

PLANNING PERMIT

Permit No.:	PA2604415
Planning scheme:	Yarra Planning Scheme
Responsible authority:	Minister for Planning
ADDRESS OF THE LAND:	11-13 Spring Street, Fitzroy

THE PERMIT ALLOWS:

Planning scheme clause	Matter for which the permit has been granted
32.04-7	Construction and extension of two or more dwellings on a lot
43.01-1	Construct a building or construct or carry out works Demolish or remove a building
43.02-2	Construct a building or construct or carry out works

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 – changes required

2. Before the development starts, including demolition, bulk excavation and site preparation works, amended 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, and be generally in accordance with the plans prepared by Edition Office and dated 13 May 2026, but amended to show the following details:
 - a) Door to Johnston Place to open in-ward within the site's title boundary;
 - b) Service cabinet doors to open 180 degrees;

Date of issue: 30 September 2026 **Signature for the responsible authority:**



- c) Confirmation that the flood gates to Spring Street will accommodate DDA accessibility and compliance;
- d) All tactiles, handrails, ramps and landings to be accommodated within the site boundary shown, and not to protrude outside the subject site's title boundaries;
- e) Screening to a height of 1.5 metres to the southern boundary of the west facing terrace of Apartment 202 to prevent unreasonable overlooking of adjoining properties;
- f) Correctly show and dimension existing footpath widths, from title boundary to back of kerb;
- g) The level one balustrade at the end of Johnston Place laneway be amended to a visually permeable balustrade to allow views of landscaping from the laneway.
- h) Include details of lighting at the pedestrian and vehicle entries.
- i) Any changes required by the Façade Strategy.
- j) Any changes required by the Landscape Plan.
- k) Any changes required by the Waste Management Plan.
- l) Any changes required by the Wind Impact Assessment.

Façade strategy

3. 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 development plans, and must include:
- a) Elevation details generally at a scale of 1:50, or other suitable scale agreed to by the responsible authority, illustrating typical building details, entries and doors, utilities, and any special features which are important to the building's presentation including all services proposed along Spring Street and Argyle Street
 - b) Cross sections or other method of demonstrating the façade systems, including fixing details indicating junctions between materials and significant changes in form and/or material.
 - a) Confirmation that the glazing materials used on all external walls will be of a type that does not reflect more than 20% visible light, when measured at an angle of 90 degrees to the glass surface;
 - b) Information about how the façade will be accessed, maintained and cleaned, including any vegetation; and
 - c) Details of materials and finishes to demonstrate these will be of high quality, robust, and require low maintenance.

Conservation Management Plan

2. Before the development commences, including demolition, a Conservation Management Plan must be approved and endorsed by the responsible authority. The Conservation Management Plan must be prepared to the satisfaction of the responsible authority and must include, but not be limited to, the following:



- a) Fully dimensioned and accurately measured plans at a scale of no less than 1:50 prepared by a suitably qualified heritage practitioner/ architect, detailing:
 - i. The existing façade, roof and return walls, including sections to show the thickness of architectural elements;
- b) All recommendations in accordance with the endorsed structural report;
- c) A written description of the demolition and construction methods to be used, including the methodology for the reconstruction and reinstatement of side walls; and
- d) Written confirmation, that the Conservation Management Plan will be incorporated into the Body Corporate/Owners Corporation Rules to ensure all current and future lot owners are legally bound by its conservation policies.

Structural Report

- 4. Before the demolition commences, a structural report must be approved and endorsed by the responsible authority. The structural report must be prepared by a suitably qualified structural engineer, or equivalent, and demonstrate the means by which the retained portions of the heritage buildings will be supported during demolition and construction works to ensure its retention, to the satisfaction of the responsible authority.

Environmentally Sustainable Design

- 5. Concurrent with the endorsement of plans, a sustainable management plan (SMP) must be approved and endorsed by the responsible authority. The SMP must be prepared to the satisfaction of the responsible authority and be generally in accordance with the SMP prepared by Stantec and dated 19 May 2026, but modified to include or show:
 - a) The proposed renewable energy supply arrangements clarified in greater detail, including confirmation from the embedded network provider that 100% renewable electricity will be supplied to all dwellings and meters connected to the embedded network, and revised wording of the GreenPower commitment to clearly reflect this outcome.

Implementation of SMP initiatives

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

Landscape plan – changes required

- 7. Concurrent with the endorsement of plans, a landscape plan must be approved and endorsed by the responsible authority. The landscape plan must be prepared to the satisfaction of the responsible authority, drawn to scale with dimensions, be generally in accordance with the landscape plans prepared by Open Space dated 13 May 2026, but modified to show:
 - a) Provide dimensions and soil volumes for all planted areas (L x W x soil depth) to ensure sufficient soil is provided to support plant growth;
 - b) Load bearing weights for the building structure is to 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;



- c) For above ground planted areas (particularly rooftop terraces and green roofs), wind-resistant mulch is to be used;
- d) Provide information on any proposed vertical growing structures including detailed drawings, mounting technique etc;
- e) Provide plant species and quantities for each planted area including plant species and quantities, as well as a legend containing key features, materials, and surfaces. Proposed plants are to be:
 - i. Drawn at their mature size on the plan;
 - ii. Labelled or coded to correspond with the proposed plant schedule;
 - iii. Appropriately selected for suitability to site conditions such as light, shade, microclimate, etc.; and
 - iv. The inclusion of native/indigenous plantings;
- f) Provide information on proposed irrigation including proposed water supply (potable or other), and type of irrigation (pop-ups or drip irrigation);
- g) Drainage information demonstrating that all raised planters are to be connected to stormwater (planters are not allowed to drain onto the footpath);
- h) All pipe work to be concealed and integrated into built form;
- i) Provide a maintenance schedule, including task details and frequency ongoing operations (pruning, irrigation maintenance, regular watering for standalone pots, upkeep, pest management, replacement of dead/diseased plants etc.), Record keeping practices, and level of qualification required for ongoing maintenance contractor;
- j) Provide a specification of works to be undertaken prior to planting.

Completion of landscaping

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

Landscaping maintenance

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

Waste Management Plan – changes required

10. 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, must be generally in accordance with the WMP, prepared by One Mile Grid Traffic Engineering and dated 4 May 2026 but amended to include the following details:
- a) If private waste collection arrangement proposed, notation that the development will not be subject to the Yarra City Council's waste collection charge, and that all waste services, including hard waste collection, must be managed by private contractor;
 - b) References to discussions with Yarra City Council waste officers removed.



Acoustic Report

11. Concurrent with the endorsement of plans, an acoustic report must be approved and endorsed by the responsible authority. The acoustic report must be generally in accordance with the Acoustic Report, prepared by Enfield Acoustics and dated 14 May 2026. The recommendations of the approved acoustic report must be implemented to the satisfaction of the responsible authority.

Wind Assessment – changes required

12. Concurrent with the endorsement of plans, a Wind Impact Assessment must be approved and endorsed by the responsible authority. The Wind Impact Assessment must be prepared to the satisfaction of the responsible authority, must generally in accordance with the Environmental Wind Assessment, prepared by MEL Consultants and dated 18 May 2026 but amended to include the following details:
- a) A wind tunnel assessment.

Green Travel Plan

13. Concurrent with the endorsement of plans, a Green Travel Plan must be approved and endorsed by the responsible authority. The Green Travel Plan must be prepared to the satisfaction of the responsible authority, must generally in accordance with the Green Travel Plan, prepared by One Mile Grid and dated 14 May 2026.

Environmental Audit – Preliminary Risk Assessment (Part 1)

14. 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 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.

Environmental Audit (Part 2)

15. If the PRSA requires an Environmental Audit to be undertaken, then prior to the commencement of the development (excluding any works necessary to undertake the audit), an Environmental Audit of the site must be carried out by a suitably qualified environmental auditor. On completion of the Environmental Audit, an Environmental Audit Statement (EAS) and report must be submitted to the responsible authority 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.

Environmental Audit Statement (Part 3)

16. 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 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.

Environmental Audit Statement – Section 173 Agreement (Part 4)

17. If any of the conditions of the EAS require 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 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.

Construction Management Plan

18. Before the development starts, including demolition, bulk excavation and site preparation works, a construction management plan (CMP) must be submitted to and be approved by the Yarra City Council. The CMP must be prepared and address the following:
- a) be prepared in accordance with the Civil construction building and demolition guide, Publication 1834 (EPA, 2020) and address the following:
 - i. a pre-conditions survey (dilapidation report) of the land and all adjacent Council roads frontages and nearby road infrastructure;
 - ii. works necessary to protect road and other infrastructure;
 - iii. remediation of any damage to road and other infrastructure;
 - iv. 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 facilities for vehicle washing, which must be located on the land;
 - v. 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;
 - vi. site security;
 - vii. management of environmental hazard including (but not limited to)
 - noise and vibration
 - erosion, sediment and dust
 - contaminated land and groundwater
 - chemicals
 - waste
 - stormwater contamination from run-off and wash-waters
 - washing of concrete trucks and other vehicles and machines
 - spillage from refuelling cranes and other vehicles and machine;
 - viii. an emergency contact that is available for 24 hours per day for residents and the Yarra City Council in the event of relevant queries or problems experienced;



- b) the working hours schedule for construction, building and demolition noise in accordance with the EPA requirements;
- c) include a traffic management plan showing:
 - i. access routes for construction vehicles
 - ii. swept path analysis demonstrating the ability for trucks to enter and exit the site in a safe manner for the largest anticipated truck associated with the construction
 - iii. proposed parking locations for construction vehicles and construction workers' vehicles
 - iv. any impacts upon adjacent roads and pedestrian walkways and provision for adequate movement and circulation of vehicles and pedestrians adjacent to the land during the construction phase
 - v. preferred arrangements for trucks delivering to the land, including delivery and unloading points and expected duration and frequency
 - vi. an outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services
 - vii. 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 road.

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

Boundary walls

19. Before the development is occupied, all new walls on or facing the boundaries of adjoining properties must be cleaned and finished to the satisfaction of the responsible authority.

Run-off

20. Polluted and/or sediment laden run-off must not be discharged directly or indirectly into Yarra City Council drains or watercourses.

Drainage

21. The land must be drained to the satisfaction of Yarra City Council.

Yarra City Council Infrastructure and Assets

22. Before the building is occupied or by such later date as approved in writing by the responsible authority, the following must be addressed:
- a) The footpath along the property's Spring Street and Argyle Street frontages must be reconstructed in asphalt.
 - b) Any damage to Yarra City Council infrastructure resulting from the development must be reinstated, within 2 months of written notice.
 - c) Any service poles, structures or pits located within the public realm areas that interfere with the proposal, must be adjusted accordingly,



all at owners cost and to the satisfaction of Yarra City Council.

Yarra City Council Development Levies

23. Before the development starts, including demolition, bulk excavation and site preparation works, a Development Infrastructure Levy must be paid to Yarra City Council, in accordance with the approved Development Contributions Plan.
24. Prior to the issue of a building permit, the Community Infrastructure Levy must be paid to Yarra City Council, in accordance with the approved Development Contributions Plan.

Vehicle crossing removal

25. Before the development is occupied, all existing disused or redundant vehicle crossings must be removed and the nature strip and kerb and channel reinstated to the satisfaction of Yarra City Council, at the cost of the owner.

Retention of Architects

26. Except with the consent of the responsible authority, Edition Office must be retained to complete and provide architectural oversight during construction of the detailed design as shown in the endorsed plans to the satisfaction of responsible authority.

Residential Reticulated Gas Service Connection

27. Any new apartment development allowed by this permit must not be connected to a reticulated gas service (within the meaning of clause 53.03 of the Yarra Planning Scheme). This condition continues to have force and effect after the development authorised by this permit has been completed.

Rooftop plant and services

28. All rooftop plant, equipment, lift overruns, service infrastructure and associated structures must be screened from view from surrounding streets and public realms to the satisfaction of the responsible authority. The screening must be integrated into the architectural design of the building and maintained to the satisfaction of the responsible authority.

Expiry

29. 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.

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:

- A building permit may be required before development is commenced. Please contact Yarra City Council on 9205 5555 to confirm.
- A local law permit (e.g. Asset Protection Permit, Road Occupation Permit) may be required before development is commenced. Please contact Yarra City Council on Ph. 9205 5555 to confirm.
- Legal duties and obligations to protect human health and the environment from pollution and waste are set out in the Environment Protection Act 2017. Please refer to the Environment Protection Authority Victoria website www.epa.vic.gov.au/meeting-your-obligations for more information on identifying potential contamination and complying with your duty to manage contaminated land under the Environment Protection Act 2017.
- All property owners or occupiers within a development approved under this planning permit, will not be eligible for residential or visitor parking permits unless the development has heritage controls where parking would adversely affect the integrity of the heritage place, or if there's no increase in occupancies and the development does not reduce existing on-site parking. For more information refer to www.yarracity.vic.gov.au/residents/transport/parking/parking_permits.
- In accordance with the Yarra Planning Scheme, an 8.65% public open space contribution will apply in the event of the subdivision of the land.
- Any on-street parking reinstated as a result of development works must be approved by Yarra City Council.
- The site stormwater must be directed to the nominated legal point of discharge (LPD) and shall be limited to equivalent pre-development levels or 70% impervious site coverage, whichever is lowest, for a 20% AEP rainfall event. The development must detain on site at a minimum the 10% AEP storm event. For cases where a safe overland flow path cannot be provided or where flows exceeding pipe capacity may impact the development or adjacent, upstream or downstream properties, the requirement will be to detain the 1% AEP storm event.
- All redundant property drain outlets are to be demolished and reinstated to Yarra City Council's satisfaction and at the Permit Holder's cost.



Planning and Environment
Interim Regulations 2026

Form 4

Regulation 22

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—
 - (a) the date of the decision of the Victorian Civil and Administrative Tribunal, if the permit was issued at the direction of the Tribunal; or
 - (b) 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 if no time is specified, within 3 years after the issue of 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 2 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 5 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 3 years after the issue of the permit; or
 - the use is discontinued for a period of 3 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 if no time is specified, within 3 years after the issue of 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 5 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 3 years after the completion of the development; or
 - the use is discontinued for a period of 3 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 , 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 2 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: 30 September 2026 Signature for the responsible authority:

