

PLANNING PERMIT

Permit No.:	PA1800336-2
Planning scheme:	Melbourne Planning Scheme
Responsible authority:	Minister for Planning
ADDRESS OF THE LAND:	309-325 Bourke Street, Melbourne

THE PERMIT ALLOWS:

Development of the land for buildings and works comprising retail and hotel uses, including partial demolition, a reduction of bicycle parking requirements and construction and display of business identification and advertising signage.

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

Amended plans

1. Before the development starts, including demolition, bulk excavation and site preparation works, amended plans must be submitted to and be approved by the Responsible Authority in consultation with the Melbourne City Council. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and one copy (plus an electronic copy) must be provided. The plans must generally be in accordance with the plans submitted with further information, prepared by The Buchan Group, titled 'The Walk Redevelopment RFI Response Architectural Package April 2018', but modified to show the following:
 - a) The ground floor layout modified generally in accordance with the layout shown in the drawing ATP-20003, Ground Floor Plan Revision PO1 prepared by the Buchan Group, dated 27 October 2017.
 - b) Re-design of the infill building fronting Little Collins Street (Book Building replacement) generally in accordance with the 'sketch plans' received on 10 August 2018 prepared by the Buchan Group but further modified to demonstrate a strong contextual relationship to the heritage character of the area, including in the façade composition, rhythm, window proportions, materiality, and level of detailed articulation. The drawings of the façades must demonstrate the thickness, depth and materials and finishes and window reveals must be at least 150mm in depth.

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- c) Details of the undercroft area (transition from lower levels to the upper levels) of the infill building fronting Little Collins Street (Book Building replacement) at the corner of Union Lane and Little Collins Street.
- d) Deletion of the mirrored glass and floor to ceiling glazing to eastern facades facing Union Lane and replacement with a solid, tactile material such as brick or similar and further modification of the whole eastern elevation to articulate the proposal as a vertical collection of distinct buildings.
- e) Reduction in the amount of glazing to the ground level and lower section of level 1 of the eastern most infill building fronting Bourke Street and Union Lane including though extension of solid building elements from the upper levels, window framing and other design techniques.
- f) All canopies over the street having predominately glass roofs.
- g) Deletion of the lenticular brick from western façade facing The Causeway and replacement with a design and materials that express a high quality, durable, fine grain materiality including through the thickness of masonry elements such as, plinths, columns, windows and entries to provide depth, tactility and a human scale.
- h) The façade directly above the arcade entry on Little Collins Street re-designed to reduce the amount of glazing and incorporate a design treatment consistent with the arcade entry design.
- i) Details of all barriers on the eastern façade that will be closed to after hours to limit entrapment spaces within Union Lane.
- j) Detailed drawings of the bike parking areas including the end of trip facilities showing all access doors to and within the bike storage and shower/changeroom area.
- k) Pick up and deliveries relating to any off-site laundry facility, from Union Lane, must only occur between 12 am and 8.00 am.
- l) Any changes as required by the Waste Management Plan, Acoustic Assessment Loading Management Plan, Wind Assessment Report required by the relevant condition below.
- m) The Bourke Street canopy glass feature box reduced in height by a minimum 250mm above the principal canopy line so that it projects no more than 1m above the canopy and no more than 500mm below the canopy.
- n) Glass-fiber reinforced concrete (GRC) elements introduced for the horizontal courses within Building 3 of the Bourke Street façade in lieu of aluminium.

Layout not altered and completion

- 2. The use and development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.
- 3. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.

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Façade strategy

- 4.1 Before the development starts, excluding demolition, bulk excavation and site preparation works, a Façade Strategy (excluding the windows within the retained facades, which are dealt with under condition 4.2) must be submitted to and approved by the Responsible Authority in consultation with the Melbourne City Council. When approved this will form part of the endorsed plans. All materials, finishes and colours must be in conformity with the approved Façade Strategy to the satisfaction of the Responsible Authority. The Façade Strategy for the development must be generally in accordance with the plans endorsed under condition 1 of this permit (including all typical façade details and materials in the plans and renders) unless otherwise agreed with the Responsible Authority. The Façade Strategy must detail:
- a) A concise description by the architect of the building design concept and how the façade works to achieve this.
 - b) A schedule of colours, materials and finishes, including the colour, type and quality of materials showing their application and appearance. This can be demonstrated in coloured elevations or renders from key viewpoints, to show the materials and finishes linking them to a physical sample board with clear coding.
 - c) Elevation details at a scale of 1:50 illustrating all elevations of the building and typical details, entries and doors, utilities, and any special features which are important to the building's presentation.
 - d) Cross sections or other method of demonstrating the façade systems, including fixing and jointing details indicating junctions between materials and significant changes in form and/or material.
 - e) Information about how the façade will be accessed and maintained and cleaned.
 - f) Example prototypes and/or precedents that demonstrate the intended design outcome indicated plans and perspective images to produce a high quality built outcome in accordance with the design concept.
 - g) Plans, cross-sections and elevations demonstrating that all shop front designs on all interfaces have a strong correlation to the predominant rhythm, composition, and details of the building façade, reinforce a human scale through the use of architectural detail and tactile materials.
 - h) A strategy for the design of all new canopies providing a consistent approach with a unique canopy expression for the arcade entries to both the Bourke Street Mall, Little Collins Street, The Causeway and Union Lane.
 - i) Page titled Bourke Street Design Response (sheet 3), amended to remove highlighted tenancy boundary.
 - j) Page titled Building 03 – Shopfront 01 (sheet 25), amended to replace reference to 'Charcoal Anodized Aluminium' with the updated material 'Matte Black Dibond Aluminium'.
- 4.2 Following the endorsement of the Conservation Management Plan addendum under condition 7.2, the Façade Strategy is to be amended to include all details of the windows



within the retained heritage facades, so that the endorsed Façade Strategy is a comprehensive document reflecting the entire development approved under the permit.

Materials and finishes

5. Before the development starts, excluding demolition, bulk excavation and site preparation works, a schedule and coded sample board including a colour rendered and notated plan/elevation that illustrates the location and details of all external materials and finishes must be submitted to and be to the satisfaction of the Responsible Authority and when approved will form part of the endorsed plans. All finishes and surfaces of all external buildings and works, including materials and colours must be in conformity with the approved schedule to the satisfaction of the Responsible Authority.
6. Except with the consent of the Responsible Authority, all external glazing and materials must be of a type that does not reflect more than 15% of visible light when measured at an angle of incidence normal to the surface.

Heritage

- 7.1 Prior to the commencement of the development, including demolition, a report prepared by a suitably qualified structural engineer, or equivalent, must be submitted to, and approved by the Responsible Authority, in consultation with the Melbourne City Council, demonstrating the means by which the retained portions of the buildings on the site will be supported during demolition and construction works to ensure their retention, to the satisfaction of the Responsible Authority.
- 7.2 Before the development starts, including demolition, a Conservation Management Plan (CMP) for the existing windows within the retained heritage facades must be submitted to and approved by the Responsible Authority, in consultation with the Melbourne City Council. When approved this will form part of the endorsed plans. The CMP must be prepared by a suitably qualified heritage consultant to the satisfaction of the Responsible Authority and must include:
 - a) A photographic record of each window frame and window in each of the retained heritage facades on a window-by-window basis, to assist in repairing and replacing or reproducing the appearance of each window and its particular sash arrangement.
 - b) A methodology for removal of the window frames so as to ensure that minimal damage is sustained to all retained facades and window frames.
 - c) A methodology for careful removal, bracing and crating of a complete sample of each window type, to be stored in a secure location. All sash windows at level 1 of the Little Collins Street frontage of the Allans Building must be retained in full according to this methodology.

