP100 of the revised Architectural Plans.
1f	Provision of a dedicated loading area on the ground floor or basement plans.	The loading area is provided immediately abutting the Food and drinks premises in close proximity to the vehicle entrance. Refer to Drawing TP102 of the revised Architectural Plans.
1g	Any changes required as a result of the Façade Strategy	All changes required by the Façade Strategy have been included.
1h	Any changes required as a result of the amended Sustainability Management Plan.	All changes required by the SMP have been included.
1i	Any changes required as a result of the amended Landscape Plan, Landscape Maintenance Plan and Irrigation Performance Specification.	All changes required by the Landscape Plan, Landscape Maintenance Plan and Irrigation Performance Specification have been included.
1j	Any changes required as a result of the amended Acoustic Report.	All changes required by the Acoustic Report have been included.
1k	Any changes required as a result of the amended Wind Impact Assessment.	All changes required by the WIA have been included.
1l	Any changes required as a result of the amended Waste Management Plan.	All changes required by the WMP have been included.
1m	Any changes required as a result of the amended Traffic Impact Assessment.	All changes required by the TIA have been included.

<b>1n</b>	Any changes as required by the Road Safety Audit.	All changes required by the Road Safety Audit have been included.
<b>1o</b>	Any changes required as a result of the flood mitigation conditions.	All changes required by the flood mitigation conditions have been included.
<b>1p</b>	Any changes as required as a result of Department of Transport conditions.	All changes required by the DOT conditions have been included.
<b>1q</b>	Any changes as required as a result of Department of Health and Human Services.	A flight path construction management plan and solar glare hazard analysis are currently being prepared and will be lodged with DTP on completion – should any changes be required these will be reflected in amended architectural plans.

## Table 2 - Other condition endorsement requirements

The permit contains a number of other Conditions which are required to be satisfied either as part of Condition 1 or prior to works commencing. For ease of reference, Table 2 below sets out each of the requirements that we seek to satisfy alongside with the according Plan/document reference.

Condition No.	Condition Requirement	Plan Reference/ Response
<b>Reflectivity</b>		
5	Unless with the written consent of the Responsible Authority, light reflectivity from external materials and finishes must not reflect more than 20% of specular visible light, to the satisfaction of the Responsible Authority	Refer to notation on Drawings TP200-TP205 of the enclosed Architectural Plans which notes that light reflectivity from external materials and finishes will not reflect more than 20% of specular visible light.
<b>Façade Strategy</b>		
7	Prior to the commencement of the development, excluding bulk excavation, site preparation, soil removal, site remediation and retention works, a facade strategy must be submitted to and approved by the Responsible Authority, in consultation with Melbourne City Council. Unless otherwise agreed, the facade strategy must include but not be limited to:	Refer to the Façade Strategy prepared by Point Architects.
7a	A concise description by the architect(s) of the building design concept and how the façade works to achieve this.	Refer to the Design References section at page 3 of the Façade Strategy prepared by Point Architects.
7b	Elevation details generally at a scale of 1:50 illustrating typical podium details, balcony niches, and utilities, typical tower detail, and any special features which are important to the building's presentation. The drawings must demonstrate: <ul style="list-style-type: none"> <li>i. Additional details to be requested to demonstrate how brick tiles used to the ground level interface will be appropriately detailed to transition across intersecting surfaces.</li> <li>ii. 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.</li> <li>iii. Information about how the façade will be accessed and maintained and cleaned, including any planting if proposed.</li> </ul>	Refer to the following pages of the Façade strategy: <ul style="list-style-type: none"> <li>• Pages 8 and 9 address the brick tiles used at ground floor interface.</li> <li>• Pages 13, 16-19 demonstrate the façade systems.</li> <li>• Page 13 discusses Façade maintenance.</li> <li>• Page 15 includes the colours, materials and finishes schedule.</li> </ul> Example prototypes have been illustrated throughout the strategy.

