

**ATTACHMENT A:  
CITY OF MELBOURNE  
PLANNING PERMIT  
TP-2021-345**

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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 of 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 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 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 two years of 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 a permit.
5. The expiry of a permit does not affect the validity of anything done under that permit before the expiry.

### WHAT ABOUT APPLICATIONS FOR REVIEW?

- The person who applied for the permit may apply for review against any condition in the permit unless it was granted at the direction of the Victorian Civil and Administrative Tribunal where, 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.

# PLANNING PERMIT



**PERMIT NO.**

**TP-2021-345**

**PLANNING SCHEME**

Melbourne Planning Scheme

**RESPONSIBLE  
AUTHORITY**

Melbourne City Council

GPO Box 1603  
Melbourne VIC 3001  
Phone 61 3 9658 9658  
Email [planning@melbourne.vic.gov.au](mailto:planning@melbourne.vic.gov.au)  
[www.melbourne.vic.gov.au](http://www.melbourne.vic.gov.au)

**ADDRESS OF THE LAND**

Tea House, 28 Clarendon Street, SOUTHBANK VIC 3006

**THE PERMIT ALLOWS**

Partial demolition of the existing building and construction of a mixed use building comprising a residential hotel, office and retail premises together with the alteration of access to a road in a Transport Zone, Category 2 in accordance with the endorsed plans.

## THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT.

### Amended plans

1. Prior to the commencement of the development on the land, an electronic copy of plans, drawn to scale must be submitted to the Responsible Authority generally in accordance with the plans amended via s57A prepared by Snøhetta and submitted on 3 August 2022, but amended to show:
  - a) Increased activation and permeability to the Normanby Street interface at ground floor and publicly accessible spaces within the site.
  - b) Redesign of the proposed porte-cochere to incorporate sufficient area for safe pedestrian movement, removal of entrapment zones, accessibility, sufficient separation of the platform lift and pedestrian zones.
  - c) 1:50 elevations of all public interfaces (including internal forecourts), detailing:
    - i. Integrated elements to enhance human scale to all building public realm interfaces, including:
      - solid elements to ensure human scale and façade depth
      - operable windows
      - plinths
      - an integrated landscape edge
      - awnings over tenancy entries.

All materials used should be robust, natural, textured and of a high quality.

  - d) The existing vehicle crossing to be designed to be in alignment with the driveway and reconstructed.
  - e) Any doors to Clarendon Street and Normanby Road redesigned so that they do not project beyond the street alignment when open, when closed or when being opened or closed.

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**Signature of the Responsible Authority**

A handwritten signature in black ink, appearing to be 'M. J. ...', written over a horizontal line.

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- f) An updated schedule of materials, including specification detail, finish, colour and imagery accurately depicting appearance, and confirmation that the reflectivity of all glazing is not greater than 15%. Any additional materials added as a result of responding to permit conditions are to be included.
- g) All doors, windows, vents and openings to the basement carpark set no lower than 3.06 m to AHD unless otherwise agreed with Melbourne Water.
- h) All entries and exits, including openings to any basement has a flood proof apex finished no lower than 3.06 m to AHD and details of any proposed mechanical flood barrier at the entry to the basement to achieve this height.
- i) Notation that all services on the ground floor for electrical and plumbing fittings, eg gas meters, fire controls meet the standards of the Relevant Authority for areas subject to inundation.
- j) Bicycle parking must comply with AS2890.3:2015 and / or Bicycle Network guidelines.
- k) All spaces, ramps, grades, transitions, access ways & height clearances must be generally designed in accordance with the MPS and / or AS/NZS 2890.1:2004.
- l) The design of the loading bay, including all space dimensions, grades & height clearances, must comply with relevant standards for Commercial Vehicles (AS2890.2-2002).
- m) A ramp grade of <1:10 must be provided for the first 5 m from site boundary at the access.
- n) Pedestrian sight triangles of 2 x 2.5 m must be provided at the exits from the carpark.
- o) Columns must be located between 0.25 - 1.25 m from the open end, and no more than 1.75 m from the closed end of the relevant standard car spaces, as per Clause 52.06 of the Melbourne Planning Scheme.
- p) Any changes required by the Sustainability Strategy at Condition 7.
- q) Any changes required by the Flood Risk Management Plan at Condition 20.
- r) Any changes required by the Noise Assessment at Condition 25.
- s) Any changes required by the Pedestrian Wind Study at Condition 26.
- t) Any changes required by the Waste Management Plan at Condition 28.
- u) Any changes required by the Civil Design modifications at Condition 30.
- v) Any changes required by the Road Safety Audit at Condition 36.
- w) Any changes required by the Access to Melbourne Convention and Exhibition Centre requirements at Condition 45.