After demolition and bulk excavation but before the development starts, or as otherwise approved by the Responsible Authority, an addendum to the CMP must be submitted to and approved by the Responsible Authority in consultation with the Melbourne City Council. When approved this will form part of the endorsed plans. The addendum must be prepared by the same heritage consultant, or another heritage consultant with the prior written approval of the Responsible Authority, and must include:



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- a) Identification of which window frames will be retained and refurbished or replaced with like for like to exact original steel detailing or replaced with details to be confirmed following a period of research and development.
- b) A methodology to refurbish those window frames to be retained.
- c) Conclusions and recommendations following a full research and development project to determine how best to replace the window frame and windows to match the existing while meeting contemporary compliance and performance requirements.

All window frames should be replaced in steel unless adequate evidence is provided as to why this cannot be achieved. At a minimum, the following hierarchy of windows within the retained heritage facades is to be adopted:

- i. Category A windows (Level 1 of the Allans Building on the Little Collins Street frontage) are to be retained and repaired/refurbished.
 - ii. Category B windows (Level 1 of York House on the Little Collins Street frontage, and all windows on the Bourke Street frontage) are to be replaced like for like, with materials and detail to exactly match existing.
 - iii. Category C windows (balance of windows (levels 2 and above) of Allans Building and York House) are to be replaced like for like, with materials and detail to be to the satisfaction of the Responsible Authority.
- d) Prototypes of one or more of the replacement window frames, as agreed in writing by the Responsible Authority, must be submitted for approval by the Responsible Authority.
 - e) Detailed plans, elevations, renders and cross-sections consistent with the level of detail required under condition 4.2 (Façade Strategy).
 - f) A methodology for constructing and installing the repaired/refurbished or replacement windows, nominating specific milestones that the heritage consultant is to be on-site to monitor the construction process.
8. The buildings and works associated with the approved development must be planned and constructed in a manner which prevents damage to the heritage fabric to be retained. Where hidden original or inaccessible details of the buildings are uncovered, works are to cease until the appropriate further record has been made. Where unanticipated original detail is discovered the Responsible Authority is to be notified prior to re-commencement of the works.
9. Prior to demolition (or as otherwise agreed in writing by the Responsible Authority), the permit holder must satisfy the Responsible Authority that substantial progress has been made towards obtaining the necessary building permits for the development of the land generally in accordance with the use and development of the land proposed under this permit and that the permit holder has entered into a bona fide contract for the construction of the development.

Demolition in Capital City Zone

10. Before the development starts (excluding the removal of temporary structures), the owner of the land must enter into an agreement pursuant to Section 173 of the *Planning and*

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Environment Act 1987 with Melbourne City Council. The agreement must provide the following:

- a) If the land remains vacant for six months after completion of the demolition;
- b) demolition or construction activity ceases for a period of six months; or
- c) construction activity ceases for an aggregate of six months after commencement of the construction,

The owner must construct temporary works on the land to the satisfaction of the Council to ensure that an active street frontage and/or landscaping is provided at the main site frontages.

- a) Before the construction of the temporary works start, details of the works must be submitted to and be to the satisfaction of the Council. Temporary works may include:
- b) The construction of temporary buildings for short-term community or commercial use. Such structures shall include the provision of an active street frontage; or
- c) Landscaping of the site or buildings and works for the purpose of public recreation and open space.

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

Construction management

11. Before the development starts, including demolition, bulk excavation and site preparation works, a detailed Construction Management Plan (CMP) must be prepared to and be approved by Melbourne City Council. All development must be carried out in accordance with the approved Construction Management Plan to the satisfaction of Melbourne City Council. The CMP must describe how the occupier of the subject land will manage the environmental, construction and amenity impacts associated with the construction of the development. The CMP must address the following:

- a) Staging of demolition and construction;
- b) Management of public access and linkages around the site during construction;
- c) Site access and traffic management (including any disruptions to adjoining vehicular and pedestrian access ways);
- d) Any works within the adjoining street and laneway network road reserves;
- e) Sediment control and site drainage;
- f) Hours of construction;
- g) Control of noise, dust and soiling of roadways;
- h) Discharge of polluted waters;
- i) Collection and disposal of building and construction waste;
- j) Reasonable measures to ensure that disruption to adjacent public transport services are kept to a minimum.