- iv. 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.
- v. 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 physical sample board with coding.

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### 3D Digital Model

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**9** Prior to the commencement of the development, excluding bulk excavation, site preparation, soil removal, site remediation and retention works, or otherwise agreed to by the Responsible Authority, a 3D digital model of the development and its immediate surrounds, as appropriate, must be submitted to and approved by the Responsible Authority in conformity with the Department of Environment, Land, Water and Planning Advisory Note 3D Digital Modelling. A 3D Digital Model has been enclosed with this submission and complies with the relevant requirements.

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### Environmentally Sustainable Design

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**15** Prior to the commencement of the development, excluding bulk excavation and site remediation, an amended Sustainable Management Plan (SMP) must be submitted to and approved by the Responsible Authority, in consultation with Melbourne City Council. The amended SMP must be generally in accordance with the SMP by Ark Resources dated 29 July 2020, but modified to include: Refer to the Sustainability Management Plan prepared by Ark Resources dated 17 February 2023.

**15a** Additional Green Star pathway points to provide contingency for design changes. The Green Star pathway has targeted 66 points – 6 points in addition to the 60 required for 5 stars.

**15b** Further detail on the on the management initiatives in accordance with the Green Star submission guidelines. Details for management initiatives in accordance with Green Star submission guidelines have been incorporated. Refer to Appendix G of SMP (Page 39).

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15c	The Climate Adaptation Plan to be provided as an Appendix to the SMP	The Climate Action Plan has been provided as an Appendix to the SMP. Refer to Appendix H (Page 44).
15d	Update the Green Star Wat-1 calculator assessment and Multi-Residential legacy tool with the current assessment tools for Green Star;	Refer to Appendix B (Page 29) of the SMP for Green Star Building Potable Water calculations.
15e	Copies of the full preliminary NatHERS reports provided in the SMP (not a summary table of results);	Refer to Appendix A.4 (Page 28) for NatHERS preview certificates for sample apartments.
15f	The MUSIC model results contained in Appendix C of the SMP updated to demonstrate that stormwater quality will meet the objectives of Clause 22.23.	Refer to Section 6 (Page 10) and Appendix C (Page 30) of the SMP for MUSIC modelling results that demonstrate the project meets the best practice performance objectives outlined in the Urban Stormwater Best Practice Environmental Management Guidelines (CSIRO 1999) for Total Suspended Solids (TSS), Total Nitrogen (TN), Total Phosphorus (TP) and Gross Pollutants (GP).

#### **Landscape plan, landscape maintenance plan and irrigation performance specification**

18	Prior to the commencement of the development, excluding bulk excavation, site preparation, soil removal, site remediation and retention works, an amended Landscape Plan, Landscape Maintenance Plan and Irrigation Performance Specification must be submitted to and approved by the Responsible Authority in consultation with Melbourne City Council. These documents must be generally in accordance with the Landscape Report by Tract Consultants Pty Ltd dated 8 October 2020, but modified to include:	Refer to the Landscape Design Development Documentation prepared by Tract Consultants.
18a	Urban design elements, including but not limited to, paving, lighting, seating, public art, and demarcation of public realm and private spaces, including arrangements for pedestrian, bicycle and vehicular circulation.	Urban design elements including bluestone paving, planters, landscaping elements, are incorporated throughout the laneway, balconies and internal open spaces.
18b	All proposed works within the southern laneway to be constructed to Council standards and approved by Melbourne City Council.	The landscape plan provides a series of plans that indicate a preliminary design for the southern laneway with urban design elements that accord with Melbourne City Council's standards. Refer to Landscape Plan DR600-DR607 for MCC standards and DR300 for notation.
18c	How the project responds to water sensitive urban design principles, including how stormwater will be mitigated, captured, cleaned and stored	The WSUD initiatives have been described at DR101 of the Landscape Plan.

for onsite use and the location and type of irrigation systems to be used including the location of any rainwater tanks.

