

## PLANNING PERMIT

<b>Permit No.:</b>	PA2403098
<b>Planning scheme:</b>	Yarra Planning Scheme
<b>Responsible authority:</b>	Minister for Planning
<b>ADDRESS OF THE LAND:</b>	21-53 Hoddle Street, Collingwood

### THE PERMIT ALLOWS:

<b>Planning scheme clause No.</b>	<b>Description of what is allowed</b>
34.01-1	Use of land for residential dwellings and a community use (innominate use).
34.04-3	To construct a building and construct or carry out works.
43.02-2	To construct a building and construct or carry out works.
52.06-3	To reduce the car parking requirement.
52.29-2	To create or alter access to a Transport Zone 2.

### THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

#### Compliance with documents approved under this permit

1. At all times what the permit allows must be carried out in accordance with the requirements of any document approved under this permit to the satisfaction of the responsible authority.

#### Commencement

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

#### Approved and endorsed plans

3. Before the development starts, excluding demolition, bulk excavation, site preparation and remediation works, detailed development plans for that stage 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 and be generally in accordance with the architectural plans, prepared by Cox Architecture, Drawing Nos. TP- 00-000, TP-01-010, TP-10-100, TP-15-100, TP-20- 000, TP-20-010, TP-20-098, TP-20-099, TP-21-000, TP-21-010, TP-21-020, TP-21-030, TP-21-040, TP- 21-050, TP-21-060, TP-21-070, TP-21-080, TP- 21- 090TP-21-100, TP-21-110, TP-21-120, TP-21-130, TP-21-140, TP-21-150, TP-21-160,

Date issued: 4 December 2024 Signature for the responsible authority:



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TP-21-170, TP- 21-180, TP-25-010, TP-25-011, TP-25-020, TP-25- 021, TP-30-100, TP-30-110, TP-30-120, TP-30-130, TP-30-160, TP-30-170, TP-30-180, TP-30-190, TP- 30-200, TP-35-010, TP-35-030, TP-35-040, TP-40- 100, TP-40-110, TP-41-150, TP-45-100, TP-45- 105, TP-45-110, TP-45-120, TP-45-130, TP-45- 140, TP-45-150, TP-45-200, TP-45-210, TP-45-220, TP-45-230, TP-45-240, TP-55-100, TP-55- 105, TP-55-110, TP-55-115, TP-55-120, TP-55- 125, TP-55-130, TP-55-135, TP-55-140, TP-55- 145, TP-55-150, TP-55-155, TP-55-160, TP55- 165, TP-55-610, and TP-90-010, All Revision V and dated 30/05/24, but modified to show:

- a) The skybridge deleted.
- b) Incorporation of increased solidity along the ground floor street façade with design details such plinths, stall risers, integrated seating, integrated planters etc, as generally shown on the 'sketch plans' dated 30 September 2024.
- c) Integrated seating to the southern end of the south-bound through link, as generally shown on the 'sketch plans' dated 30 September 2024.
- d) A notation on the ground floor plan stating the operable doors to the through links are to remain open during business hours and closed with key/fob access after-hours.
- e) Elevation plans and/or renders within the through links demonstrating the interface and delineation between private and publicly accessible spaces.
- f) Design details of privacy screens proposed to mitigate against internal overlooking.
- g) The bedroom space within the Type A01 dwellings altered to be a minimum of 600mm wider, by reducing the depth of the proposed balconies to 1.2m, or another solution as agreed to by the responsible authority.
- h) The Type A05 Studio dwellings altered to reflect the alternative layout shown on Drawing No. SK-005 of the 'sketch plans' dated 30 September 2024.
- i) Allocation of storage cages within the basement level to the relevant apartment types.
- j) The wind mitigation measures on the level 15 and 15 terrace, as described in the endorsed Wind Report, shown on the floor plans and elevations.
- k) A notation stating the mechanical plant and car park entry will comply with noise protection requirements, as per the recommendations in the endorsed acoustic report.
- l) Section diagrams demonstrating the second-floor balconies of the adjoining townhouses at 18 Islington Street will not receive any additional overshadowing between 9am and 3pm of the September Equinox, as shown on the Shadow diagrams, Revision V, dated 30 May 2024.
- m) A cross-section of the proposed vehicle crossover to Islington Street with a DDA compliant crossfall to a maximum of 1:33 and a minimum width of 1.5m.
- n) An indicative wayfinding strategy (on a separate ground floor plan or by any other clear means) to demonstrate how the public and users of the building will learn to navigate the building to access the publicly accessible areas, including shops, food and drink premises, courtyards, and bike parking.
- o) Any changes required by the Façade Strategy.
- p) Any changes required by the Landscape Plan.