Legal agreement for publicly accessible arcades

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12. Before the development starts, excluding demolition, bulk excavation and site preparation works, the owner of the land must enter into an agreement pursuant to Section 173 of the *Planning and Environment Act 1987* with Melbourne City Council regarding the through-block links, being the north-south and east-west on-site arcades (the Links) and the widened part of Union Lane. The owner of the land must pay all of Council's reasonable legal costs and expenses of this agreement, including preparation, execution and registration on title. The agreement must:
- Provide that the Links will remain privately owned and controlled.
 - Require the owner to maintain unobstructed public access to the Links at least during all retail opening hours.
 - Provide that the owner is solely responsible for the care and maintenance of the Links at the owner's expense and to the satisfaction of Council.
 - Provide that the owner is solely responsible for the care and maintenance of the widened part of Union Lane that is within the tile boundaries of the site, at the owner's expense and to the satisfaction of Council.

Waste management plan

13. The waste storage and collection arrangements must be in accordance with the Waste Management Plan (WMP) prepared by Leigh Design and dated 27 February 2020. The submitted WMP must not be altered without the prior consent of the Melbourne City Council – Waste and Recycling.
14. The WMP must detail waste storage and collection arrangements and be prepared with reference to the current Melbourne City Council Guidelines for Preparing a Waste Management Plan. Waste storage and collection arrangements must not be altered without the prior written consent of the council.
15. No garbage bin or surplus materials generated by the uses of the land or site may be deposited or stored outside the boundaries of the site and bins must be returned to the garbage storage areas as soon as practicable after garbage collection.
16. The endorsed WMP must be implemented and complied with to the satisfaction of the Melbourne City Council. The provisions, recommendations and requirements of the endorsed WMP must not be altered without the prior written consent of the council.

Loading management plan

17. Prior to the commencement of the development or any stage, excluding demolition, bulk excavation and site preparation works, a revised Loading Management Plan (LMP) must be submitted to and be approved by the Melbourne City Council, specifying how the access and egress of loading and waste vehicles is to be managed. The LMP must be generally in accordance with LMP prepared by Traffix Group, dated 15 August 2018 and the letter prepared by Traffix Group, dated 17 September 2018 and titled '309-325 Bourke Street, Melbourne – Proposed Residential Hotel Development Traffic Engineering Assessment – Loading Considerations'. The LMP must specify and address the following:
- Demonstration of an innovative best practice methodology to ensure the number of delivery trucks servicing the site is minimised. This should include data and evidence of measures to reduce and consolidate vehicle deliveries.

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- b) Vehicle deliveries to the site must not be undertaken via The Causeway or Bourke Street Mall.
 - c) Deleted.
 - d) No more than 40 deliveries in total (80 movements) per day, including laundry deliveries, may be made to the site from Union Lane.
 - e) Deleted.
 - f) Deliveries via Union Lane must only be undertaken by vehicles no greater than 6.4m in length.
 - g) Details of measures to ensure no queuing of delivery vehicles within Union Lane or Little Collins Street.
 - h) The details of the role and responsibilities of a Loading Dock Manager (LDM) which must include:
 - i. The LDM to act as spotter for all reversing movements, both from Union Lane into the site and from Little Collins Street into Union Lane.
 - ii. The hours of operation of the LDM.
 - iii. The location of and facilities for the LDM such as a bathroom and office.
 - i) The provision of swept path diagrams demonstrating all loading and unloading vehicle movements within Union Lane.
18. The endorsed LMP must be implemented and complied with to the satisfaction of the Melbourne City Council. The provisions, recommendations and requirements of the endorsed LMP must not be altered without the prior written consent of the council.
19. All signage, lighting, pavement treatments, bollards, mirrors or any other measures associated with loading, unloading and waste collection to and from the land or site must be approved and be to the satisfaction of the council. Unless with the prior written consent of the council, all measures associated with loading, unloading and waste collection from the site, must be contained within the title boundaries of the site.
20. The owner of the land or the permit holder must reimburse the council for all costs associated with any on-street parking changes associated with development and use of the land or site.
21. The owner of the land or the developer must reimburse the council for all costs associated with any parking changes associated with development and use of the land.