18d	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.	Refer to DR102 of the Landscape Plan for Landscape Schedule.
18e	Detailed planter sections, including soil volumes and schedules of species with consideration given to soil volume requirements and growing medium proposed, and indicative irrigation and drainage layouts.	Refer to Section 3.5 (Lower level raised planters) and Section 3.6 (Upper level planters).
18f	Further detail with respect to the ongoing maintenance beyond the 52 week period following practical completion.	Refer to Section 2 (Maintenance Expectations) of the Landscape Maintenance Plan and DR101 of Landscape Plan for details of ongoing maintenance.
18g	Detailed irrigation performance specifications.	Refer to Section 3.9 (Irrigation Scheduling and System Maintenance) of the Landscape Maintenance Plan and DR101 (Landscape Specification) of the Landscape Plan for irrigation performance specifications.
19	Prior to commencement of development, a Landscape Maintenance Plan providing details of proposed maintenance regimes with provision for maintenance beyond the fifty two week period following Practical Completion must be submitted to, and be approved by the Responsible Authority. Except with the prior written consent of the Responsible Authority the approved landscaping must be implemented prior to the occupation of the development. The landscaped area(s) must be maintained to the satisfaction of the Responsible Authority.	Refer to the Landscape Maintenance Plan prepared by Tract dated 18 July 2022.

**Design and Development Overlay – Schedule 26 (noise attenuation)**

22	Prior to the commencement of the development, excluding bulk excavation and site remediation, an amended Acoustic Report prepared by a suitably qualified professional must be submitted to and approved by the Responsible Authority. The report must:	Refer to the Acoustic Report prepared by Acoustic Logic dated 14 March 2023.
22a	Provide for noise attenuation measures to achieve a maximum noise level of 35dB(A)Leq in unfurnished and uncarpeted habitable rooms with all	Refer to Section 5 of the Acoustic Report.



windows and doors closed, unless there is no suitable air conditioning and/or mechanical ventilation, in which case the maximum noise level of 35dB(A)Leq in unfurnished and uncarpeted habitable rooms must be achieved with all the windows half open and the doors closed.

22b

Be based on external noise levels measured as part of a noise level assessment representative of the noise from industrial operations which occur in Arden-Macaulay. The recommendations in the approved acoustic report must be implemented at no cost to the Responsible Authority, prior to the occupation of the dwellings.

Refer to Section 6.3.3 (Industrial Noise Measurements) and Table 8 (Attended Industrial Noise Levels) of the Acoustic Report.

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## Wind Assessment

27

Prior to the commencement of the development, excluding bulk excavation and site remediation, an amended Wind Report, including a wind tunnel assessment and wind effects and comfort criterion consistent with the Melbourne Planning Scheme (as indicated by DDO10), prepared by a suitably qualified consultant must be submitted to and approved by the Responsible Authority. Any modifications required to ensure acceptable wind conditions must be high quality, integrated solutions and not rely on street trees. The recommendations of the report must be implemented to the satisfaction of the Responsible Authority at no cost to the Responsible Authority or Melbourne City Council.

Refer to the Wind Assessment prepared by Vipac Engineers and Scientists dated 22 February 2023 which includes a wind tunnel assessment.

The Wind Assessment confirms that the Architectural Plans are expected to fulfil:

- The safety wind criterion at all test locations;
- The recommended walking comfort criterion at the pedestrian footpaths and accessways;
- The recommended standing comfort criterion at building entrance areas;
- The recommended sitting comfort criterion at the ground floor alfresco dining areas; and
- The recommended walking comfort criterion at the communal terrace areas.

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## Waste Management

28

Prior to the commencement of the development (excluding bulk excavation and demolition) an amended Waste Management Plan (WMP) must be prepared and submitted to Melbourne City Council. The waste management plan must be generally in accordance with the One Mile Grid WMP prepared 8 October 2020. The WMP must detail waste storage and collection arrangements, any organic bin collection and be

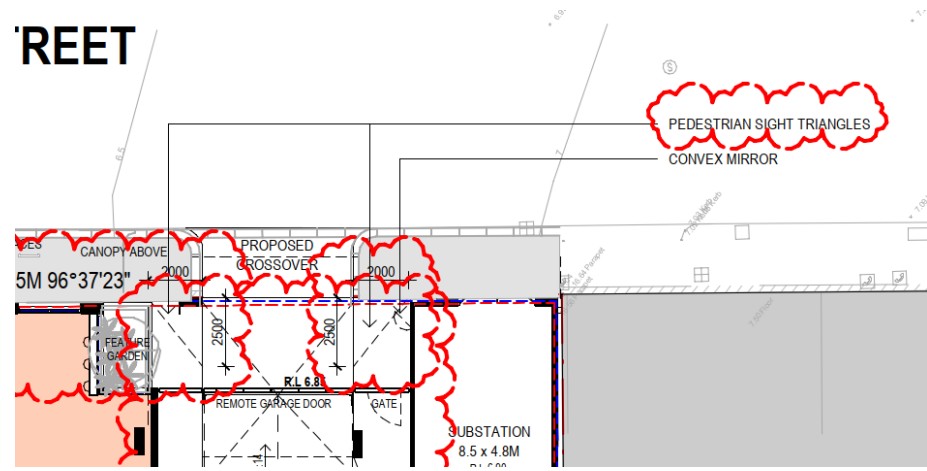
Refer to the Waste Management Plan prepared by One Mile Grid dated 16 March 2023.

prepared with reference to the Melbourne City Council Guidelines for Preparing a Waste Management Plan. Waste storage and collection arrangements must not be altered without prior consent of Melbourne City Council and include the following changes:

<b>28a</b>	Any changes required by the endorsed Sustainability Management Plan	No changes to the WMP are required by the endorsed Sustainability Management Plan.
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**Traffic Impact Assessment**

<b>31</b>	Prior to the commencement of the development, excluding bulk excavation and site remediation, an amended Traffic Impact Assessment (TIA) must be submitted to and approved by the Responsible Authority, in consultation with Melbourne City Council. The amended TIA must be generally in accordance with the TIA by onemilegrid dated 8 October 2020, but modified to include:	Please refer to amended TIA prepared by One Mile Grid dated 16 March 2023.
<b>31a</b>	All spaces, ramps, grades, transitions, accessways and height clearances designed generally in accordance with the Melbourne Planning Scheme or AS/NZS 2890.1:2004.	Refer to Section 4 of the TIA on page 15.
<b>31b</b>	A ramp grade of <1:10 for the first 5m from the site boundary.	Refer to Section 4.1.3 (Design Standards 3 – Gradients) for confirmation that the accessway at the Sutton Street entrance is proposed with a maximum grade of 1:14 within the first 5m therefore does not exceed grade of 1:10.
<b>31c</b>	Pedestrian sight triangles of 2m x 2.5m at the exit from the car park.	Refer Drawing TP102 of the amended Architectural Plans which includes the relevant sight triangles:



**31d** Columns to be located between 0.25 - 1.25m from the open end and ≤1.75m from the closed end of the relevant standard car spaces, as per Clause 52.06 of the MPS.

Refer to Section 4.1.2 (Design Standard 2 – Car Parking Spaces) on page 16.

**Flood Mitigation Conditions**

**51** Finished floor levels associated with the ground floor of the proposed building must be set no lower than 4.06 metres to Australian Height Datum (AHD).

Refer to Drawings TP102 and TP200 of the revised Architectural Plans which detail the ground floor FFL at the RL6.80.

