

Proposed amended planning permit (tracked changes)

PERMIT NO	PDPL/00817/2022
LAND	146-150 Bridport Street ALBERT PARK VIC 3206

WHAT THE PERMIT ALLOWS

~~In accordance with the endorsed plans:~~

- ~~• The partial demolition and construction of a multi-storey building over two (2) basement levels within the Heritage Overlay (HO443) and comprising a restaurant (as of right); the use of the land for accommodation with a ground floor frontage exceeding 2 metres in width; a reduction in the number of car parking spaces required under clause 52.06-5 for the restaurant and a reduction in the bicycle requirements of clause 52.34.~~

<u>Planning Scheme Clause</u>	<u>Matter for which the permit has been granted</u>
<u>Clause 34.01-1</u>	<u>To use land for a 'dwelling' as the entry at ground level exceeds two metres</u>
<u>Clause 34.01-4</u>	<u>To construct a building or construct or carry out works.</u>
<u>Clause 43.01-1</u>	<u>To demolish or remove a building and to construct a building or construct or carry out works.</u>
<u>Clause 52.06-5</u>	<u>To reduce the number of required car parking spaces (restaurant).</u>

CONDITIONS

Amended Plans Required

- Before the use and/or development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale and dimensioned. The plans must be generally in accordance with the amended plans by Cera Stribley Revision ~~C-G~~ dated ~~September 2023~~ 17 April 2025, but modified to show:

~~(a) The deletion of Level 4.~~

~~(b) Alteration of the materials colour palette to warmer tones.~~

- ~~(c) — The material for the screening to the balcony associated with dwelling 102.~~
- ~~(d) — The ‘non-heritage shopfront to be demolished’ annotation on TP.0302 deleted and specific items detailed in accordance with the Schedule of Conservation Works at Condition 5.~~
- ~~(e) — If feasible, having regard to any relevant engineering and authority requirements, the relocation of the fire booster cupboard from shop 150 to the rear of the building and integrated into the fencing along Bevan Street.~~
- ~~(f) — The location of a mailroom.~~
- ~~(g) — ‘Food and beverage’ notation deleted and replaced with ‘restaurant’.~~
- ~~(h) — Shower and changeroom facilities for restaurant employees in accordance with Clause 52.34-5.~~
- ~~(i) — Bicycle signage as required by Clause 52.34-7.~~
- ~~(j) — All columns within each basement to be clearly annotated to comply with AS2890.1.~~
- ~~(k) — A notation that new on-street parking area parallel to the Bevan Street title boundary is to be signposted as 1P and include the same day/time restrictions to match those current parking restrictions in this section of Bevan Street.~~
- ~~(l) — All grades, length of grades, and intermediate levels along the internal edge of the main ramp in accordance with AS2890.1.~~
- ~~(m) — The northern boundary fence identified on the ground floor plan consistent with the north elevation.~~
- ~~(n) — The design of the terrace gates to Bevan Street, as depicted in the north elevation, to allow for some visual permeability to the street.~~
- ~~(o) — The fluted glass in west facing habitable room windows to be no more than 25% transparent.~~
- ~~(p) — Urban Art in accordance with Condition 4.~~
- ~~(q) — Any changes required by Condition 5 Schedule of Conservation Works.~~
- ~~(r) — Any changes required by Condition 6 Waste Management Plan.~~
- ~~(s) — Any changes required by Condition 7 Sustainable Management Plan.~~
- ~~(t) — Any changes required by Condition 12 Landscape Plan.~~

No Alterations - use and development

- 2 The layout of the site and the size, levels, design and location of buildings and works shown on the endorsed plans must not be modified for any reason without the prior written consent of the Responsible Authority.

No alterations - external materials

- 3 All external materials, finishes, and colours as shown on the endorsed plans must not be altered without the written consent of the responsible authority.

Urban Art

- 4 Before the occupation of the development allowed by this permit, an urban art plan in accordance with Council's Urban Art Strategy must be submitted to, be to the satisfaction of and approved by the Responsible Authority. The value of the urban art must be at least 0.5% of the total building cost of the development to the satisfaction of the Responsible Authority. Urban art in accordance with the approved plan must be installed prior to the occupation of the building to the satisfaction of the Responsible Authority.

Schedule of Conservation Works

- 5 Prior to the any demolition and endorsement of plans under Condition 1 of this permit, an amended Schedule of Conservation Works based on the report prepared by Bryce Raworth dated 28 August ~~2023~~ 2024 and the amended plans by Cera Stribley Revision ~~C-G~~ dated ~~September 2023~~ 17 April 2025, must be submitted to and approved by the Responsible Authority. When approved, the Schedule of Conservation Works will be endorsed and will form part of the permit. ~~The amended Schedule of Conservation Works must:~~
- ~~(a) Revise the South Elevation Proposed CWS 1.3 (Rev B) plan to align with the Cera Stribley (Rev C) architectural plans dated September 2023 modified in accordance with Condition 1.~~
 - ~~(b) Detail the proposed methodology for paint removal.~~
 - ~~(c) Detail the extent of render repair required and any proposed applied finish (skim coat, limewash or mineral silicate paint to the external walls).~~
 - ~~(d) Detail a historically appropriate colour scheme for the existing building.~~
- ~~6 Shop 146~~
- ~~(a) Delete all reference to option B at 4.6;~~
 - ~~(b) Detail the proposed treatment of the reconstructed verandah at shop 146; and~~
 - ~~(c) Specify items to be demolished, salvaged and retained to the shopfront.~~
- ~~7 Shop 148~~
- ~~(a) Specify items to be demolished, salvaged and retained to the shopfront.~~
- ~~8 Shop 150~~
- ~~(a) Investigate whether the original tiling to the floor of the ingo is still extant below the concrete of the splayed doorway and if applicable, provide an assessment of its restoration.~~

~~(b) Delete reference to 'salvage and retain granite from No 150 shopfront for reuse'.~~

~~(c) Detail the proposed entrance treatment to shop 150; and~~

~~(d) Specify items to be demolished, salvaged and retained to the shopfront.~~

~~9 Reconstruction of verandah and conservation works~~

~~(a) Provide further details of:~~

~~i the works required to the existing roof and flashing;~~

~~ii the works, including specific items to be demolished, salvaged and retained to each shop front;~~

~~iii the works to the verandah, including like for like replacement of the steel verandah battens; and~~

~~iv reinstatement of urns or orbs to the balustrade and/or parapet.~~

Once approved by the Responsible Authority, all buildings and works must be in accordance with the demolition method statement.

Waste Management Plan

~~10~~6 Prior to the endorsement of plans under Condition 1 of this permit, an amended Waste Management Plan based on the report prepared by OneMileGrid, dated ~~14 September 2023~~ 12 March 2025 must be submitted to, approved by and be to the satisfaction of the Responsible Authority. When approved, the report will be endorsed and will then form part of the permit.

~~The report must be amended to detail:~~

~~(a) Any relevant Condition 1 changes and requirements.~~

~~(b) Specify the number of floors specified within the development.~~

~~(c) Provide a wash down area to each waste room.~~

~~(d) The provision of storm water pollution prevention.~~

~~(e) The provision of an electronic waste (e-waste) recycling bin / skip.~~

~~(f) Include sealed waste management drawings.~~

Once submitted and approved, the waste management plan must be carried out to the satisfaction of the Responsible Authority.

Sustainable Management Plan (SMP)

~~11~~7 Prior to the endorsement of plans under Condition 1 of this permit, an amended Sustainable Management Plan (SMP) based on the report prepared by GIW Environmental Solutions, Revision ~~DJ~~, dated ~~14 September 2023~~ 22 April 2025 must be submitted to and approved by the Responsible Authority. ~~The report must be amended to:~~

~~(a) All condition 1 changes where relevant.~~

~~(b) All reports and assessment tools to be published and finalised so as to not be in draft form.~~

Incorporation of Sustainable Design

~~12~~⁸ The project must incorporate the sustainable design initiatives listed in the endorsed Sustainable Management Plan to the satisfaction of the Responsible Authority.

Implementation of Sustainable Design

~~13~~⁹ Prior to occupation of the development approved under this permit, an ESD Implementation Report (or reports) from a suitably qualified person or company, must be submitted to and endorsed by the Responsible Authority. The Report must confirm that all ESD initiatives in the endorsed SMP and WSUD report have been implemented in accordance with the approved plans to the satisfaction of the Responsible Authority. The SMP and WSUD initiatives must be maintained throughout the operational life of the development to the Satisfaction of the Responsible Authority.

Incorporation of Water Sensitive Urban Design (WSUD) Initiatives

~~14~~¹⁰ Prior to occupation of the development approved under this permit, the project must fully implement the water sensitive urban design initiatives listed in the SMP to the satisfaction of the Responsible Authority. These initiatives must be maintained throughout the operational life of the development to the satisfaction of the Responsible Authority.

Maintenance manual for Water Sensitive Urban Design (WSUD) Initiatives

~~15~~¹¹ Before the occupation of the development approved under this permit, a Maintenance Manual for Water Sensitive Urban Design Initiatives must be submitted to and approved by the Responsible Authority. The manual must set out future operational and maintenance arrangements for all WSUD (stormwater management) measures. The program must include, but is not limited to:

- (a) inspection frequency;
- (b) cleanout procedures; and
- (c) as installed design details/diagrams including a sketch of how the system operates.

The WSUD Maintenance Manual may form part of a broader Maintenance Program that covers other aspects of maintenance such as a Builder' User's Guide or a Building Maintenance Guide.

Landscape Plan

~~16~~¹² Concurrent with the endorsement of plans under Condition 1 of this permit, an amended Landscape Plans based on the Plans prepared by Myles Baldwin Design, Issue A, dated ~~14 September 2023~~^{25 February 2025} must be submitted to, approved by and be to the satisfaction of the Responsible Authority. When the Landscape Plan is approved, it will become an endorsed plan forming part of this Permit. ~~The Landscape Plan must incorporate:-~~

- ~~(a) All condition 1 changes.~~
- ~~(b) Planter dimension, depth and volume notated.~~
- ~~(c) Details of access to planter boxes and a maintenance schedule.~~
- ~~(d) Water Efficient Landscaping as claimed in the SDA and BESS report at Condition 8.~~
- ~~(e) Water Sensitive Urban Design treatments as claimed in the SDA and BESS report at condition 8.~~
- ~~(f) Level 1 and 2 plans updated to match Condition 1 plans.~~
- ~~17 All to the satisfaction of the Responsible Authority.~~

Completion of Landscaping

~~18~~¹³ The landscaping as shown on the endorsed Landscape Plan must be carried out and completed to the satisfaction of the Responsible Authority before the occupation of the development and/or the commencement of the use or at such later date as is approved by the Responsible Authority in writing.

Landscaping Maintenance

~~19~~¹⁴ The landscaping as shown in the endorsed Landscape Plan must be maintained, and any dead, diseased or damaged plant replaced in accordance with the landscaping plan to the satisfaction of the Responsible Authority.

Site Management Water Sensitive Urban Design

~~20~~¹⁵ The developer must ensure that:

- (a) No water containing oil, foam, grease, scum or litter will be discharged to the stormwater drainage system from the site.
- (b) All stored wastes are kept in designated areas or covered containers that prevent escape into the stormwater system.
- (c) The amount of mud, dirt, sand, soil, clay or stones deposited by vehicles on the abutting roads is minimised when vehicles are leaving the site.

- (d) No mud, dirt, sand, soil, clay or stones are washed into, or are allowed to enter the stormwater drainage system.
- (e) The site is developed and managed to minimise the risks of stormwater pollution through the contamination of run-off by chemicals, sediments, animal wastes or gross pollutants in accordance with currently accepted best practice.

Car Parking and bicycle parking layout

~~21~~¹⁶ Before the use or occupation of the development starts, the area(s) set aside for the parking of vehicles and bicycles and access lanes as shown on the endorsed plans must be:

- (a) Constructed;
- (b) Properly formed to such levels that may be used in accordance with the plans;
- (c) Surfaced with an all-weather surface or seal coat (as appropriate);
- (d) Drained and maintained;
- (e) Line marked, as appropriate, to indicate each car space, visitor space, bicycle space, loading bay and/or access lane; and
- (f) Clearly marked to show the direction of traffic along access land and driveways.

All to the satisfaction of the Responsible Authority.

On-Site Bicycle Parking

~~22~~¹⁷ Before the development is occupied, bicycle racks must be provided on the land to the satisfaction of the Responsible Authority.

Parking and Loading Areas

~~23~~¹⁸ Car and bicycle parking and loading areas and access lanes must be developed and kept available for those purposes at all times and must not be used for any other purpose such as storage to the satisfaction of the Responsible Authority.

Vehicle Crossings

~~24~~¹⁹ Before the occupation of the development allowed by this permit, vehicle crossings must be constructed in accordance with Council's current Vehicle Crossing Guidelines and standard drawings to the satisfaction of the Responsible Authority. All redundant crossings must be removed, and the footpath and road reinstated as necessary at the cost of the applicant/owner and to the satisfaction of the Responsible Authority.

Applicant to Pay for Reinstatement

~~25~~²⁰ Prior to the occupation of the development, the applicant/owner must do the following things to the satisfaction of the Responsible Authority:

- (a) Pay the costs of all alterations/reinstatement of Council and Public Authority assets necessary and required by such Authorities for the development.
- (b) Obtain the prior written approval of the Council or other relevant Authority for such alterations/reinstatement.
- (c) Comply with conditions (if any) required by the Council or other relevant Authorities in respect of alterations/reinstatement.

Street Tree Protection

~~26~~²¹ Tree Protection Fencing is to be established around the trees parallel to the Bevan Street boundary.

- (a) The fencing is to be a 1.8-metre-high temporary fence constructed using chain wire / cyclone mesh panels, with shade cloth attached (if required), held in place with concrete feet/pads. Alternative materials may be used, if approved by the Responsible Authority.
- (b) No excavation, construction activity, grade changes, surface treatment or storage of materials of any kind is permitted within the Tree Protection Zone without the prior written consent of the Responsible Authority.

Walls on or facing the boundary

~~27~~²² Prior to the occupation of the development allowed by this permit, all new or extended walls on or facing the boundary of adjoining properties and/or a laneway must be cleaned and finished to a uniform standard to the satisfaction of the Responsible Authority. Unpainted or unrendered masonry walls must have all excess mortar removed from the joints and face and all joints must be tooled or pointed also to the satisfaction of the Responsible Authority. Painted or rendered or bagged walls must be finished to a uniform standard to the satisfaction of the Responsible Authority.

No Equipment or Services

~~28~~²³ Any plant, equipment or domestic services visible from the primary street frontage (other than a lane) or public park must be located and visually screened to the satisfaction of the Responsible Authority.

Piping and ducting

~~29~~²⁴ All piping and ducting (excluding down pipes, guttering and rainwater heads) must be concealed to the satisfaction of the Responsible Authority.

EPA noise guidelines

~~30~~²⁵ The roof top plant and services must be screened and baffled and/or insulated to minimise noise and vibration to other residences in accordance with Environmental Protection Authority Noise Control Technical Guidelines.

Ongoing Involvement of the Architect

~~31~~²⁶ The applicant must retain Cera Stribley (or a suitably qualified firm), to complete the design and provide architectural oversight of the delivery of the detailed design as shown in the endorsed plans and endorsed schedule of materials and finishes during construction except with the prior written approval of the Responsible Authority.

Time for Starting and Completion

~~32~~²⁷ This permit will expire if one of the following circumstances applies:

- (a) The development is not started within four (4) years of the date of this permit.
- (b) The development is not completed within two (2) years of the date of commencement of works.

The Responsible Authority may extend the periods referred to if a request is made in writing:

- before or within 6 months after the permit expiry date, where the use or development allowed by the permit has not yet started; and
- within 12 months after the permit expiry date, where the development allowed by the permit has lawfully started before the permit expires.

– End of conditions –