These amended plans must be to the satisfaction of the Responsible Authority and when approved shall be the endorsed plans of this permit.

### Endorsed plans

2. The development as shown on the endorsed plans must not be altered or modified unless with the prior written consent of the Responsible Authority.

### Façade strategy

3. Concurrent with the endorsement of plans pursuant to Condition 1, a Façade Strategy and Materials and Finishes must be submitted to and be approved by the Responsible Authority. All materials, finishes and colours must be in conformity with the approved Façade Strategy to the satisfaction of the Responsible

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Authority. The Façade Strategy must be generally in accordance with the development plans and must detail:

- a) A concise description by the architects of the building design concept and how the façade works to achieve this.
- b) Elevation details generally at a scale of 1:50 illustrating typical lower level details, balcony niches, entries and doors, and utilities, typical tower detail, and any special features which are important to the building's presentation. The drawings must demonstrate:
  - i. Application of matt and textured 'terracotta look' aluminium to the tower facades.
  - ii. Genuine robust terracotta, concrete or masonry finishes to lower levels and direct street level interfaces.
- 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 outcome in accordance with the design concept.
- f) A schedule of colours, materials and finishes, including the colour, type and quality of materials showing their application and appearance. Materials and finishes must be of a high quality, contextually appropriate, durable and fit for purpose. This can be demonstrated in coloured elevations or renders from key viewpoints, to show the materials and finishes.

Once approved, the Façade Strategy will be endorsed to form part of this permit.

#### **Retention of Architectural Firm**

4. Except with the written consent of the Responsible Authority SnØhetta Architects must be retained to complete and provide architectural oversight during construction of the detailed design as shown in the endorsed plans, façade strategy and the endorsed schedule of materials and finishes.

#### **Features above roof level**


5. No architectural features, plant and equipment or services other than those shown on the endorsed plans are permitted above roof level, unless with the prior written consent of the Responsible Authority.

#### **Construction and Demolition Management Plan**

6. Prior to the commencement of the development, including demolition or bulk excavation, a detailed construction and demolition management plan (CDMP) must be submitted to and be approved by the Responsible Authority. The CDMP must be prepared in accordance with the Melbourne City Council - Construction Management Plan Guidelines and is to include the following matters:
  - a) Staging of construction.
  - b) Site access and traffic management (including any disruptions to adjoining vehicular and pedestrian accessways).
  - c) Public safety, amenity and site security.
  - d) Operating hours.

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- e) Air and dust management.
- f) Stormwater and sediment control.
- g) Waste and materials reuse.
- h) Traffic management.

Construction and demolition must be carried out in accordance with the endorsed CDMP to the satisfaction of the Responsible Authority.

**Sustainability Strategy**

7. Prior to the commencement of the development (excluding demolition, bulk excavation and site preparation works), an amended Sustainability Strategy (Sustainability Management Plan) to the satisfaction of the Responsible Authority and prepared by a suitably qualified person must be submitted to and approved by the Responsible Authority. The amended Sustainability Strategy must be generally in accordance with the Sustainability Strategy prepared by ARUP dated 27 May 2021, but amended to include:
- a) Additional credits to demonstrate 65 points can be achieved.
  - b) Green Star Sustainable Transport Calculator demonstrating development can achieve 6.5 points.
  - c) Green Star Potable Water Calculator demonstrating development can achieve 5 points.
  - d) Green Star Urban Ecology Calculator demonstrating development can achieve 1.5 points.
  - e) Daylight modelling compliant with 12.1 Daylight credit and 12.2 Views credit achieving 2 points (1 per credit).
  - f) A site plan with SRI values provided to demonstrate 75% of the site complies with Urban Heat Island credit requirements.
  - g) Evidence the project has registered with Climate Active for a Precinct rating.
- When approved, the amended Sustainability Strategy will be endorsed and form part of this permit.

**Sustainability Strategy (Tender Stage)**


8. Prior to the commencement of the development an updated Sustainability Strategy that outlines and provides evidence of the proposed sustainable design initiatives that equate to 65 points / 5 Star Green Star Design and As Built V1.3 must be submitted to, be to the satisfaction of and approved by the Responsible Authority. When approved, the Sustainability Strategy will be endorsed and will then form part of the permit and the project must incorporate the sustainable design initiatives listed.

**Incorporation of Sustainability Strategy initiatives**

9. The project must incorporate the sustainable design initiatives listed in the endorsed Sustainable Strategy to the satisfaction of the Responsible Authority.

**Implementation of Sustainability Strategy initiatives**

10. Before the occupation of the development approved under this permit, a report from the author of the Sustainable Strategy approved pursuant to this permit, or similarly qualified person or company, must be submitted to the satisfaction of the Responsible Authority. The report must confirm that all measures and recommendations specified in the Sustainable Strategy have been implemented and incorporated in accordance with the approved report to the satisfaction of the Responsible Authority.

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## Landscape package

11. Prior to the commencement of development, a complete Landscape package, Landscape Maintenance Plan and a Landscape Irrigation Performance Specification in connection with the proposed development must be submitted to, and be approved by the Responsible Authority. The landscape package must include detailed planter sections including soil volumes and schedules of species with specific consideration given to soil volume requirements and growing medium proposed.
12. Except with the prior written consent of the Responsible Authority the approved landscaping must be implemented prior to the occupation of the development.
13. The landscaped areas must be maintained to the satisfaction of the Responsible Authority.

## Street Trees

14. Prior to the commencement of the development, including demolition, and bulk excavation and site preparation works, a Tree Protection Plan (TPP) for any public trees that may be affected by the development, must be provided to the satisfaction of Melbourne City Council – Urban Forestry & Ecology. The TPP must be in accordance with AS 4970-2009 – Protection of Trees on Development Sites and include:
  - a) City of Melbourne asset numbers for the subject trees (found at <http://melbourneurbanforestvisual.com.au>).
  - b) Reference to the finalised Demolition and Construction Management Plan, including any public protection gantries.
  - c) Site specific details of the temporary tree protection fencing to be used to isolate publicly owned trees from the demolition and construction activities or details of any other tree protection measures considered necessary and appropriate to the site.
  - d) Specific details of any special construction methodologies to be used within the Tree Protection Zone of any publicly owned tree. These must be provided for any utility connections or civil engineering works.
  - e) Full specifications of any pruning required to publicly owned trees.
  - f) Any special arrangements required to allow ongoing maintenance of publicly owned trees for the duration of construction.
  - g) Name and contact details of the project arborist who will monitor the implementation of the TPP for the duration of construction (including demolition).
  - h) Details of the frequency of the Project Arborist monitoring visits, interim reporting periods and final completion report (necessary for bond release). Interim reports of monitoring must be provided to Council's email via [trees@melbourne.vic.gov.au](mailto:trees@melbourne.vic.gov.au).
15. Following the approval of a TPP a bank guarantee equivalent to the combined environmental and amenity values of public trees that may be affected by the development will be held against the TPP for the duration of demolition and construction activities. The bond amount will be calculated by Melbourne City Council and provided to the applicant / developer / owner of the site. Should any tree be adversely impacted on, Melbourne City Council will be compensated for any loss of amenity, ecological services or amelioration works incurred.
16. In the event that a Traffic, Demolition and Construction Management Plan changes any of the tree protection methodologies or impacts on public trees in ways not identified in the endorsed TPP, a

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revised TPP must be provided to the satisfaction of Melbourne City Council – Urban Forestry & Ecology. When approved, the revised TPP will be endorsed to form part of the permit and will supersede any previously endorsed TPP.