Traffic and parking

22. The hotel development cannot rely on any on-street car parking spaces in Little Collins Street for hotel guest access.
23. The widened part of Union Lane that is on the site must be delineated from Union Lane through line markings, change in material or some other appropriate demarcation to the satisfaction and with the approval of the City of Melbourne.

Road Safety Audit

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24. Prior to occupation of the development, a Road Safety Audit must be submitted to and be approved by the Responsible Authority, in consultation with the Melbourne City Council. The Road Safety Audit must be generally in accordance with the Road Safety Audit prepared by the Road Safety Audits, dated 10 August 2018. The Audit is to include access arrangements into/from the site.
25. When provided, the Road Safety Audit will be endorsed to form part of this permit.
26. Prior to occupation, the recommended safety measures included in the endorsed Road Safety Audit must be implemented and maintained to the satisfaction of the Responsible Authority.

Arcades and laneways

27. The type, function and quantum of open space at the ground plane, which largely comprises a series of arcades, as shown on the development plans, shall not be altered or amended without the prior approval of the Responsible Authority.
28. Before the development starts, excluding demolition, bulk excavation and site preparation, detailed plans showing the proposed design, detailing and the quality, durability and type of materials and finishes to all elevations of the arcades, including the ceiling elevations and all lighting details, must be submitted to and be approved by the Responsible Authority in consultation with the Melbourne City Council. The plans must:
 - a) Show how the ceilings, walls and floors reflect the overall design concept of the development as a collection of different buildings.
 - b) Show details of the eastern end and entry of the east-west arcade and how it is specifically designed to ensure a high quality appearance and level of functionality for pedestrians outside of non-loading hours and integration with the appearance of the arcades on the site. This must address issues such as smells and the visual impact within the arcade and Union Lane of rubbish storage and any barriers that are located in the arcade and or Union Lane.
 - c) Provide plan and elevation details of the buildings fronting all arcades at no greater scale than 1:50.
 - d) Show solid and tactile materials in combination with glazing, to all arcades.

The extent of activation of the arcades within the site and adjoining laneways must be optimised and be to the satisfaction of the Responsible Authority in consultation with the Melbourne City Council.

29. Before the development starts, excluding demolition, bulk excavation and site preparation, or as otherwise approved by the Responsible Authority, an Arcade and Access Management Strategy (AAMS) must be submitted to and approved by the Responsible Authority in consultation with the Melbourne City Council. The AAMS must include and address:
 - a) Details of times for public access to the arcades including for hotel guests, staff and visitors.
 - b) Details of management of access to the hotel for guests, staff and visitors during hours that the arcades may be closed to the public.

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- c) Details of any barriers that will be used to control access to the arcades including who will be responsible for their opening, closing and maintenance.
 - d) Details of wayfinding signage to optimise public access to the arcades.
30. The provisions, recommendations and requirements of the endorsed AAMS must be implemented and complied with to the satisfaction of the Responsible Authority. The provisions, recommendations and requirements of the endorsed AAMS must not be altered without the prior written consent of the Responsible Authority.

Wind assessment

31. Before the development starts, excluding demolition, bulk excavation and site preparation, a comprehensive wind tunnel testing and environmental Wind Climate Assessment report of the development by a suitably qualified engineering consultant must be undertaken which considers the required changes under Condition 1 of this permit. The Wind Assessment must be submitted to and be to the satisfaction of the Responsible Authority. Any further modifications required to the development in order to ensure acceptable wind conditions to the surrounding streets and public areas must be carefully developed as an integrated high quality solution with the architectural design and not rely on street trees to the satisfaction of the Responsible Authority.
32. The recommendations and requirements of the endorsed Wind Assessment Report must be implemented at no cost to and be to the satisfaction of the Responsible Authority.

Environmentally sustainable design

33. The performance outcomes specified in the Environmentally Sustainable Design (ESD) Statement for the development, prepared by Simpson Kotzman and dated 7 February 2018 must be implemented prior to occupancy at no cost to the Responsible Authority or the Melbourne City Council and be to the satisfaction of the Responsible Authority.
34. Any change during detailed design, which affects the approach of the endorsed ESD Statement, must be assessed by an accredited professional. The revised statement must be endorsed by the Responsible Authority prior to the commencement of construction (excluding demolition, bulk excavation piling, site preparation and any retention works).
35. Within six months of the occupation of the development, a report from the author of the endorsed ESD Statement must be provided to the satisfaction of the Responsible Authority, which details design initiatives implemented within the completed development that achieve the performance measures specified in the endorsed ESD Statement.

Acoustic assessment

36. Prior to the commencement of the development or any stage (excluding bulk excavation and demolition), a revised Acoustic Assessment must be submitted to and be approved by the Responsible Authority. The revised Acoustic Assessment must be generally in accordance with the report prepared by Acoustic Logic titled 'The Walk Redevelopment Acoustic Assessment', dated 16/04/2018 (Revision 1), but modified address the following:
- a) An assessment of the noise impacts of the loading, unloading and waste collections from the site as approved under the relevant Loading Management Plan and Waste Management Plan.



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b) Any recommendations to limit noise impacts from the loading and waste management operations on the site.

37. Prior to occupation, the noise attenuation measures outlined in the acoustic assessment endorsed under condition 29 must be constructed, installed and verification testing must be carried out to the satisfaction of the Responsible Authority.

Disabled access

38. Provision must be made for disabled access into the buildings in accordance with the Disability (Access to Premises-Buildings) Standards 2010, to the satisfaction of the Responsible Authority.

Pedestrian ramps

39. All pedestrian ramps must be designed and constructed in accordance with AS 1428:2009 Design for Access and Mobility and should be fitted with ground surface tactile indicators (TGIs). Details of the TGIs must be submitted to and approved by Melbourne City Council – Engineering Services prior to their installation.

Building appurtenances

40. All building plant and equipment on the roofs, balcony areas, common areas and public thoroughfares must be concealed to the satisfaction of the Responsible Authority. The construction of any additional plant machinery and equipment, including but not limited to all air-conditioning equipment, ducts, flues, exhausts and communications equipment shall be to the satisfaction of the Responsible Authority.

41. Any satellite dishes, antennae or similar structures associated with the development must be designed and located at a single point on each building in the development to the satisfaction of the Responsible Authority, unless otherwise approved to the by the Responsible Authority.

42. No architectural features and services other than those shown on the endorsed plans shall be permitted above the roof levels unless otherwise approved in writing by the Responsible Authority.

Civil engineering works

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

44. Prior to the commencement of the development excluding demolition, bulk excavation, site preparation and retention works, soil remediation, piling, footings, ground beams and ground slabs, a stormwater drainage system, incorporating integrated water management design principles, must be submitted to and approved by the council. This system must be constructed prior to the occupation of the development and provision made to connect this system to the council's underground stormwater drainage system.

45. Prior to the commencement of the use/occupation of the development, all necessary vehicle crossings must be constructed and all unnecessary vehicle crossings must be demolished and the footpath, kerb and channel reconstructed, in accordance with plans and specifications first approved by the council.

46. All portions of road affected by the construction activities of the land must be reconstructed together with associated works including the reconstruction or relocation of services as

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necessary at the cost of the owner or developer, in accordance with plans and specifications first approved by the council.

47. Existing street levels in Bourke Street Mall, Little Collins Street, Union Lane and The Causeway, must not be altered for the purpose of constructing new vehicle crossings or pedestrian entrances without first obtaining approval from the council.
48. Existing public street lighting must not be altered without first obtaining the written approval of the council.
49. Existing street furniture must not be removed or relocated without first obtaining the written approval of the council. All street furniture such as street litter bins, recycling bins, seats and bicycle rails must be supplied and installed on footpaths outside the proposed building to plans and specifications first approved by the council.