**Department of Health and Human Services**

**53** Prior to the commencement of any development (including any demolition or excavation) or by such time as agreed by the Responsible Authority and Department of Health and Human Services in writing, a flight path construction management plan must be prepared to the satisfaction of the Department of Health and Human Services and be approved by the responsible authority. The flight path construction management plan must include measures to minimise the impact of the construction of the building

A flight path construction management plan is currently being prepared and will be lodged on completion.

on the safe and unfettered operation of the Royal Children's Hospital helipad. The management measures incorporated within the plan must be implemented during the construction of the building to the satisfaction of the Department of Health and Human Services and the responsible authority. The flight path construction management plan must identify the location and height of any construction equipment, including cranes.

55	The installation of rooftop solar panels will require a solar glare hazard analysis to satisfy the safety of aircraft operations into the hospital helicopter landing site.	A solar glare hazard analysis is currently being prepared and will be lodged on completion.
56	The height of any vegetation must be no greater than 51.0 m Australian Height Datum when planted and the vegetation must be managed so as to remain at or below that height.	The roof garden on Level 11 has a FFL of RL42.00. Per the Planting Schedule – Level 11 on Drawing DR-103 of the Landscape Plan vegetation will not reach a height greater than 51.0 m Australian Height Datum.

**Department of Transport**

58	Before the occupation of the development or any part of the development, a Green Travel Plan must be submitted to and approved by the Head, Transport for Victoria and the Responsible Authority. When approved, the Green Travel plan will be endorsed and will form part of this permit. The Green Travel Plan must include, but not be limited to, the following:	Refer to the enclosed Green Travel Plan prepared by One Mile Grid dated 16 March 2023.
58a	The objectives must be linked to measurable targets, actions and performance indicators;	Refer to Table 4 (Green Travel Initiatives Implementation) at Section 5.11 of the plan.
58b	A description of the existing active private and public transport context	Refer to Section 4.2 (Sustainable Transport) of the plan at page 10.
58c	Initiatives that would encourage [residents/employees/visitors/customers/students] of the development to utilise active private and public transport and other measures that would assist in reducing the amount of private vehicle traffic generated by the site;	Refer to Section 5 (Green Travel Initiatives).
58d	Timescale and costs for each action;	Refer to Table 4 (Green Travel Initiatives Implementation) at Section 5.11 of the plan.
58e	The funding and management responsibilities, including identifying a person(s) responsible for the implementation of actions; and	Refer to Section 5.2 (Green Travel Plan Champion) at page 12 of the plan.

<b>58f</b>	A monitoring and review plan requiring annual review for at least five years.	Refer to Section 6.1 (Monitoring and Assessment)
<b>58g</b>	Resident/employee/ welcome packs (eg: provision of Myki card)	Refer to Section 5.10 (Resident, Tenant and Staff Welcome Pack) at page 15 of the plan.
<b>58h</b>	The promotion of various public transport smartphone applications, such as the Public Transport Victoria app and/or train or tram tracker;	Refer to Section 5.9 (Building Intranet Site) at page 15 of the plan
<b>58i</b>	Tram, train and bus timetables be installed in prominent locations in lifts and public areas (on noticeboards, etc)	Refer to Section 5.6 (Public Transport) at page 13 of the plan.
<b>58j</b>	The installation of signs in prominent locations advising of the location of existing and proposed car-share schemes, bicycle parking facilities for residents and visitor, tram stops, taxi ranks, railway stations, bus stops and bicycle paths;	Refer to Section 5.11 (Wayfinding) of the Green Travel Plan.
<b>58k</b>	Signage and wayfinding information for bicycle facilities and pedestrians pursuant to Australian Standard AS2890.3;	Refer to Section 5.3 (Bicycle Facilities) of the Green Travel Plan.
<b>58l</b>	Ensure that access to the on-site parking is restricted and controlled;	Refer to Section 5.7 (Car Parking Facilities) at page 14 of the plan.
<b>58m</b>	Establishment of a car-pooling database for residents	Refer to Section 5.8 (Car Pooling) at page 14 of the plan.