17. All works, including demolition and bulk excavation, within the Tree Protection Zones of public trees must be undertaken in accordance with the endorsed Tree Protection Plan and supervised by a suitably qualified Arborist where identified in the report, except with the further written consent of Melbourne City Council – Urban Forestry & Ecology.

### **Public Tree Removal**

18. Approval for any tree removal is subject to the Melbourne City Council's Tree Retention and Removal Policy, Council's Delegations Policy and requirements for public notification, and a briefing paper to Councillors. Certain tree removals including but not limited to significant or controversial tree removals, may be subject to decision by Melbourne City Council or a Committee of Council.
19. All costs in connection with the removal and replacement of public trees, including any payment for the amenity and ecological services value of a tree to be removed, must be met by the applicant / developer / owner of the site. The costs of these works will be provided and must be agreed to before Melbourne City Council remove the subject trees.

### **Flood Risk Management Plan**


20. Concurrent with the endorsement of the plans, a Flood Risk Management Plan to the satisfaction of the Responsible Authority and Melbourne Water must be submitted to and approved by the Responsible Authority and Melbourne Water. When approved, the Flood Risk Management Plan will be endorsed and will form part of this permit.

The plan must be generally in accordance with the draft Flood Risk Management Plan prepared by GHD dated 22 June 2022 and hydraulic report dated 24 June 2022, but modified to include / address each of the following:

- a) Available details of the Hanna Street Main drain included in the flood analysis.
- b) Removal of all reference to City of Melbourne being responsible in the implementation of the Management Plan.
- c) Details of how the building manager will be alerted to likely impacts on the site during a flood event.
- d) Information about the timing of flooding to the site will be obtained.
- e) The specific triggers that will inform actions by the building manager to evacuate and warn occupants.
- f) A list of signage and other flood mitigation equipment that needs to be maintained and levels of maintenance required for each item.
- g) Details of how occupants will be communicated with in the event evacuation isn't achieved.
- h) Detail relevant flood response activities from the CoM's Municipal Emergency Plan Flood Sub-Plan.
- i) Detail the role the building manager plays in obtaining information and how they will engage with CoM, Vic Pol and / or Vic SES to inform their actions.
- j) Details with regards to flood level, depth, velocity etc and how risks associated with flash flooding events (where little to no warning is available) are to be managed.

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All to the satisfaction of Melbourne Water and the Responsible Authority.

21. Any requirements of the Flood Risk Management Plan endorsed under this permit must be implemented to the satisfaction of the Responsible Authority and Melbourne Water at all times.

#### **Audit of the Flood Risk Management Plan**

22. The implementation of the FRMP must be audited on the anniversary of its approval, or such other times as agreed in writing by Melbourne Water, by a suitably experienced and qualified professional with expertise in emergency and flood risk management. The FRMP audit report must be provided to Melbourne Water and the Responsible Authority. The auditor's report must:
- a) Confirm that the requirements of the FRMP have been implemented over the audit period.
  - b) Provide any recommendations for improvements to the FRMP.
  - c) If it is recommended to change any requirement in the FRMP a risk assessment that addresses the consequences of that change in requirement must be undertaken and provided to Melbourne Water.
23. Any recommendations made by the auditor of the FRMP must be the subject of a revised FRMP to be provided to the Responsible Authority and Melbourne Water, and approved by Melbourne Water before any amendment may take effect.

#### **Flood risk Management Plan Implementation Agreement**

24. Within six months of commencing the development, the owner of the Land must enter into an agreement pursuant to Section 173 of the Planning and Environment Act 1987 with the Responsible Authority and Melbourne Water Corporation. All costs associated with the creation, review, execution and registration of the agreement by Melbourne Water and the Responsible Authority, including legal fees, must be borne by the owner of the Land. The agreement must be registered on title and run with the land, and must provide, to the satisfaction of the Responsible Authority and Melbourne Water, for the following:
- a) That the owner of the Land acknowledges the high flood depths predicted on-site and on surrounding land has the potential to result in high levels of risk to human safety and property from floodwaters from the Yarra River.
  - b) That the uses of the land must at all times be operated in accordance with endorsed Flood Risk Management Plan.

#### **Noise**

25. Prior to commencement of the use the recommendations contained within the Noise Assessment and Façade Design prepared by WSP, dated 27 May 2021, must be implemented at no cost to the Melbourne City Council and be to the satisfaction of the Responsible Authority.

#### **Wind**

26. Prior to the commencement of the development, including demolition, bulk excavation and site preparation works, a revised Wind Impact Assessment generally in accordance with the Pedestrian Wind Study prepared by RWDI, dated 20 May 2021, but updated to consider the decision plans, must be submitted to and approved by the Planning Authority. The revised Wind Impact Assessment must:
- a) Respond to the wind effects provisions and definitions in Schedule 60 to the Design and

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Development Overlay.

- b) Explain the effect of the development on the wind conditions in publicly accessible areas impacted by the development as well as any balconies and / or rooftop areas within the development.
  - c) At a minimum, model the wind effects of the development and its surrounding buildings (existing and proposed) using wind tunnel testing.
  - d) Identify the principal role of each part of the publicly accessible areas for sitting, standing or walking purposes.
  - e) Not rely on any trees or other elements within publicly accessible areas for wind mitigation.
  - f) Make recommendations for modifications to the design of the building, if required, to achieve comfortable wind conditions consistent with the identified principle role for publicly accessible areas as well as any balconies and / or rooftop areas within the development.
27. Any modifications to the development to ensure comfortable wind conditions to the surrounding streets, building entries, publicly accessible areas and any balconies and / or rooftop areas within the development must be carefully developed as a high quality integrated architectural solution to the satisfaction of the Responsible Authority and implemented at no cost to the Melbourne City Council.

**Waste**

28. Prior to the commencement of the development, a Waste Management Plan (WMP) must be prepared, submitted and approved by the Melbourne City Council - Waste and Recycling. The WMP must detail waste storage and collection arrangements and be prepared with reference to the Melbourne City Council Guidelines for Preparing a Waste Management Plan. Waste storage and collection arrangements must not be altered without prior consent of the Melbourne City Council - Waste and Recycling.

**Drainage connection underground**

29. Prior to the commencement of the development, a stormwater drainage system, incorporating integrated water management design principles, must be submitted to and approved by the Responsible Authority – City Infrastructure. This system must be constructed prior to the occupation of the development and provision made to connect this system to the City of Melbourne’s underground stormwater drainage system.

**Amended plans – civil works**

30. Prior to the commencement of development, detailed development plans including full architectural drawings, plans, sections and elevations of the development must be submitted to and approved by the Council. The plans must be drawn to scale and fully dimensioned, including heights to Australian Height Datum for all levels unless agreed otherwise by the Responsible Authority. The plans must address the following:
- a) Removal of all internal walls from the new drainage easement created over the Council’s stormwater drain.
  - b) Redesign sections of the external building walls located within the drainage easement to fully demountable.
  - c) Provide swept path diagrams for a 9.8 metre long service vehicle showing egress and ingress manoeuvres from Normanby Road to the Council’s stormwater drain.

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- d) Details of height clearances for relevant service vehicles throughout entry of Normanby Road and access ways for the maintenance of the Council's stormwater drain.

These amended plans must be to the satisfaction of the Responsible Authority and when approved must be endorsed plans of this permit.

### Legal agreement

31. Prior to the commencement of development (excluding any demolition, bulk excavation, construction or carrying out of works) on the subject land, the owner/s of the subject land must enter into an agreement with Melbourne City Council, pursuant to Section 173 of the Planning and Environment Act 1987. The agreement must provide for the following unless agreed otherwise by the Responsible Authority:
- a) A 4.4 m wide drainage easement must be created over a 1650 mm in diameter stormwater drain (Drain) located within the subject land, in favour of the Council. The easement is to have an upper level at least 5.0 metres above the finished ground floor level of the building. The easement must be unlimited in depth and exclude any basement and / or building supporting structures.
  - b) The Drain must be reconstructed in accordance with plans and specifications first approved by the Council – City Infrastructure.
  - c) The Council will have unimpeded access to the subject land for the inspection, maintenance and / or reconstruction of the Drain.
  - d) The owner of the subject land will be responsible for additional cost the Council may incur when undertaking future maintenance and / or upgrade of the Drain.
  - e) The Owner will indemnify the Council against all actions, claims, demands, losses, damages, costs and expenses for which the Council may become liable in respect of or arising from the existence of the Drain.

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


### Legal Agreement for Public Plaza

32. Prior to the occupation of the development, the owner of the land must enter into a legal agreement pursuant to Section 173 of the Planning and Environment Act 1987 with Melbourne City Council. The agreement must provide the following:
- a) Give rights of public access 24 hours a day, 7 days a week to the plaza located within the subject land, which are to remain at all times in private ownership as part of the subject land.
  - b) The owner must, at its cost, maintain the plaza as well as maintaining the corresponding public liability insurance.

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

### Groundwater management

33. All groundwater and water that seeps from the ground adjoining the building basement (seepage water) and any overflow from a reuse system which collects groundwater or seepage water must not be discharged to the 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.

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### **Demolish and construct access**

34. 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 Responsible Authority – City Infrastructure.

### **Roads**

35. All portions of roads and laneways affected by the building related activities of the subject land must be reconstructed together with associated works including the reconstruction or relocation of services as necessary at the cost of the developer, in accordance with plans and specifications first approved by the Responsible Authority – City Infrastructure.

### **Road Safety Audit**

36. Concurrent with the submission of plans pursuant to Condition 1, a formal Road Safety Audit prepared by a suitably qualified professional must be provided to the satisfaction of Melbourne City Council – City Infrastructure. The Road Safety Audit must address the following matters:
- a) Vehicular / bicycle / pedestrian access arrangements. Specific regard to be given to potential pedestrian conflict within the port-cochere.
  - b) Loading and waste arrangements.
  - c) Internal circulation / layout.

When provided to the satisfaction of the Melbourne City Council – City Infrastructure, the Road Safety Audit will be endorsed to form part of this permit.

### **Sawn bluestone footpaths**

37. The footpaths adjoining the site along Clarendon Street and Normanby Road must be reconstructed in sawn bluestone together with associated works including the installation of sawn bluestone kerb and channel, the provision of tree plots, street furniture and modification of services as necessary at the cost of the developer, in accordance with plans and specifications first approved by the Responsible Authority – City Infrastructure.

### **Street levels not to be altered**

38. Existing street levels in roads adjoining the site must not be altered for the purpose of constructing new vehicle crossings or pedestrian entrances without first obtaining approval from the Responsible Authority – City Infrastructure.

### **Existing street lighting not altered without approval**

39. All street lighting assets temporarily removed or altered to facilitate construction works shall be reinstated once the need for removal or alteration has been ceased. Existing public street lighting must not be altered without first obtaining the written approval of the Responsible Authority – City Infrastructure.

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## Public Lighting


40. Prior to the commencement of the development, excluding preliminary site works, demolition and any clean up works, or as may otherwise be agreed with the City of Melbourne, a lighting plan must be prepared to the satisfaction of Council. The lighting plan should be generally consistent with Council's Lighting Strategy, and include review of public lighting in Normanby Road. The lighting works must be undertaken prior to the commencement of the use / occupation of the development, in accordance with plans and specifications first approved by the Responsible Authority – City Infrastructure.

## Potentially contaminated land

41. Prior to the commencement of the development (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.
42. If the PRSA requires an Environmental Audit 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:
- state the site is suitable for the use and development allowed by this permit; or
  - state the site is suitable for the use and development allowed by this permit if the recommendations contained within the EAS are complied with.
43. All the recommendations of the Environmental Audit Statement (EAS) must be complied with to the satisfaction of the Responsible Authority for the full duration of any buildings and works remaining 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.
44. 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.

## Access to Melbourne Convention and Exhibition Centre

45. Prior to the commencement of the development on the land, evidence must be provided, in the form of a legal agreement or similar, confirming the development has the right to use adjoining land at 2 Clarendon Street, Southbank (Melbourne Convention and Exhibition Centre) for access, to the satisfaction of the Responsible Authority. Alternatively any reference to access from the subject site onto 2 Clarendon Street, Southbank (Melbourne Convention and Exhibition Centre) must be removed.

<b>Date Issued: 22 August 2022</b>	<b>Signature of the Responsible Authority</b> 
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Note: Under Part 4, Division 1A of the Planning and Environment Act 1987, a permit may be amended. Please check with the Responsible Authority that this permit is the current permit and can be acted upon.

## **No Advertising Displayed on Building**

46. No signs shall be erected, painted or displayed on the land without the prior written permission of the Responsible Authority unless in accordance with the provisions of the Melbourne Planning Scheme.

## **3D Digital Model**

47. Prior to the occupation of the development, a 3D digital model of the approved development must be submitted to, and must be to the satisfaction of, Melbourne City Council. The model should be prepared having regard to Advisory Note – 3D Digital Modelling Melbourne City Council. Digital models provided to the Council may be shared with other government organisations for planning purposes. The Council may also derive a representation of the model which is suitable for viewing and use within its own 3D modelling environment. In the event that substantial modifications are made to the building envelope a revised 3D digital model must be submitted to, and be to the satisfaction of, the Council.

## **Time limit**

48. This permit will expire if one or more of the following circumstances apply:
- a) The development is not started within three years of the date of this permit.
  - b) The development is not completed within six 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 permit if a request is made in writing within 12 months after the permit expires and the development started lawfully before the permit expired.

## **Notes**

### **Heritage Victoria Permit Requirement**

Prior to the commencement of any buildings or works allowed by this Planning Permit, the proposed buildings and works must also be approved in writing by Heritage Victoria.

### **Building Approval Required**

This permit does not authorise the commencement of any demolition or construction on the land. Before any demolition or construction may commence, the applicant must apply for and obtain appropriate building approval from a Registered Building Surveyor.

### **Building Works to Accord with Planning Permit**

The applicant / owner will provide a copy of this planning permit and endorsed plans to any appointed Building Surveyor. It is the responsibility of the applicant / owner and the relevant Building Surveyor to ensure that all building (development) works approved by any building permit are consistent with this planning permit.

### **Other Approvals May Be Required**

This Planning Permit does not represent the approval of other departments of Melbourne City Council or other statutory authorities. Such approvals may be required and may be assessed on different criteria from that adopted for the approval of this Planning Permit.

### **Civil Design**

All necessary approvals and permits are to be first obtained from the City of Melbourne's City Infrastructure Branch and VicRoads and the works performed to the satisfaction of the responsible road authority.

### **Transport and Parking**

## **Signature of the Responsible Authority**

**Date Issued: 22 August 2022**



Note: Under Part 4, Division 1A of the Planning and Environment Act 1987, a permit may be amended. Please check with the Responsible Authority that this permit is the current permit and can be acted upon.


Council will not change the on-street parking restrictions to accommodate the access / servicing / delivery / parking needs of this development, as the restrictions are designed to cater for a number of other competing demands and access requirements. As per Council's policy, new developments in this area that increase the density of residential development on the site are not entitled to resident parking permits. Therefore, the students / staff / visitors of this development will not be eligible to receive parking permits and will not be exempt from any on-street parking restrictions.

### **Cultural Heritage Management Plan**

A Cultural Heritage Management Plan (CHMP) for the land by Andrew Long and Associates dated 13 April 2021 was approved under delegation of the Secretary, Department of Premier and Cabinet on 17 April 2021. The recommendations contained within the CHMP must be adhered to for all buildings and works allowed by this Planning Permit at all times.

**Date Issued: 22 August 2022**

**Signature of the Responsible Authority**



Note: Under Part 4, Division 1A of the Planning and Environment Act 1987, a permit may be amended. Please check with the Responsible Authority that this permit is the current permit and can be acted upon.