3D Model

50. Prior to the commencement of the development, excluding demolition, bulk excavation, site preparation and retention works, soil remediation, piling, footings, ground beams and ground slabs, or as otherwise agreed with the Responsible Authority, an updated 3D digital model of the development and its immediate surrounds which reflects the required modifications under condition 1 of this permit, as appropriate, must be submitted to the Responsible Authority and the City of Melbourne and be to the satisfaction of the Responsible Authority in conformity with the Department of Environment, Land, Water & Planning Advisory Note 3D Digital Modelling. In the event that further substantial modifications are made to the building envelope, a revised 3D digital model must be submitted to and be to the satisfaction of the Responsible Authority.

Wayfinding

51. Prior to occupation, an integrated wayfinding strategy must be submitted to and be approved by the Responsible Authority in consultation with the Melbourne City Council. This strategy must ensure that the arcades are legible and welcoming as publicly accessible spaces.

Development time limit

52. In accordance with section 68 of the Planning and Environment Act 1987, this permit will expire if one of the following circumstances applies:
 - a) The development is not started within three years of the date of this permit.
 - b) The development is not completed within five years of the date of this permit.
 - c) The use is not started within five years of the date of this permit.

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 12 months after the permit expires and the development started lawfully before the permit expired.

Public lighting

53. Before the development starts, excluding demolition, bulk excavation and site preparation works, or as may otherwise be agreed with the Melbourne City Council, a lighting plan must

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be prepared to the satisfaction of the Council. The lighting plan should be generally consistent with the Council's Lighting Strategy and include the provision of public lighting in the streets and laneways adjacent to the subject land. The lighting works must be undertaken prior to the commencement of the occupation of the development, in accordance with plans and specifications first approved by the Melbourne City Council – Infrastructure and Assets.

Signage

54. Prior to occupation of the tenancy GR02-04 & L102-09, a Shopfront and Signage Proposal for the tenancy must be submitted to and be approved by the Responsible Authority. The Shopfront and Signage Proposal must be generally in accordance with the Proposal prepared by IA Design, dated 22 October 2024 but modified to show:
 - a) Dimensions of projecting flag sign to be mounted under Bourke Street canopy.
55. The location, size, material of construction, colours, wording and degree of illumination of the signs shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.
56. The signs shown on the endorsed plans must not be animated or contain any flashing light.
57. The signs, including its structure and advertising material therein as shown on the endorsed plans, shall at all times be maintained in good order and condition to the satisfaction of the Responsible Authority.
58. All outdoor lighting associated with the signs and supporting structure must comply with Australian Standard AS4282-2019 (Obtrusive Effects of Outdoor Lighting) to the satisfaction of the Responsible Authority.
59. All signs approved as illuminated must be controllable and dimmable to the satisfaction of the Responsible Authority.
60. The signs shall only contain an advertisement which provides or supplies information relating to the business conducted on the land as described by this permit.
61. The time for the commencement of the erection or display of the advertising sign hereby approved is two years from the date of issue and the time for completion is specified as two years from the date of such commencement.

Expiry – Signs

62. This permit as it relates to signs will expire 15 years from the issued date of this permit. On expiry of the permit, the sign and structures built specifically to support and illuminate it must be removed. In accordance with Section 69 of the *Planning and Environment Act 1987*, an application may be submitted to the responsible authority for an extension of the period referred to in this condition.

Note: Permit issued in accordance with the Victorian Civil and Administrative Tribunal Order dated 16 August 2019 (Reference P2456/2018).



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THIS PERMIT HAS BEEN AMENDED AS FOLLOWS:

Date of amendment	Brief description of amendment	Name of Responsible Authority that approved the amendment
21 August 2019	<p>This permit is amended in accordance with the Victorian Civil and Administrative Tribunal Order dated 16 August 2019 (Reference P2456/2018) to:</p> <ul style="list-style-type: none"> • Amend condition 1(k). • Amend condition 13(b). • Delete condition 17(c). • Amend condition 17(d). • Delete condition 17(e). • Amend condition 17(f). 	Minister for Planning
21 August 2019	<p>Section 71 correction to the permit preamble to delete reference to use of land as “restricted retail premises” and replace it with “restricted recreation facility”.</p>	Minister for Planning
20 July 2020	<p>Section 72 amendment to the permit to:</p> <ul style="list-style-type: none"> • Delete reference to use of land as a “restricted recreation facility” from the permit preamble. • Amend permit conditions (1m, 1n, 4 and 7) to require changes to the canopy design, façade materials, and heritage response. • Introduce a new condition (7.2) requiring a Conservation Management Plan in relation to windows within the retained heritage facades. • Amend the waste management plan condition (13) to reflect the addition of a truck lift. • Introduce new condition (53) requiring a public lighting plan. 	Minister for Planning
23 December 2022	<p>Section 71 correction to the permit to enable the Responsible Authority to vary the timing requirement of conditions 7.2 and 29 by including the wording “or as otherwise approved by the Responsible Authority”.</p>	Minister for Planning

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11 December 2024	Section 72 amendment to the permit to:	Minister for Planning
	<ul style="list-style-type: none">Amend permit preamble to include construction and display of business identification and advertising signage.Introduce new conditions (54 - 62) in relation to display, content, maintenance and expiry of advertising signs.Various amendments to the architectural plans and façade strategy.	

THIS PERMIT HAS BEEN EXTENDED AS FOLLOWS:

Date of extension	Brief description of the extension	Duration of extension
22 June 2023	Planning permit PA1800336 will now expire if the development is not completed by 8 November 2025 and if the use is not started by 8 November 2025.	2 years

Notes:

Nothing in this permit or any plans or documents approved in accordance with the conditions of this permit should be taken to imply that the development meets the requirements of the *Building Act 1993* and its regulations.

The development must provide for and meet the requirements of the Australian Government Department of Broadband, Communications and Digital Economy publication *Fibre in new developments; policy update dated 22 June 2011* (as amended).

Melbourne City Council will not change the on-street parking restrictions to accommodate the access, servicing, delivery and parking needs of this development. As per Council's policy, the developments in this area are not entitled to resident parking permits. Therefore, the residents/occupants of this development will not be eligible to receive parking permits and will not be exempt from any on-street parking restrictions.

All necessary approvals and permit for works in the public realm including, but not limited to: temporarily relocate street lighting and their reinstatement, to temporarily relocate and/or remove street furniture, all street furniture such as street litter bins, recycling bins, seats and existing public street lighting must not be altered without the prior consent, and obtained and completed to the satisfaction of Melbourne City Council (Engineering Services).

Stairs should be set back sufficiently to enable tactile ground surface indicators to be within site boundary. Provision must be made for disabled access into the building in accordance with the Australian Design Standards for Disabled Access, AS 1428, and the Building Code of Australia, and prior to the installation of all pedestrian ramps must be designed and constructed in accordance with AS 1428:2009 Design for Access and Mobility and should be fitted with ground surface tactile indicators (TGI's). Details of the TGI's must be submitted to and approved by Melbourne City Council (Engineering Services).

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All necessary approvals and permits are to be first obtained from the City of Melbourne – Engineering Services and VicRoads and the works performed to the satisfaction of the City of Melbourne – Engineering Services and VicRoads.

The subject site may be identified in Heritage Victoria's Heritage Inventory as having archaeological potential. If an archaeological site is uncovered in the course of a building project it is an offence under the Heritage Act 1995 to knowingly disturb, damage or excavate without obtaining the consent of the Executive Director of Heritage Victoria. The applicant is therefore advised to contact Heritage Victoria prior to the commencement of any demolition, excavation or works on the site.

Advertising signs must not be erected, painted or displayed on the land without the permission of the Responsible Authority unless in accordance with the exemption provisions of the Melbourne Planning Scheme.

A handwritten signature in black ink, appearing to be the initials 'AS' or similar, written in a cursive style.

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IMPORTANT INFORMATION ABOUT THIS PERMIT

WHAT HAS BEEN DECIDED?

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

CAN THE RESPONSIBLE AUTHORITY AMEND THIS PERMIT?

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

WHEN DOES A PERMIT BEGIN?

A permit operates:

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

WHEN DOES A PERMIT EXPIRE?

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

WHAT ABOUT REVIEWS?

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

Date of issue: 8 November 2018 Signature for the responsible authority:

