

19 December 2024

Department of Transport and Planning
 Development Facilitation
 Attn: Lachlan Forsyth
 Level 7
 8 Nicholson Street
EAST MELBOURNE VIC 3002

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Via online portal

**32-38 & 40-50 ROKEBY STREET, COLLINGWOOD
 PLANNING PERMIT PA2402824
 SECTION 72 AMENDMENT APPLICATION**

Dear Lachlan,

We act for *40 Rokeby Pty Ltd ATF 40 Rokeby Property Trust* ('Applicant'), the permit holder on the land at 32-38 & 40-50 Rokeby Street, Collingwood ('Site').

We write in respect to Planning Permit PA2402824 ('Permit') issued by the Department of Transport and Planning ('DTP'), which allows:

- 34.02-1 Use the land for a shop
- 32.02-4 Construct a building or construct or carry out works
- 43.02-2 Construct a building or construct or carry out works
- 52.06-3 Reduction in the standard car parking requirements.

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This application is a request to DTP, pursuant to Section 72 of the Planning and Environment Act 1987 ('Act') to amend the Permit and substitute amended plans for endorsement. This application follows a supportive pre-application meeting with DTP officers on 27 August 2024, in which the proposed amendments were supported in-principle. This meeting was aided significantly by the attendance and involvement of the MA+Co design team who are retained for this project and the proposed amendments.

The proposed amendments are limited and can be summarised as providing a built form connection/infill between the northern and southern tower forms. Minor alterations to façade treatments and some limited reconfiguration of the ground floor plane, including end of trip ('EOT') facilities are also proposed. The application does not seek or envisage any change to the permitted use of the ground floor as a 'shop' or upper levels for 'office'.

The proposed amendments are considered appropriate and do not seek to 'undo' any matter that was considered through the original planning permit approval process, nor is the proposal contrary to any condition that informed change to the proposal. The proposed changes to the approved building responds favourably to planning policy and the purpose of the Commercial 2 Zone (C2Z) and Design and Development Overlay – Schedule 11 ('DDO11').

The application is supported by the following documentation:

- Architectural Plans prepared by MA+Co;

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- Design Statement prepared by *MA+Co*;
- Schedule of Changes prepared by *MA+Co*;
- Traffic and Transport Letter prepared by *Ratio*;
- Draft Tracked Changes Permit; and,
- Copy of title and plan.

PROPOSED AMENDMENTS

The purpose of the amendment is to facilitate a subtle architectural change to the approved development, consisting of the proposed infill between the tower forms and to realise efficient construction and delivery of this significant commercial office building. Some minor alterations to façade treatments and limited reconfiguration of the ground floor plane, including end of trip ('EOT') facilities are also proposed. Ultimately, the amendments seek to enhance the functionality and user-experience of the building, and allow for some detailed design advice to be incorporated for the benefit of future occupants.

The key built form variations between the endorsed plans and the amended plans are set out below. To assist, red clouding has been marked on the corresponding architectural drawings to identify the extent of proposed built form changes.

- Infill form between north and south tower, comprising seven levels above podium. The floor area of this additional form will be delineated through the middle of both the north and south tower. It will be treated with a metal cladding outer, which complements the palette of the tower forms, however, is also easily distinguishable. The additional form will be significantly setback to the Rokeby Street frontage and rear laneway, so that it is recessed behind the primary facade lines. As a result, there will be limited visibility of the form in streetscape views.
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- As a result of the significantly recessed infill form, there is an opportunity to include a 15m² balcony to the office tenancy at level 3 of the southern building.
- Slightly refined façade treatment which includes utilisation of a solid metal cladding to the recessed elements.
- Inconsequential ground floor plane updates, including:
 - Revised EOT layout. A more efficient EOT layout allows the western building wall to be brought in from the laneway, affording an increase in the trafficable laneway area.
 - Slightly increased core setback to southern boundary.
 - Revised business lounge layout.
 - Inclusion of security door for loading dock and revised waste layout.
- Increase of 1 car parking space.
- Increase of 7 bicycle spaces.

As a result of the proposed amendments, there are some minor and consequential changes, which are detailed alongside the primary changes above, within the accompanying schedule of changes prepared by *MA+Co*.

Additionally, the accompanying design statement has been updated to ensure consistency with the amended scheme and also includes further justification in support of the proposed amendments. Pages

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17, 18 and 19 of this document include helpful comparative diagrams which illustrate the proposed infill form from a number of perspectives. These diagrams indicate that the additional form is unlikely to be prominently viewed in any of the primary short and long-distance sightlines.

On balance, we submit that the amendments do not depart from the approved form and overall appearance of the building from key vantage points in the public realm. Moreover, the proposed amendments do not directly interface with any adjoining property and will not result in any material detriment to existing amenity nor equitable development potential.

The proposed amendments do not contradict any of the Permit conditions, but simply seek to facilitate the proposed amendments alongside consequential updates to the permit conditions as required. We refer to the accompanying draft tracked changes permit, which in summary proposes:

- Update reference to 'Rev B' architectural plans.
- Alter façade strategy elevation specifications to 1:50 scale, allowing the architect to capture a greater length of the podium.
- Insert conditions requiring balance consultant reports and material to be made consistent with 'Rev B' architectural plans through endorsement.

KEY PLANNING CONSIDERATIONS

We consider the key planning considerations to be understood in this application are:

1. The planning merits of the proposal in relation to the relevant planning context.
2. Car parking matters.
3. Notice and review.

Each of these matters are further addressed as follows:

1. Strategic Planning Context

The proposed amendments are consistent with the Commercial 2 Zoning of the Site, including its purpose which generally seeks:

To encourage commercial areas for offices, appropriate manufacturing and industries, bulky goods retailing, other retail uses, and associated business and commercial services.

To ensure that uses do not affect the safety and amenity of adjacent, more sensitive uses.

This is underpinned by the nature of the proposed amendments, which seek to facilitate built form changes associated with the 'as-of-right' office use under the C2Z, at a modest scale, within an already approved building envelope.

Consistent with the policies outlined in the town planning report which accompanied the application, the proposal will continue to support redevelopment of well-located commercial land in and around activity centres to meet the community need for jobs closer to existing residential neighbourhoods and existing transport.

In terms of the proposed built form changes informed by this application for amendment of the existing planning permit, the proposal will maintain a highly quality architectural and built form response to the objectives and decision guidelines within the DDO11, as summarised below:

- The approved building height and setbacks are maintained, at both podium and tower level. As such, the design response will continue to present an excellent architectural and urban design outcome for the Site as a contributor to a major employment precinct. Given the interface

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treatments to adjoining lots has not changed, the equitable development potential of these surrounding lots is not affected by the proposed amendments.

- The proposed infill form is highly recessive and is set back a minimum dimension of 4.85m and 5.41m from the western facades of the northern and southern towers, respectively. Its positioning has been strategically designed so to minimise its visibility from the surrounding street network. As the comparative diagrams at pages 17, 18 and 19 of the accompanying design statement demonstrate, the additional form is unlikely to be viewed in many of the primary short and long-distance sightlines. An example is provided at Figure 1 below, which illustrates the minor degree of change which is contemplated by the amendment.

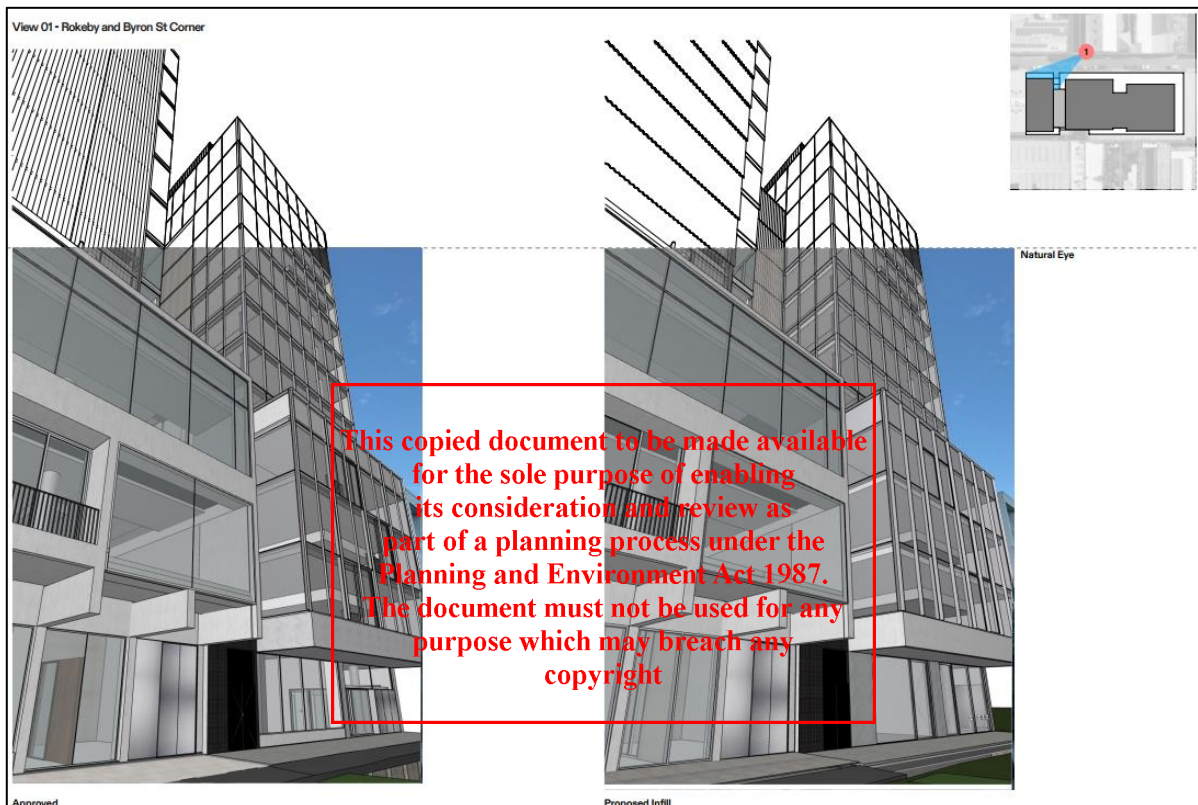


Figure 1 – Approved and proposed building - comparative render.

Source: MA+Co.

- With regard to the onsite amenity of future residents, the proposed amendments seek to improve the future user experience as described below:
 - An additional balcony space is offered at level 3.
 - An additional 7 bicycle spaces are proposed.
 - Revised EOT layout. A more efficient EOT layout allows the western building wall to be brought in from the laneway, affording an increase in the trafficable laneway area.
- The proposed amendments will not result in any unreasonable off-site amenity impacts, nor raise any off-site amenity concern that was not addressed through the initial application. No changes are proposed to the approved building heights and setbacks, and accordingly, there will be no additional overshadowing of the public or private realm of any consequence.
- In comparison to the approved scheme, we submit that there would be no perceptible increase in traffic movements to and from the Site, given the one additional carparking space proposed. It is expected that the amended scheme is appropriate and will not create any adverse impacts

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on the amenities of the surrounding context., as further detailed in the accompanying Traffic and Transport Letter prepared by *Ratio*.

2. Car Parking

The Permit currently approves a reduction in car parking associated with the approved scheme. The amendment application seeks a further reduction to this approved dispensation as explained below.

The key changes in terms of car parking are the minor increase of floor area as a result of the proposed tower infill, and the addition of one further car parking space within the proposed basement.

The approved scheme includes the provision of 169 car parking spaces, which represents a shortfall of 574 against the statutory rate of 743.

In comparison, the amended scheme proposes the provision of 170 car parking spaces, which represents a shortfall of 596 against the statutory rate of 766.

It is submitted that the proposed car parking dispensation is acceptable in terms of its minor variation from the approved scheme. To assist in understanding the minuity of the variation, it should be noted that the approved scheme provided 0.68 spaces per 100m² of office space, whereas the amended scheme proposes 0.66 spaces per 100m² of office space.

We refer to the accompanying Traffic and Transport Letter prepared by *Ratio*, for a more detailed analysis of car parking matters. This supporting submission concludes that the amended car parking provision for office use will meet the demands of office staff and is considered appropriate having regard to the provision of onsite car parking proposed and the geographical circumstances of the land.

3. Notice and Review

The Permit was sought and approved via Clause 53.22 of the Planning Scheme, which seeks to facilitate significant economic development.

Clause 53.22 includes provisions to exempt applications to construct a building and to carry out works from the decision requirements of sections 64(1), (2) and (3), and the review rights of sections 82(1) of the *Planning & Environment Act 1987* ('Act').

However, an application to amend a planning permit under Clause 53.22 is not specifically exempt from the public notice provisions of the Act. In this instance, considering the processes to date we do not consider notice pursuant to Section 52(1)(a), (b) and (d) is required. Our position is simply:

- The proposed infill element is minor in the context of the approved development and almost indistinguishable from the streetscape and public realm. The balance and scale of external built form is maintained in its full extent, with regard to the approved plans. It is not expected that there will be any material detriment as a result of the proposed amendments.
- There will be no perceptible increase in traffic movements to and from the Site.
- There has been no intervening change in the planning policy context since the permit approval that warrants further consideration.

For the above reasons it is respectfully requested that the DTP appropriately waive the notice requirements for this application, having regard to the application of discretion under Section 52 of the Act.

SUMMARY

The proposed amendments do not seek any major departure from the existing approval or approved plans. The proposed amendments to the approved plans simply seek to infill the tower forms and inform

an efficient and logical realisation of the Site's development. The internal reconfigurations respond positively to Council's policy setting and the Site's context.

The proposed amendments do not seek to undermine the Permit and the planning processes which have occurred to date. In fact, the proposed amendments enable the realisation of the development in a realisable form and it is considered entirely appropriate that the DTP grant an amended planning permit to facilitate the proposal.

Specifically, the proposed amendments:

- Retain the core principles of the approved design including the rear laneway connection, overall building height and form.
- Retain the approved podium and tower forms of the approved scheme, however, with an additional highly recessed addition, ensuring that the proposed built form continues to present an appropriate response to Rokeby Street and surrounds.
- Inform minor refinements to the architectural quality and presentation of the façade treatment and materiality
- Seek to enhance the functionality of the Site and provide an improved offering for the future users, through the provision of a more efficient ground floor layout.
- Provide for a comparable car parking outcome with access unchanged.
- Does not create any new or unreasonable amenity impacts, when compared with the approved plans.

We trust that Council has all the relevant information in order to make a decision on this amendment application, however, should Council require any clarification in respect to the above, do not hesitate to contact the undersigned on (03) 8626 9000.

Yours sincerely



PAUL LITTLE

Planning & Property Partners Pty Ltd

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PLANNING PERMIT

Permit No.:	PA2402824
Planning scheme:	Yarra Planning Scheme
Responsible authority:	Minister for Planning
ADDRESS OF THE LAND:	32-38 and 40-50 Rokeby St, Collingwood VIC 3066

THE PERMIT ALLOWS:

Planning scheme clause No.	Description of what is allowed
34.02-1	Use the land for a shop
32.02-4	Construct a building or construction or carry out works
43.02-2	Construct a building or construction or carry out works
52.06-3	Reduction in the standard car parking requirements.

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.

Amended Plans

2. Before the use and development starts, excluding demolition, bulk excavation and site preparation works, plans must be approved and endorsed by the responsible authority. The plans must be prepared to the satisfaction of the responsible authority, be drawn to scale with dimensions, be generally in accordance with the plans prepared by MA+Co and labelled TP005, TP050, TP051, TP090, TP110 – TP127 (inclusive), TP200 – TP202 (inclusive), TP300 – TP302 (inclusive), TP900- TP903 (inclusive), all Revision BA but amended to show the following details:
 - a) A minimum headroom clearance of 3.9 metres dimensioned for pedestrians within the Rokeby Street setback area;
 - b) A basement plan which includes:
 - i. A swept path analysis demonstrating the ability for all vehicles to enter and exit the site in a safe manner; and
 - ii. The internal layout of the car park including all ramp grades / widths / transitions, dimensions of car spaces, aisle widths, height clearances, etc. demonstrating compliance

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with the Yarra Planning Scheme or the relevant Australian Standards (AS/NZS 2890.1:2004).

- c) Any changes required by:
- i. Condition 6 (Façade Strategy).
 - ii. Condition 7 (Landscape Plan).
 - iii. Condition 10 (Sustainable Management Plan).
 - iv. Condition 13 (Waste Management).
 - v. Condition 16 (Wind Report).
 - vi. Condition 18 (Green Travel Plan).
 - vii. Condition 20 (Lighting).

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Layout Not Altered

3. The 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 and Landscape Architect

4. Except with the written consent of the responsible authority, MA+Co Architects and Openwork Landscape Architects must be retained to complete and provide architectural and landscape oversight during detailed design and construction, as shown in the endorsed plans, to the satisfaction of the responsible authority.

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Staging

5. Concurrent with the endorsement of plans pursuant to Condition 2, a staging plan must be submitted to and approved by the responsible authority. The staging plan must detail the indicative construction stages, construction of the shared basement, include all public realm works, and if applicable, any proposed temporary treatment and use of vacant land.

The development must proceed in the order of the stages as shown on the endorsed plan(s), unless otherwise agreed to in writing by the responsible authority.

Façade Strategy

6. Concurrent with the endorsement of plans pursuant to Condition 2, a Façade Strategy and Materials and Finishes must be submitted to and be approved by the responsible authority. All materials, finishes and colours must be in conformity with the approved Façade Strategy to the satisfaction of the responsible authority. The Façade Strategy must be generally in accordance with the development plans and must detail:
- a) elevation drawings at a scale of 1:250 illustrating typical podium details, entries and doors, services and utilities and typical tower facade details;
 - b) section drawings to demonstrate façade systems, including fixing details and joints between materials or changes in form;
 - c) rendered images of the development from multiple vantage points;
 - d) information about how the façade will be maintained, including any vegetation; and
 - e) a sample materials board and coloured renders outlining colours, materials and finishes as these relate to the building, with a graffiti proof finish applied to all walls facing Rokeby Street and the laneways, including the walls accessible to the public at the ground floor.

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Landscape Plan

7. Concurrent with the endorsement of plans pursuant to Condition 2, an amended landscape package prepared by a suitably qualified landscape architect must be submitted and approved by the responsible authority. This plan must be generally in accordance with the plans prepared by Openwork dated 15 December 2023 and must be updated to include:
- Areas of landscaping provided along the internal walkway;
 - Maintenance schedule including task details and frequency as well as details relating to safe maintenance access;
 - Confirmation that load bearing weights for the building structure will be checked and confirmed by a suitably qualified structural engineer against the saturated bulk density of soil media, planter box and plant mass being proposed;
 - Details of demonstrate how the climber plants would survive and grow, including details of lattice / wires to allow the plants to grow vertically; ~~and~~
 - Location and details of artwork in the rear laneway; ~~and-~~
 - ~~f) Consistency with the Revision B plans prepared by MA+Co (as referenced in condition 2).~~
8. Before any stage of the building is occupied, or by such later date as approved in writing by the responsible authority, the landscaping works shown on the endorsed Landscape Plan must be carried out and completed to the satisfaction of the responsible authority. The landscaping shown on the endorsed Landscape Plan must be maintained by:
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- implementing and complying with the provisions, recommendations and requirements of the endorsed Landscape Plan;
 - not using the areas set aside on the endorsed Landscape Plan for landscaping for any other purpose; and
 - replacing any dead, diseased, dying or damaged plants;

Street Trees

9. Before the development commences, excluding demolition, bulk excavation and site preparation works, or by such later date as approved in writing by Yarra City Council, the permit holder must make a one-off contribution of a minimum of \$7,739 to Council to contribute to the cost of planting seven (7) new street trees.

Sustainable Management Plan

10. Concurrent with the endorsement of plans pursuant to Condition 2, an amended Sustainable Management Plan (SMP) prepared by a suitably qualified person must be submitted to and approved by the responsible authority. When approved, the amended SMP report will be endorsed and form part of this permit. The amended SMP report must be generally in accordance with the SMP report prepared by GIW Environmental Solutions, dated 20 December 2023, but modified to include or show:
- Which building elements will employ recycled products; ~~and-~~
 - ~~b) Consistency with the Revision B plans prepared by MA+Co (as referenced in condition 2).~~
11. The provisions, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the responsible authority.
12. Prior to the occupation of any stage(s) of the development, a report from the author of the Sustainability Management Plan approved under this permit, or similarly qualified person or company, must be submitted to the responsible authority. The report must be to the satisfaction of the responsible authority and must confirm all measures specified in the SMP for the relevant stage have been implemented in accordance with the approved SMP.

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Waste Management Plan

13. Concurrent with the endorsement of plans under Condition 2, a Waste Management Plan (WMP) must be approved and endorsed by the responsible authority. The amended WMP must be generally in accordance with the WMP prepared by Ratio Consultants Pty. Ltd. and dated 15 December 2023, but modified to show:

- a) Consistency with the Revision B plans prepared by MA+Co (as referenced in condition 2).

~~13-14.~~ The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the responsible authority.

~~14-15.~~ The collection of waste from the site must be by private collection, unless with the prior written consent of the responsible authority.

Wind Assessment Report

~~15-16.~~ Concurrent with the endorsement of plans under Condition 2 of this permit, an amended Wind Report must be approved and endorsed by the responsible authority. The amended Wind Report must be generally in accordance with the Pedestrian Wind Environment Study prepared by Vipac, dated 20 December 2023, but modified to include:

- a) Wind tunnel testing to verify any predictions.
- b) Any wind mitigation measures applied within the subject title boundaries.
- ~~b)c) Consistency with the Revision B plans prepared by MA+Co (as referenced in condition 2).~~

~~16-17.~~ The provisions, recommendations and requirements of the endorsed Wind Assessment Report must be implemented and complied with to the satisfaction of the responsible authority.

Green Travel Plan

~~17-18.~~ Concurrent with the endorsement of plans under Condition 2 of this permit, an amended Green Travel Plan (GTP) to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority. When approved, the amended (GTP) will be endorsed and will form part of this permit. The amended (GTP) must be generally in accordance with the (GTP) prepared by Ratio Consultants Pty. Ltd. and dated 15 December 2023, but modified to make reference to the plans as endorsed at Condition 2.

~~18-19.~~ The provisions, recommendations and requirements of the endorsed Green Travel Plan must be implemented and complied with to the satisfaction of the responsible authority.

Lighting

~~19-20.~~ Concurrent with the endorsement of plans under Condition 2 of this permit, a Public Lighting Plan (PLP) must be submitted to and approved by the responsible authority. The PLP must address lighting along the Rokeby Street and laneway interfaces as per Australian Standard requirements but also in the walkways and entrances to the approved building. When approved, the PLP will be endorsed and will form part of this permit. The PLP must provide:

- a) The location, direction, shield and intensity of all proposed lighting.
- b) A maintenance regime for the lighting scheme within the curtilage of the site.
- c) The use of energy efficient luminaires and/or solar lighting technologies to reduce carbon emission if possible.
- d) Confirmation that the lighting scheme has been approved by the power authority.

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

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Loading and Unloading

20-21. Before any stage of the development is occupied, the area set aside on the endorsed plans for loading and associated works must be:

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- a) constructed and available for use in accordance with the endorsed plans;
- b) formed to such levels and drained so that it can be used in accordance with the endorsed plans;
- c) treated with an all-weather seal or some other durable surface; and
- d) line-marked or provided with some adequate means of showing the loading bay area, to the satisfaction of the responsible authority.

21-22. The loading and unloading of vehicles and the delivery of goods to and from the land must be conducted entirely within the curtilage of the land to the satisfaction of the responsible authority.

22-23. Except with the prior written consent of the responsible authority, delivery and collection of goods to and from the land may only occur between 6am and 10pm on any day.

Construction Management Plan

23-24. Before any stage of the development commences, a Construction Management Plan must be submitted to and approved by the responsible authority in consultation with Yarra City Council. When approved, the plan will be endorsed and will form part of this permit. The plan must provide for:

- a) a pre-conditions survey (dilapidation report) of the land and all adjacent Council road frontages and nearby road infrastructure;
- b) works necessary to protect road and other infrastructure;
- c) remediation of any damage to road and other infrastructure;
- d) containment of dust, dirt and mud within the land and method and frequency of clean up procedures to prevent the accumulation of dust, dirt and mud outside the land;
- e) facilities for vehicle washing, which must be located on the land;
- f) the location of loading zones, site sheds, materials, cranes and crane/hoisting zones, gantries and any other construction related items or equipment to be located in any street;
- g) site security;
- h) management of any environmental hazards including, but not limited to:
 - i. contaminated soil;
 - ii. materials and waste;
 - iii. dust;
 - iv. stormwater contamination from run-off and wash-waters;
 - v. sediment from the land on roads;
 - vi. washing of concrete trucks and other vehicles and machinery; and
 - vii. spillage from refuelling cranes and other vehicles and machinery;
- i) the construction program;
- j) preferred arrangements for trucks delivering to the land, including delivery and unloading points and expected duration and frequency;
- k) parking facilities for construction workers;
- l) measures to ensure that all work on the land will be carried out in accordance with the Construction Management Plan;
- m) an outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services;
- n) an emergency contact that is available for 24 hours per day for businesses and the Yarra City Council in the event of relevant queries or problems experienced;

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- o) the provision of a Traffic Management Plan to comply with provisions of AS 1742.3-2002 Manual of uniform traffic control devices - Part 3: Traffic control devices for works on roads; and
- p) a Noise and Vibration Management Plan showing methods to minimise noise and vibration impacts on nearby properties and to demonstrate compliance with Noise Control Guideline 12 for Construction (Publication 1254) as issued by the Environment Protection Authority in October 2008. The Noise and Vibration Management Plan must be prepared to the satisfaction of the Yarra City Council. In preparing the Noise and Vibration Management Plan, consideration must be given to:
 - i. using lower noise work practice and equipment;
 - ii. the suitability of the land for the use of an electric crane;
 - iii. silencing all mechanical plant by the best practical means using current technology;
 - iv. fitting pneumatic tools with an effective silencer;
 - v. other relevant considerations; and
 - vi. any site-specific requirements.

During the construction:

- a) any stormwater discharged into the stormwater drainage system must be in compliance with Environment Protection Authority guidelines;
- b) stormwater drainage system protection measures must be installed as required to ensure that no solid waste, sediment, sand, soil, clay or stones from the land enters the stormwater drainage system;
- c) vehicle borne material must not accumulate on the roads abutting the land;
- d) the cleaning of machinery and equipment must take place on the land and not on adjacent footpaths or roads; and
- e) all litter (including items such as cement bags, food packaging and plastic strapping) must be disposed of responsibly.

24-25. If required, the Construction Management Plan may be approved in stages. Construction of each stage must not commence until a Construction Management Plan has been endorsed for that stage, to the satisfaction of the Yarra City Council.

25-26. The provisions, recommendations and requirements of the endorsed Construction Management Plan must be implemented and complied with to the satisfaction of the Yarra City Council.

26-27. Except with the prior written consent of the Yarra City Council, demolition or construction works must not be carried out:

- a) Monday–Friday (excluding public holidays) before 7 am or after 6 pm;
- b) Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday) before 9am or after 3pm; or
- c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.

Road Infrastructure

27-28. Before any stage of the development is occupied, or by such later date as approved in writing by the responsible authority, the following works must be undertaken at the permit holder's cost and to the satisfaction of Yarra City Council:

- a) The vehicle crossing on Rokeby Street must be constructed:
 - i. Demonstrating satisfactory access into and out of the site with a vehicle ground clearance check using the B99 design vehicle, and be fully dimensioned with actual reduced levels (to three decimal places) as per Council's Vehicle Crossing Information Sheet.
 - ii. The Permit Holder must obtain the consent of the relevant power authority for the relocation of any power poles. All costs associated with the relocation will be at the Permit Holder's cost.

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- iii. The vehicle crossing shall be constructed in accordance with the Council's requirements and specifications.
- b) all building works and connections for underground utility services, the footpaths along the property's Rokeby Street and laneway frontages must be reconstructed (including kerb and channel)
 - i. All footpaths adjacent to the property must be reconstructed in accordance with Council standards;
 - ii. The footpath must be constructed with a maximum crossfall of 1 in 40 or unless otherwise specified by Council;
- c) the full width road pavement of the Rokeby Street reserve outside the site's frontage must be profiled and re-sheeted;
- d) the relocation of any service poles, structures or pits necessary to facilitate the development must be undertaken;
- e) any redundant vehicular crossing must be demolished and re-instated as standard footpath and kerb and channel;
- f) any roads, footpaths and other road related infrastructure adjacent to the development site damaged as a result of the construction works (including trenching and excavation for utility service connections) must be reinstated;
- g) the kerbs and channels along the site's Rokeby Street frontage are to be reconstructed;
- h) the removal of any kerbside parking sensors and any reinstatement of parking sensors:
 - iii. Any costs associated with the reinstatement of kerb and infrastructure due to the removal of the parking sensors must also be borne by the Permit Holder

Development Contributions

~~28-29.~~ Prior to the issue of a building permit, commencement of the development, or issue of a Statement of Compliance (whichever occurs first), the applicant must pay the amount of the levy required under the Development Contributions Plan Overlay – Schedule 1.

Land Survey

~~29-30.~~ Prior to the commencement of the development excluding demolition, bulk excavation and site preparation works, or as otherwise agreed with the responsible authority, the owner must provide evidence to the responsible authority and that the party wall easement burdening land in plan of consolidation 166391G, as shown on Title Plan TP234294L and Lots S3 in Plan of Subdivision 825872P has been removed to the satisfaction of the responsible authority.

~~30-31.~~ Prior to the occupation of the development, the land titles must be consolidated, to the satisfaction of the responsible authority.

~~31-32.~~ Before the development starts, excluding demolition, bulk excavation, site preparation works and any clean up works, the permit holder must:

- a) Enter into an agreement under section 173 of the Planning and Environment Act 1987 with the Minister for Planning and Yarra City Council
- b) Register the agreement on the title for the land in accordance with section 181 of the Planning and Environment Act 1987; and
- c) Provide the Minister for Planning and Yarra City Council with the dealing number confirming the registration of the title.

The agreement must be in a form to the satisfaction of the Minister for Planning and Yarra City Council and the permit holder must be responsible for the expense of the preparation and registration of the agreement, including the Minister for Planning and Yarra City Council's reasonable costs and expenses



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(including legal expenses) incidental to the preparation, registration, and enforcement of the agreement. The agreement must contain covenants to be registered on the title of the property so as to run with the land, and must provide for the following:

- a) The owners must acknowledge that access to daylight through the windows on the southern boundary of the land may be lost in the event the adjacent property at 26-28 Rokeby Street is redeveloped.

Public Access

~~32-33.~~ The internal pedestrian walkway must provide for unfettered public access between 7am to 8pm, 7 days a week during daylight saving and between 7am to 6pm, 7 days a week outside of daylight saving.

~~33-34.~~ The gates to the laneway adjacent to the eastern boundary must be open and allow for unfettered public access between the hours of 6am to 10pm, 7 days a week.

Shop Operating Hours

~~34-35.~~ Except with the prior written consent of the responsible authority, the shop(s) authorised by this permit may only operate between the hours of 7am to 10pm, Monday to Sunday.

General

~~35-36.~~ The amenity of the area must not be detrimentally affected by the use or development, including through:

- a) the transport of materials, goods or commodities to or from the land;
 - b) the appearance of any buildings, works or materials;
 - c) the emission of noise, artificial light, vibration, small fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil;
 - d) the presence of vermin.
- to the satisfaction of the responsible authority.

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~~36-37.~~ The development must at all times comply with the noise limits specified in the 139 Environment Protection Regulations under the Environment Protection Act 2017 and the incorporated Noise Protocol (Publication 1826.4, Environment Protection Authority, May 2021), as may be amended from time to time.

~~37-38.~~ Before any stage(s) of the development is occupied, or by such later date as approved in writing by the responsible authority, any podium wall facing Rokeby Street or the rear laneway must be treated with a graffiti proof finish to the satisfaction of the Yarra City Council.

~~38-39.~~ Before any stage(s) of the development is occupied, or by such later date as approved in writing by the responsible authority, all new on-boundary walls must be cleaned and finished to the satisfaction of the responsible authority.

~~39-40.~~ All buildings and works must be maintained in good order and appearance to the satisfaction of the responsible authority.

~~40-41.~~ All pipes, fixtures, fittings and vents servicing any building on the land must be concealed in service ducts or otherwise hidden from view to the satisfaction of the responsible authority.

Commencement

~~41-42.~~ This permit will operate from the issued date of this permit.

Expiry

~~42-43.~~ This permit will expire if:

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- a) the development associated with Stage 1 is not commenced within three years of the date of this permit;
- b) the development associated with Stage 2 is not commenced within four years of the date of this permit;
- c) the development is not completed within six years of the date of this permit; and
- d) The use is not commenced within six years of the date of this permit.

The responsible authority may extend the periods referred to if a request is made in writing before the permit expires or within six months afterwards for commencement or within twelve months afterwards for completion.

USEFUL INFORMATION:

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

- A local law permit (e.g. Asset Protection Permit, Road Occupation Permit) may be required before development is commenced. Please contact Yarra City Council's Construction Management Branch on Ph. 9205 5555 to confirm.
- The applicant must apply for a Legal Point of Discharge under Regulation 133 – Stormwater Drainage of the *Building Regulations 2018* from Yarra City Council's Building Services unit.
- Any storm water drainage within the site must be provided and be connected to the nearest Yarra City Council pit of adequate depth and capacity (legal point of discharge), or to Council's satisfaction under Section 200 of the *Local Government Act 1989* and Regulation 133.
- Any services poles, structures or pits that interfere with the development must be adjusted, removed, or relocated at the permit holder's expense after seeking approval from the relevant authority.
- Areas must be provided inside the property line and adjacent to the footpath to accommodate pits and meters. No private pits, valves or meters on Yarra City Council property will be accepted.
- Except with the prior written consent of the Yarra City Council, Council assets must not be altered in any way.
- No parking restriction signs, or line-marked on-street parking bays are to be removed, adjusted, changed or relocated without approval or authorisation from Yarra City Council's Parking Management unit and Construction Management branch. Any on-street parking reinstated (signs and line markings) because of development works must be approved by Council's Parking Management unit.
- Only roof runoff, surface water and clean groundwater seepage from above the water table can be discharged into Yarra City Council's drains.
- Yarra City Council will not permit clean groundwater from below the groundwater table to be discharged into Council's drainage system. Basements that extend into the groundwater table must be waterproofed/tanked.
- The developer needs to ensure that the building has adequate clearances from overhead power cables, transformers, substations, or any other electrical assets where applicable.
- Energy Safe Victoria has published an information brochure, building design near powerlines, which can be obtained from their website: <http://www.esv.vic.gov.au/About-ESV/Reportsand-publications/Brochures-stickers-and-DVDs>

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IMPORTANT INFORMATION ABOUT THIS PERMIT

WHAT HAS BEEN DECIDED?

The responsible authority has issued a permit

CAN THE RESPONSIBLE AUTHORITY AMEND THIS PERMIT?

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

WHEN DOES A PERMIT BEGIN?

A permit operates:

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

WHEN DOES A PERMIT EXPIRE?

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

WHAT ABOUT REVIEWS?

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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.

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Project Description Mixed Use Development
Project Address 32-50 Rokeby St, Collingwood 3066

32-50 Rokeby St	32-38 Rokeby St	40-50 Rokeby St
Drawing Number	Revision	
22006_32-50R_B Date: 11/12/2024		
General/ Overall	+ L04-L10: Infill of floor plate between 32 and 40 Rokeby St	+ L03-L09: Infill of floor plate between 32 and 40 Rokeby St
22015_TP001_A Cover Sheet	+ No changes	
22015_TP005_A Existing Site Conditions / Survey		
22015_TP020_A Area Schedule	+ Revised area schedule + Increased car parking numbers (37 to 38) + Increased bike parking number (38 to 45)	+ Revised area schedule
22015_TP050_A Existing Site Plan/Demo Plan	+ No changes	
22015_TP051_A Existing Streetscape Elevations		
22015_TP090_A Finishes	+ CFC2 Finish amended	
22015_TP100 Site Plan	+ Infill of floor plate between 32 and 40 Rokeby St	+ Infill of floor plate between 32 and 40 Rokeby St Reduced core extent
22015_TP110 B03 Plan	+ Added bike parking (26) + Added lockers (12)	+ No changes
22015_TP111 B02 Plan	+ Revised EOT layout + Increased car parking (13 to 14) + Revised bike parking number (30 to 13) + Revised locker number (36 to 12)	+ No changes
22015_TP112 B01 Plan	+ No changes	+ Increased bike parking (144 to 152)
22015_TP113 Ground Plan	+ Revised façade (Fire requirement) + Revised foyer (relocate FIP/ Mail) + Revised entry to shop + Revised core setback	+ Revised business lounge layout + Revised EOT and foyer layout + Revised waste layout + Reduced bike parking number (52 to 44) + Increased locker number (136 to 137) + Added security door for loading dock + Reduced south-east corner footprint (south east laneway)
22015_TP114 L01 Plan	+ Removed skylight + Revised core setback	+ Reduced south-east corner footprint + Revised façade treatment + Removed skylight
22015_TP115_A L02 Plan	+ Removed skylight + Revised core setback	+ Removed skylight + Reduced southeast-corner footprint
22015_TP116_A L03 Plan	+ Removed skylight + Added balcony on west facade	+ Infill of floor plate between 32 and 40 Rokeby St + Added glazing

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- + Reduced southeast-corner footprint
- + Revised external finish of central core

22015_TP117_A L04 Plan + Removed skylight + Infill of floor plate between 32 and 40 Rokeby St
 + Infill of floor plate between 32 and 40 Rokeby St + Revised external finish of central core

22015_TP118_B L05 Plan + Infill of floor plate between 32 and 40 Rokeby St + Infill of floor plate between 32 and 40 Rokeby St
 + Added glazing
 + Revised external finish of central core

22015_TP119_B L06 Plan

22015_TP120_B L07 Plan

22015_TP121_B L08 Plan

22015_TP122_B L09 Plan

22015_TP123_B L10 Plan

22015_TP124_A L11 Plan

22015_TP125_A L12 Plan + No changes + Revised external finish of central core

22015_TP126_A Roof Plan (Rooftop) + No changes + Removed bocce court
 + Reduced core extent
 + Revised external finish of central core
 + Increased extent of basketball court mesh enclosure

22015_TP127_A Roof Plan (Lift Overrun) + No changes + Reduced core extent

22015_TP200_A Proposed Streetscape Elevation Rokeby Street Elevation Rokeby Street Elevation
 + Podium: Revised façade treatment + Ground: Revised Façade Treatment
 + L03: Added Balcony + L03 - L09: Infill of floor plate between 32 and 40 Rokeby St
 + L04 - L10: Infill of floor plate between 32 and 40 Rokeby St + Rooftop: Increased extent of basketball court mesh enclosure
 + CF02 Finish amended + Rooftop: Reduced core extent

Laneway Elevation Laneway Elevation
 + Podium: Revised façade treatment + Ground: Revised façade treatment
 + L04 - L12: Infill of floor plate between 32 and 40 Rokeby St + L09 - L12: Revised louvres
 + Rooftop: Reduced core extent

22015_TP201_A Detail Elevations West Elevation West Elevation
 + Podium: Revised façade Treatment + Ground - L01: Revised façade treatment
 + L03: Added Balcony + L03 - L09: Infill of floor plate between 32 and 40 Rokeby St
 + L04 - L10: Infill of floor plate between 32 and 40 Rokeby St + Rooftop: Increased extent of basketball court mesh enclosure
 + CF02 Finish amended + Rooftop: Reduced core extent
 + Revised external finish of core

North Elevation North Elevation
 + L03: Balcony added + L01 - L03: CF03 changed to CF01
 + L04 - L11: Infill of floor plate between 32 and 40 Rokeby St + L04 - L11: Added louvres
 + Revised external finish of core

22015_TP202_A Detail Elevations East Elevation East Elevation
 + Podium: Revised façade treatment + Ground: Revised façade treatment
 + L04 - L10: Infill of floor plate between 32 and 40 Rokeby St + L09 - L12: Revised louvres
 + Rooftop: Reduced core extent
 + Revised external finish of core

South Elevation South Elevation

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- + L04 - L11: Revised façade treatment
 - + CF02 Finish amended
- + L03 – L10: Infill of floor plate between 32 and 40 Rokeby St
 - + L03 - L11: Revised façade treatment
 - + Rooftop: Revised external finish of core

22015_TP300_B Sections	<ul style="list-style-type: none"> + L04 – L11: Infill of floor plate between 32 and 40 Rokeby St 	<ul style="list-style-type: none"> + Ground: Revised EOT layout + L02 – L03: Removed skylights + L03 – L10: Infill of floor plate between 32 and 40 Rokeby St
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22015_TP301_B Sections + No changes

22015_TP302_B Sections

22015_TP900_B Shadow Diagrams	<ul style="list-style-type: none"> + No change to shadow extent + Infill of floor plate between 32 and 40 Rokeby St 	<ul style="list-style-type: none"> + No change to shadow extent + Infill of floor plate between 32 and 40 Rokeby St + Revised southeast corner layout
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22015_TP901_B Shadow Diagrams

22015_TP902_B Shadow Diagrams

22015_TP903_B Shadow Diagrams

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