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- q) Any changes required by the Wind Report.
- r) Any changes required by the Acoustic Report.
- s) Any changes required by the Car Parking and Traffic Management Plan.
- t) Any changes required by the Sustainability Management Plan.

**Layout not altered**

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

**Restriction on Title**

5. This permit does not come into effect until such time that the Section 173 Agreement AE428825G that affects Land in Plan of Consolidation 371229H, or 53 Hoddle Street, is amended (or ended) under Section 178 of the Planning and Environment Act 1987.

**Façade Strategy**

6. Concurrent with the endorsement of plans, a façade strategy must be approved and endorsed by the responsible authority. The façade strategy must be prepared to the satisfaction of the responsible authority, be drawn to scale and be generally in accordance with the endorsed development plans, and must address the following matters:
- a) A concise description by the architect of the building design concept and how the façade works to achieve this.
  - b) Elevation details at a scale of 1:50 illustrating ground floor details for all buildings, including entries, doors, ground floor interfaces, and any features which are important to the building's overall presentation, including, but not limited to:
    - i. Details of materiality, fixings, and maintenance of the wind canopies or screens to ensure they are consistent with the architectural language of the approved buildings.
    - ii. Shopfront and building entry details including plinths, canopies, integrated seating, window framing, operable windows, integrated planters and the use of robust and fine-grained materials to different elements.
  - c) 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.
  - d) Information about how the façade will be accessed and maintained and cleaned, including any planting if proposed.
  - e) Example prototypes and/or precedents that demonstrate the intended design outcome as indicated on plans and perspective images, to produce a high-quality built form outcome in accordance with the design concept.
  - f) A detailed schedule of colours, materials and finishes, including the colour, type and quality of materials showing their application and appearance. Materials and finishes must be high quality, contextually appropriate, durable and fit for purpose. This can be demonstrated with coloured elevations or renders from key viewpoints, to show the materials and finishes, and linking them to a physical sample board with clear coding.



- g) Confirmation light reflectance will be less than 15 per cent for all external building glazing and cladding materials and finishes when measured at an angle of 90 degrees to the surface of the material (normal incidence), except with the written consent of the responsible authority.

### **3D Model**

7. Concurrent with the endorsement of plans, a 3D digital model of the development and its immediate surrounds must be approved by the responsible authority. The 3D model must be in accordance with the *Technical Advisory Note for 3D Digital Model Submissions* prepared by the Department of Transport and Planning.

### **Architects to be retained**

8. Except with the written consent of the responsible authority, Cox Architects must be retained to provide architectural oversight during construction and completion of the detailed design as shown in the endorsed plans and façade strategy.

### **Wind assessment**

9. Concurrent with the endorsement of plans, an amended wind assessment report must be approved and endorsed by the responsible authority. The wind assessment report must be prepared to the satisfaction of the responsible authority and be generally in accordance with the Wind report by Mel Consultants dated 4 July 2024, but modified to show:
- a) Wind conditions within parts of the communal terraces and public square where outdoor dining and seating is shown on the endorsed architectural plans to meet the sitting criterion.
  - b) Wind conditions within the dwelling private terraces/balconies with a minimum area of 12sqm to meet the standing criterion.
10. Before the development is occupied, the recommendations of the endorsed wind assessment must be implemented to the satisfaction of the responsible authority.

### **Landscape plans**

11. Concurrent with the endorsement of plans, a landscape plan must be approved and endorsed by the responsible authority in consultation with Yarra City Council. The landscape package must be prepared to the satisfaction of the responsible authority and be generally in accordance with the landscape and public realm plan prepared by Tract, dated 30 May 2024, but modified to show:
- c) Any changes required to be consistent with the endorsed detailed development plans.
  - d) Planting plans for each building level that incorporates landscaping, showing the location of proposed location of landscaping, plant quantities and species, as well as a legend containing key features, materials and surfaces.
  - e) A plant schedule containing the following information:
    - i. Plant species (botanical names and common name) installation size, width x height at maturity, and plant quantities; and
    - ii. The plant schedule should correlate with the planting plans.
  - f) Detailed drawings for elements such as furniture and planters, showing dimensions (including soil depth), drainage, lining materials and growing media. Volumes of



growing media that are adequate for the plant species as well as cultivation depth must be provided.

- g) Clear labels/information on the landscape plan with detailed drawings, and plant schedules demonstrating an increased canopy cover and deep soil planting in compliance with the provisions of Clause 58.03-5 landscaping of the Yarra Planning Scheme, including:
- i. Areas and dimensions for deep soil planting.
  - ii. Location and quantities for specified tree types (i.e. type A, B, and C).
  - iii. Calculations for proposed canopy trees (soil volumes, deep soil planting and specified tree types).
- h) Details of the proposed green roof, including (but not limited to) dimensions, mulch, soil layers, and filtration media, water supply and overflow measures.
- i) Provision of wind proof mulch for any above ground planted areas.
- j) A maintenance schedule, including task details and frequency, clearly demonstrating how safe maintenance access is to be provided and how this will be integrated into the building design.

#### **Completion of landscaping**

12. Before the development is occupied, the landscaping shown on the approved landscape plans must be carried out and completed to the satisfaction of Yarra City Council.

The responsible authority may consent in writing to vary this requirement.

#### **Landscaping maintenance**

13. At all times the landscaping shown on the approved landscape plans must be maintained (including the replacement of any dead, diseased or damaged plants) to the satisfaction of Yarra City Council.

#### **Environmentally Sustainable Design**

14. Concurrent with the endorsement of plans, a Sustainability Management Plan (SMP) must be approved and endorsed by the responsible authority. The SMP must be prepared to the satisfaction of the responsible authority, respond to the requirements of the Yarra Planning Scheme and be generally in accordance with the SMP, prepared by ADP, dated 30 May 2024, but modified to show:
- a) Any changes required to be consistent with the endorsed detailed development plans.
  - b) Evidence that the approved development is registered with the Green Building Council of Australia with a letter of registration with a reference number.
  - c) Details of the Green Star Accredited Professional who has registered the project with the Green Building Council of Australia.

#### **Implementation of ESD Initiatives**

15. Within six months of the occupation of the development, a report from the author of the endorsed SMP must be approved and endorsed by the responsible authority. The report must outline how the design initiatives implemented within the completed development



achieve the performance outcomes specified in the endorsed report, to the satisfaction of the responsible authority.

### **Traffic and parking management plan**

16. Concurrent with the endorsement of plans, a traffic and parking management plan must be approved and endorsed by the responsible authority in consultation with Yarra City Council. The traffic and parking management plan must be prepared to the satisfaction of the responsible authority and be generally in accordance with the Traffic and Transport Assessment prepared by One Mile Grid, dated 12 July 2024, but modified to show:
- a) Swept paths diagrams to demonstrate car parking bays 051, 168 and 170 are appropriately designed to accommodate a standard size vehicle or alternatively designated as small car parking spaces.
  - b) Detail of how the approved on-site car and bicycle parking facilities will be operated, allocated, and managed, including how visitors are to access the bicycle parking.
  - c) Details of the electric vehicle infrastructure consistent with the endorsed Sustainability Management Plan.
17. Before the development is occupied, the areas set aside for the parking of vehicles and access lanes shown on the endorsed plans must be:
- a) Constructed.
  - b) Properly formed to such levels that they can be used in accordance with the plans.
  - c) Sealed with a concrete or asphalt surface.
  - d) Drained.
  - e) Line marked to indicate each car parking space, all access lanes and pedestrian paths.
  - f) Clearly marked to show the direction of traffic along access lanes and driveways.
- Car spaces, access lanes and driveways must be kept available for these purposes.  
Once constructed, these areas must be maintained to the satisfaction of Yarra City Council.

### **Waste Management Plan**

18. Concurrent with the endorsement of plans, a Waste Management Plan (WMP) must be approved and endorsed by the responsible authority. The WMP must be prepared to the satisfaction of the responsible authority and must be generally in accordance with the Waste Management Plan, prepared by Leigh Design dated 30 May 2024, but modified to show:
- a) Any changes required to be consistent with the endorsed detailed development plans.

### **Green Travel Plan**

19. Concurrent with the endorsement of plans, a Green Travel Plan (GTP) must be approved and endorsed by the responsible authority. The GTP must be prepared to the satisfaction of the responsible authority and must be generally in accordance with the Green Travel Plan prepared by One Mile Grid, dated 30 May 2024 but modified to show:
- a) Any changes required to be consistent with the endorsed detailed development plans.

### **Acoustic report**



20. Concurrent with the endorsement of plans, an acoustic report must be approved and endorsed by the responsible authority. The acoustic report must be prepared to the satisfaction of the responsible authority and be generally in accordance with the Acoustic Report, prepared by Renzo Tonin & Associates, Revision 8 dated 30 May 2024, but modified to address:
- a) Live music from the Yorkshire Hotel and any resultant acoustic mitigation recommendations.
  - b) Internal noise impacts from lift cores to adjacent residential dwellings.
21. Within six months of the occupation of the development, a report from the author of the endorsed acoustic report must be approved and endorsed by the responsible authority. The report must outline how the design initiatives implemented within the development achieve the performance outcomes specified in the endorsed acoustic report, to the satisfaction of the responsible authority.

### **Tree Management Plan**

22. Before the development starts, including demolition but including bulk excavation and site preparation and remediation works, a Tree Protection Management Plan (TPP) must be approved and endorsed by Yarra City Council. The TMP must be prepared to the satisfaction of Yarra City Council and must address:
- a) The protection and preservation of any existing street trees intended to be retained including:
    - i. The provision of any barriers
    - ii. Any pruning necessary
    - iii. Watering and maintenance regimes
23. The provisions, recommendations and requirements of the Tree Management Plan must be implemented and complied with to the satisfaction of the Yarra City Council.
24. Before the development starts, excluding demolition, bulk excavation and site preparation and remediation works, or by such date as approved by in writing by the responsible authority, the permit holder must make a one-off contribution of \$4,144.80 to Yarra City Council. This fee will be used for:
- a) 3 soft-planting 45L medium trees in location at Langridge Street with a cost of \$697.40 per tree for a total cost of \$2092.20;
  - b) 1 soft-planting 45L medium tree located in Hoddle Street where the existing crossover will be removed and reinstated with grassed verge with a cost of \$697.40 per tree; and
  - c) 1 road tree 45L medium tree to be located in Islington Street with a cost of \$1355.20 per tree.

### **Development Infrastructure Levy**

25. Before the developments starts, excluding demolition, bulk excavation and site preparation and remediation works, the Development Infrastructure Levy must be paid to Yarra City Council in accordance with the approved Development Contributions Plan or the permit holder must enter into an agreement with Yarra City Council to pay the Development Infrastructure Levy within a time specified in the agreement.



**Community Infrastructure Levy**

26. Before the developments starts, excluding demolition, bulk excavation and site preparation and remediation works,, the Community Infrastructure Levy must be paid to the Yarra City Council in accordance with the approved Development Contributions Plan.

**Construction Management Plan**

27. Before the development starts, including demolition, bulk excavation and site preparation and remediation works, a Construction Management Plan (CMP) must be approved and endorsed by Yarra City Council. The CMP must be prepared to the satisfaction of the Yarra City Council and must include:

- a) Reference to the endorsed Tree Protection Plan.
- b) A pre-conditions survey (dilapidation report) of the land and all adjacent Council roads frontages and nearby road infrastructure;
- c) Works necessary to protect road and other infrastructure;
- d) A commitment to remediation of any damage to road and other infrastructure;
- e) 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;
- f) Facilities for vehicle washing, which must be located on the land;
- g) 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;
  - i. site security;
  - ii. management of any environmental hazards including, but not limited to:
  - iii. contaminated soil;
  - iv. materials and waste;
  - v. dust;
  - vi. stormwater contamination from run-off and wash-waters;
  - vii. sediment from the land on roads;
  - viii. washing of concrete trucks and other vehicles and machinery; and
  - ix. spillage from refuelling cranes and other vehicles and machinery;
- h) The construction program;
- i) Preferred arrangements for trucks delivering to the land, including delivery and unloading points and expected duration and frequency;
- j) Parking facilities for construction workers;
- k) measures to ensure that all work on the land will be carried out in accordance with the Construction Management Plan;
- l) An outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services;





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- m) An emergency contact that is available for 24 hours per day for residents and the responsible authority in the event of relevant queries or problems experienced;
- n) 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.
- o) Construction hours in accordance with Yarra City Council's Local Laws.
- p) A Noise and Vibration Plan showing methods to minimise noise and vibration impacts on nearby properties and to demonstrate compliance with Noise Control Guideline 12 for the Construction (Publication 1254) as issued by the Environmental Protection Authority in October 2008. The Noise and Vibration Management Plan must be prepared to the satisfaction of Yarra City Council. In preparing the Noise and Vibration 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 any site specific requirements.
- q) Specify that during construction:
  - i. Any stormwater discharged into the stormwater drainage system must be in compliance with Environment Protection Authority guidelines;
  - ii. 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;
  - iii. Vehicle borne material must not accumulate on the roads abutting the land;
  - iv. The cleaning of machinery and equipment must take place on the land and not on adjacent footpaths or roads; and
  - v. All litter (including items such as cement bags, food packaging and plastic strapping) must be disposed of responsibly.

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 Yarra City Council.

28. 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.

**Potentially contaminated land**

29. Before the development starts (excluding any works necessary to undertake the assessment), a Preliminary Risk Screen Assessment (PRSA) of the site, must be conducted by a suitably qualified environmental auditor. The PRSA statement and report must be submitted to the responsible authority in accordance with section 205 of the Environment

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Protection Act 2017 and respond to the matters contained in Part 8.3, Division 2 of the Environment Protection Act 2017 to the satisfaction of the responsible authority.

30. If the PRSA requires an Environmental Audit to be undertaken, then prior to the commencement of the development (must be carried out by a suitably qualified environmental auditor. On completion of excluding any works necessary to undertake the audit), an Environmental Audit of the site, an Environmental Audit Statement (EAS) and report must be submitted to the responsible authority, in consultation with Yarra City Council, in accordance with section 210 of the Environment Protection Act 2017 responding to the matters contained in Part 8.3, Division 3 of the Environment Protection Act 2017 to the satisfaction of the responsible authority. The EAS must either:
- a) State the site is suitable for the use and development allowed by this permit; or
  - b) State the site is suitable for the use and development allowed by this permit if the recommendations contained within the EAS are complied with.
31. All the recommendations of the EAS must be complied with to the satisfaction of the responsible authority for the full duration of any buildings and works on the land in accordance with the development, including the public parks, hereby approved and must be fully satisfied prior to the occupation of the development. Written confirmation of compliance must be provided by a suitably qualified environmental auditor in accordance with any requirements in the EAS.
32. If any of the conditions of the EAS require significant ongoing maintenance or monitoring, prior to the commencement of the use and prior to the issue of a statement of compliance under the Subdivision Act 1988, the owner of the land must enter into an agreement with the responsible authority and Yarra City Council under section 173 of the Planning and Environment Act 1987 to the satisfaction of the responsible authority to the effect that all conditions of the EAS issued in respect of the land will be complied with.

**Legal agreement – Community Use**

33. Before the development starts, excluding demolition, bulk excavation, site preparation and remediation works, the owner of the land must enter into an agreement with the responsible authority and Yarra City Council under section 173 of the Planning and Environment Act 1987 which provides for the following:
- a) The offering of the community space rent-free to a selected not-for-profit organisation for a minimum period of 10 years following completion of the development.

The agreement must be registered on title and the owner of the land must be responsible for the expense of preparation and registration of the agreement including Yarra City Council's reasonable costs and expenses (including legal expenses) incidental to the preparation, registration and ending of the agreement (where applicable).

**Legal agreement – Affordable Housing**

34. Before the development starts, excluding demolition, bulk excavation, site preparation and remediation works, the owner of the land must enter into an agreement with the Minister for Planning under section 173 of the Act, in a form to the satisfaction of the Minister for Planning, that provides for a contribution towards affordable housing (affordable housing contribution) in the following manner:



- a) At least 10 per cent of the total number of dwellings in the development must be provided as affordable housing for sale or lease to a registered housing agency or to Homes Victoria. The details of when and how the affordable housing will be delivered and the total value of the affordable housing contribution must be set out in the agreement. The affordable housing dwellings provided should be representative of the approved dwelling mix to the satisfaction of the responsible authority; or
  - b) An alternative contribution towards the provision of affordable housing must be provided to the satisfaction of the responsible authority. The details of when and how the alternative contribution is to be made and the total value of the affordable housing contribution must be set out in the agreement.
35. The landowner must pay the responsible authority's reasonable costs of the preparation, execution, registration and ending of the S173 Agreement (where applicable)

#### **Public Lighting plan**

36. Within six months of the development commencing, a detailed Lighting Plan must be approved and endorsed by the responsible authority, in consultation with Yarra City Council. This plan must:
- a) Identify all proposed lighting sources, lux levels and spillage details and address how the lighting will integrate with the existing lighting in the interfacing public spaces.
  - b) Be designed to address lighting along Islington Street, Hoddle Street, Langridge Street and along areas traversed by pedestrians including entrances to the approved building.
  - c) Show all public lighting in conformity with AS1158.3.1-2000 Lighting for roads and public spaces Pedestrian area (Category P) lighting – Performance and design requirements and AS/NZS 428:2019.2 Control of the obtrusive effects of outdoor lighting and the Public Lighting Code December 2015 (v2).
37. Before the development is occupied, the lighting works must be implemented to the satisfaction of Yarra City Council.

#### **Loading Management Plan**

38. Before the development is occupied, a Loading Management Plan (LMP) must be approved and endorsed by Yarra City Council. The LMP must be prepared to the satisfaction of Yarra City Council and must specify how the access / egress of loading vehicles is to be managed, ensuring that:
- a) The loading needs of the uses within the development are accommodated.
  - b) There are no obstructions in the path of the vehicles (kerbs, walls, etc.) and appropriate height clearances are provided for all required vehicles / manoeuvres.
  - c) Measures are outlined specifying how the access / egress of loading vehicles is to be managed.
  - d) Building management will be responsible for controlling the operation of the loading bay and unloading of goods, including acting as a spotter, being present on site for deliveries, and managing potential conflicts and pedestrian movements.
  - e) The design of the loading areas, including all space dimensions, grades and height clearances should comply with Australian Standard AS2890.1:2018.



**Head, Transport for Victoria**

39. Prior to the commencement of the use, all disused or redundant vehicle crossings on Hoddle Street must be removed, and the area reinstated to kerb and channel to the satisfaction of the Responsible Authority and at no cost to the Head, Transport for Victoria.
40. The demolition and construction of the development must not disrupt bus operations on Hoddle Street without the prior written consent of the Head, Transport for Victoria.
41. A request for written consent to disrupt bus operations on Hoddle Street during the demolition and construction of the development must be submitted to the Head, Transport for Victoria not later than 8 weeks prior to the planned disruption and must detail measures that will occur to mitigate the impact of the planned disruption.

**Through links**

42. The operable doors to the through links, as shown on the endorsed plans, must remain open during business hours and closed with key/fob access after-hours, unless otherwise agreed to by the responsible authority.

**Drainage of projections**

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

**Drainage connection underground**

44. Before the development starts, excluding demolition, bulk excavation and site preparation and remediation works, a stormwater drainage system incorporating integrated water management design principles must be approved and endorsed by Yarra City Council.
45. The stormwater drainage system must be constructed prior to the occupation of the approved building approved by this permit and provision made to connect this system to Yarra City Council's underground stormwater drainage system.

**Groundwater management**

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

**Civil works**

47. Within 2 months of the completion of the development or by such time as approved in writing by Yarra City Council, any damage to Council infrastructure resulting from the development must be reinstated:
  - a) In accordance with Yarra City Council Standard Drawings;
  - b) At the permit holder's cost; and
  - c) To the satisfaction of Yarra City Council.
48. Any service poles, structures or pits located within the public realm areas that interfere with the proposal must be adjusted accordingly:
  - a) At the permit holder's cost; and



- b) To the satisfaction of Yarra City Council.

**Street levels not to be altered**

49. Existing street levels in roads adjoining the subject land must not be altered for the purpose of constructing new vehicle crossings or pedestrian entrances without obtaining approval from Yarra City Council.

**Street furniture**

50. All street furniture such as street bins, seats and bicycle rails must be supplied and installed on footpaths outside the proposed building to plans and specifications first approved by Yarra City Council.

**Lighting**

51. Before the development is occupied, or by such later date as approved in writing by the responsible authority, external lighting capable of illuminating access to the pedestrian and vehicular entrances must be provided. Lighting must be:

- a) located
- b) directed
- c) shielded
- d) of limited intensity

to the satisfaction of the Yarra City Council.

**Noise control**

52. At all times noise emanating from the land must comply with the requirements of the *Environment Protection Regulations 2021* (as amended from time to time) as measured in accordance with the Noise Protocol to the satisfaction of the responsible authority.

**Reflected glare**

53. Extended periods of discomfort glare for pedestrians and occupants of surrounding buildings caused by glazing (including tilted glazing) and external cladding materials and finishes with specular or glossy finishes (including polished metal cladding, finished stainless steel, glazed tiles, high gloss paint finishes) must be avoided or minimised, to the satisfaction of the responsible authority.

**Walls on boundary**

54. Before the development is occupied, or by such later date as approved in writing by the responsible authority, all new on-boundary wall must be cleaned and finished to the satisfaction of Yarra City Council.

**General amenity**

55. The amenity of the area must not be detrimentally affected by the use and development, including through:
- a) transport of materials, goods or commodities to or from the land
  - b) appearance of any building, works or materials



- c) emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil
  - d) presence of vermin
- to the satisfaction of the responsible authority.

**Expiry – use and development**

56. This permit will expire if one of the following circumstances applies:

- a) The development is not started within three years of the issued date of this permit.
- b) The development is not completed within five years of the issued date of this permit.
- c) The use does not start within two years of completion of the development.

In accordance with Section 69 of the *Planning and Environment Act 1987*, the responsible authority may extend the permit if a request is made in writing before the permit expires, or within six months afterwards. The responsible authority may extend the time for completion of the development if a request is made in writing within twelve months after the permit expires and the development started lawfully before the permit expired.

**USEFUL INFORMATION:**

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

The permitted use or development may need to comply with, or obtain the following further approvals:

- The recommendations of a cultural heritage management plan approved under the *Aboriginal Heritage Act 2006*.
- A building permit under the *Building Act 1993*.

The proposed development requires reinstatement of disused crossovers to kerb and channel. Separate approval under the *Road Management Act 2004* for this activity may be required from the Head, Transport for Victoria. Please contact DTP (Roads) prior to commencing any works.



Planning and Environment  
Regulations 2015

Form 4

Sections 63, 64, 64A and 86

**IMPORTANT INFORMATION ABOUT THIS PERMIT**

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**WHAT HAS BEEN DECIDED?**

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The responsible authority has issued a permit.

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

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

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

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**WHEN DOES A PERMIT BEGIN?**

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A permit operates:

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

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**WHEN DOES A PERMIT EXPIRE?**

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

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**WHAT ABOUT REVIEWS?**

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

Date issued: 4 December 2024 Signature for the responsible authority:

