Enquiries: Michael Mowbray
Telephone: (03) 9209 6424
Facsimile: (03) 9536 2740
Our Ref: 1033/2018

26 November 2019

CONTOUR CONSULTANTS PTY LTD PO BOX 1040 CARLTON VIC 3053 DAY PHILL

St Kilda Town Hall 99a Carlisle Street St Kilda Victoria 3182

www.portphillip.vic.gov.au

ASSIST Customer Service
© 9209 6777

Dear Sir/Madam,

Re: Application for Planning Permit No. 1033/2018
Address: 472-474 St Kilda Road, MELBOURNE VIC 3004

I refer to the above matter and application for review to the Victorian Civil and Administrative Tribunal (VCAT). I advise that VCAT have now directed that a permit be granted, in accordance with the consent order.

Accordingly, please find attached a copy of Planning Permit 1033/2018 as per the direction of the Tribunal. You should make sure that you are familiar with these conditions before you act on this permit.

You may also need building or other approvals from the Council, so you should ensure that these matters are also attended to prior to acting on this Planning Permit.

Note: Any variation from the Planning Permit and Approved Plans will require prior written consent from the Responsible Authority, this may require you to submit a new application for a planning permit from Planning & Building Services at the City of Port Phillip. An Enforcement Notice will be issued to a building surveyor who fails to comply with the Building Regulations as they relate to Planning consent. Enforcement action under the Planning & Environment Act 1987 may also involve the owner where they have shown disregard for the conditions of this Planning Permit issued under the Port Phillip Planning Scheme.

PLEASE READ AND CONSIDER THE CONDITIONS CAREFULLY.

Yours faithfully,

Michael Mowbray Urban Planner

Planning & Building Services Located at:-St Kilda Office 99A Carlisle Street, St Kilda

City of Port Phillip
Advertised Document
Planning Application No. 1033/2018/A
No. of Pages: 1 of 53



Application Number: 1033/2018
Planning Scheme: Port Phillip

Responsible Authority: City of Port Phillip

ADDRESS OF THE LAND:

472-474 ST KILDA ROAD, MELBOURNE VIC 3004

THE PERMIT ALLOWS:

Construct a multi-storey mixed use building, comprising a retail, food and drinks premises, bar, serviced apartments and dwellings, a reduction in the number of car parking spaces required and a licence for the sale and consumption of liquor.

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

Amended Plans Required

- 1. 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 and reports will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and an electronic copy must be provided. The plans must be generally in accordance with the without prejudice plans prepared by Cox Architecture submitted by the applicant dated 10 October 2019 but modified to show:
 - (a) Deletion of the supermarket and basement level 3 and consequential changes generally in accordance with the plans prepared by Cox dated 17 October 2019 (drawing numbers TP-20-98, TP-20-99, TP-21-00, TP-21-01, TP-40-02 all revision 3 dated 17 October 2019).
 - (b) Redesign of the top floor of the building generally in accordance with sketch plans prepared by Cox Architecture labelled ASK200 and ASK200.1 dated 17 October 2019.
 - (c) Redesign of the St Kilda Road façade generally in accordance with the sketch plan prepared by Cox labelled ASK201 dated 17 October 2019.
 - (d) Incorporation of a curved indent along the western elevation of the podium at both levels of a minimum of 12m in length and to a maximum depth of 3m generally in accordance with the sketch plan prepared by Cox Architecture labelled ASK 202 dated 17 October 2019.
 - (e) A setback of the full length of the west elevation of the podium at both levels by 0.5m and pavement of the intervening area to incorporate into the footpath as generally shown on the sketch plan prepared by Cox Architecture labelled ASK202 dated 17 October 2019.

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- (f) Details of privacy measures to limit views from the western glazing to the gym at the first floor (marked 'amenity' on plan TP 21-001 dated 17 October 2019) in a westerly direction below 1.7m.
- (g) Indication of details of signage directing cyclist to the location of bicycle parking.
- (h) Indication of separate allocation of bicycle parking for private residents and the public.
- (i) All external glazing and the plant enclosure to be no more than 20% reflectivity.
- (j) Pedestrian sight triangles to the west side of the proposed vehicle egress onto Leopold Street.
- (k) Allocation of all car parking spaces on the south side of the basement level for public use only.
- (I) Allocation of all tandem spaces for use by the three (or more) bedroom apartments.
- (m) Details of impermeable awnings to the St Kilda Road and Leopold Frontages.
- (n) Indication of additional densely foliating vegetation to the St Kilda Road and Leopold Street frontages.
- (o) An elevation drawing (minimum scale of 1:100 @ A3) detailing the material finish of the south facing elevation at ground and first floor level.
- (p) Details of the privacy screens to prevent unreasonable internal views into opposing apartments.
- (q) Indication of additional bicycle parking at ground level.
- (r) Indication of the minimum width for the living area of apartment type T4.
- (s) Indication of a breeze path for apartment type T4.
- (t) Minimum balcony dimensions to all apartments shown on plans.
- (u) Dimension specifications for apartment type T11.
- (v) An urban art contribution in accordance with condition 5.
- (w) Any changes required by condition 11 (Landscape Plan).
- (x) Any changes required by condition 14 (Sustainable Management Plan).
- (y) Any changes required by condition 17 (Water Sensitive urban Design).
- (z) A full schedule of materials, finishes and paint colours, including colour samples.
- (aa) All plant, equipment and domestic services (including air conditioning, heating units, hot water systems etc) which are to be located externally and specify how they will be acoustically treated on the roof top including details of any such screening.
- (bb) Details and location of any signage to be erected.
- (cc) Details and location of external lighting which must be designed, baffled and located to the satisfaction of the Responsible Authority to prevent any adverse effect on adjoining land.

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No Alterations

The layout of the site and the size, levels, design, external materials, finishes and colours, 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.

Privacy Screens Must be Installed

Privacy screens as required in accordance with the endorsed plans must be installed prior to occupation of the building and thereafter maintained to the satisfaction of the Responsible Authority.

Tree Protection Management Plan

Before demolition begins a tree protection management plan (TPMP) setting out how the neighbouring and street tree's will be protected during construction and which generally follows the layout of Section 5 (i.e. General, Tree Protection Plan, Preconstruction, Construction stage and Post Construction) of AS4970 'Protection of trees on development sites' must be submitted to and approved by the responsible authority. When approved the TPMP will be endorsed and form part of the permit.

Urban Art Plan

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.

Waste Management Plan

- Before the development starts (other than demolition or works to remediate contaminated land), a Waste Management Plan based on the City of Port Phillip's Waste Management Plan Guidelines for Developments must be prepared by a Waste Management Engineer or Waste Management Planner to the satisfaction of the Responsible Authority and endorsed as part of this permit. The Plan must include reference to the following:
 - Land use type.
 - The estimated garbage and recycling volumes for the whole development.
 - Bin quantity, size and colour.
 - The garbage and recycling equipment to be used.
 - Collection frequency.
 - The location and space allocated to the garbage and recycling bin storage area and collection point.
 - The waste services collection point for vehicles.
 - Waste collection provider.
 - How tenants will be regularly informed of the waste management arrangements.

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- Scaled waste management drawings.
- Signage.

The Waste Management Plan must be generally in accordance with the Waste Management Plan submitted with the application prepared by Leigh Design (dated 12 March 2019)

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

Loading and Waste Collection Management Plan

- 7 Before the development starts (other than demolition or works to remediate contaminated land), a Loading and Waste Collection Management Plan must be prepared to the satisfaction of the Responsible Authority and endorsed as part of this permit. The Plan must include the following matters:
 - (a) Deliveries and waste collection must only occur between the following hours:
 - 9am 7pm on Monday to Friday
 - 9am 4pm on Saturday
 - (b) The loading dock door must be closed at all times (except when delivery vehicles and waste collection vehicles are entering or existing the loading dock).
 - (c) The maintenance and cleaning regime of the loading bay.
 - (d) Details of vehicles permitted to enter the loading bay.

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

Serviced Apartments

This permit allows use of 200 apartments as serviced apartments only, meaning the provision of temporary accommodation mainly for travellers and tourists. Nothing in this permit must be construed as permitting long term residential occupation of the 200 apartments nominated as "serviced apartments".

Alteration/Reinstatement of Council or Public Authority Assets

- 9 Before the occupation of the development allowed by this permit, the Applicant/ Owner shall 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 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 reinstatement.

Public Services

10 Before the occupation of the development allowed by this permit, any modification to existing infrastructure and services within the road reservation (including, but not restricted to, electricity supply, telecommunications services, gas supply, water supply,

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sewerage services and stormwater drainage) necessary to provide the required access to the site, must be undertaken by the applicant/owner to the satisfaction of the relevant authority and the Responsible Authority. All costs associated with any such modifications must be borne by the applicant/owner.

Landscape Plan

- 11 Before the development starts (other than demolition or works to remediate contaminated land), a detailed Landscape Plan 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 be generally in accordance with the landscape plans prepared by Paul Bangay dated 9 October 2019 but be modified to show:
 - (a) A survey plan, including botanical names, of all existing vegetation/trees to be retained;
 - (b) Buildings and vegetation (including botanical names) on neighbouring properties within 3m of the boundary;
 - (c) Significant trees greater than 1.5m in circumference, 1m above ground;
 - (d) All street trees and/or other trees on Council land;
 - (e) A planting schedule of all proposed vegetation at ground roof and all floor levels where applicable including botanical names; common names; pot sizes; sizes at maturity; quantities of each plant; and details of surface finishes of pathways and driveways;
 - (f) Landscaping and planting within all open space areas of the site;
 - (g) Water sensitive urban design;
 - (h) Any landscaping incorporated onto the roof terraces must have a maximum height of no greater than 3m.
 - (i) Any landscaping on the perimeter of the roof terrace to be generally in accordance with the section labelled 'High Balcony with Internal Fixed Objects Typical Detail' on the plan prepared by Paul Bangay drawing number 2 of 3 dated 25 October 2018.
 - (j) Landscaping, including details of planter depth, within the 12m by 3m setback on Queens Lane as shown on sketch plan ASK202 prepared by Cox Architecture dated 17 October 2019.
 - (k) Any details required by Condition 1 of the permit.

All species selected must be to the satisfaction of the Responsible Authority.

Completion of Landscaping

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.

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Landscaping Maintenance

- Before the development starts, a Green Façade Planting and Maintenance Strategy to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Green Façade Planting and Maintenance Strategy will be endorsed and will then form part of this permit. This must detail:
 - (a) Elevation drawings at a scale of 1:20 illustrating typical planter details;
 - (b) Section drawings to demonstrate details of structures or devices used to establish the plantings, irrigation and maintenance, including fixing details for any structures; and
 - (c) Information about how the green façade elements will be maintained, including details of frequency of inspection, frequency of replacement of dead and dying, cleaning and maintenance of planter structures.

Sustainable Management Plan

14 Before the development starts (other than demolition or works to remediate contaminated land) a Sustainable Management Plan that outlines proposed sustainable design initiatives must be submitted to, be to the satisfaction of and approved by the Responsible Authority. When approved, the Plan will be endorsed and will then form part of the permit and the project must incorporate the sustainable design initiatives listed.

Incorporation of Sustainable Design initiatives

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

Implementation of Sustainable Design Initiatives

Before the occupation of the development approved under this permit, a report from the author of the Sustainable Design Assessment/Sustainable Management Plan 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 Ecologically Sustainable Design report have been implemented and/or incorporated in accordance with the approved report to the satisfaction of the Responsible Authority.

Water Sensitive Urban Design

17 Before the development starts (other than demolition or works to remediate contaminated land) a Water Sensitive Urban Design Report that outlines proposed water sensitive urban design initiatives must be submitted to, be to the satisfaction of and approved by the Responsible Authority. The report must demonstrate how the development meets the water quality performance objectives as set out in the Urban Stormwater Best Practice Environmental Management Guidelines (CSIRO) or as amended.

When approved, the Report will be endorsed and will then form part of the permit and the project must incorporate the sustainable design initiatives listed.

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Incorporation of Water Sensitive Urban Design initiatives

Before the occupation of the development approved under this permit, the project must incorporate the water sensitive urban design initiatives listed in the endorsed Water Sensitive Urban Design Report to the satisfaction of the Responsible Authority, and thereafter maintained to the satisfaction of the Responsible Authority.

Maintenance Manual for Water Sensitive Urban Design Initiatives (Stormwater Management)

Before the development starts (other than demolition or works to remediate contaminated land) 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:

- inspection frequency
- cleanout procedures
- 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 Building User's Guide or a Building Maintenance Guide.

Site Management Water Sensitive Urban Design (larger Multi-Unit Developments)

- 20 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.

Noise Attenuation for Apartments

- 21 The building must be designed and constructed to achieve the following noise levels:
 - (a) Not greater than 35dB(A) for bedrooms, assessed as an LAeq,8h from 10pm to Sam.
 - (b) Not greater than 40dB(A) for living areas, assessed LAeq,16h from Sam to 10pm

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Noise levels should be assessed in unfurnished rooms with a finished floor and the windows closed. The noise influence area should be measured from the closest part of the building to the noise source.

Wind Assessment

22 Before the development starts, an amended Wind Impact Assessment, generally in accordance with the report prepared by WINDTech Consultants dated 17 July 2018 must be provided for the written endorsement of the Responsible Authority. Any modifications required to the development in order to ensure acceptable wind conditions must be submitted to and approved by the Responsible Authority as part of the plans for endorsement. The design details of any wind mitigation works must receive the endorsement of the owner's wind climate experts, preferencing the use of architectural features and planting to resolve any issues identified, to the satisfaction of the Responsible Authority.

Parking and Loading Areas Must Be Available

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.

Car Parking Allocation

- Without the further written consent of the Responsible Authority, a minimum of 255 car parking spaces are to be provided generally in accordance with the plans prepared by Cox Architecture (drawing number TP-20-98 and TP-20-99 all revision 3 dated 17 October 2019). Without the further written consent of the Responsible Authority, the allocation of the 255 car parking spaces should be in accordance with the following rates:
 - A minimum of 58 spaces allocated to the proposed one-bedroom apartments.
 - A minimum of 103 spaces allocated to the proposed two-bedroom apartments.
 - A minimum of 57 spaces to the remaining three or more bedroom apartments.
 - 30 spaces for the serviced apartments.
 - 7 spaces to the commercial and office uses.

On-Site Bicycle Parking

25 Before the development is occupied, the approved bicycle racks must be provided on the land to the satisfaction of the Responsible Authority.

Parking and Loading Areas must be available

26 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.

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Lighting

27 External lighting of the areas set aside for car parking, access lanes and driveways must be designed, baffled and located to the satisfaction of the Responsible Authority to prevent any adverse effect on adjoining land.

No equipment or services

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

Vehicle Crossings

30 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, nature-strip, kerb and road reinstated as necessary at the cost of the applicant/owner and to the satisfaction of the Responsible Authority.

Vehicle Crossings – Removal

31 Before the occupation of the development allowed by this permit, all disused or redundant vehicle crossings must be removed and the area re-instated with footpath, nature strip and kerb and channel at the cost of the applicant/owner and to the satisfaction of the Responsible Authority.

SEPP N-1 and N-2

32 Noise levels must not exceed the permissible noise levels stipulated in State and Environment Protection Policy N-1 (Control of Noise from Industrial Commercial and Trade Premises within the Melbourne Metropolitan Area) and State Environment Protection Policy N-2 (Control of Music Noise from Public Premises) to the satisfaction of the Responsible Authority.

Hours for the sale and consumption of Liquor

The sale and consumption of liquor at the premises must only occur between the following times:

Internal areas

- Between 7am and 1am the following morning Monday to Saturday
- Between 10am and 11.30pm Sunday
- Between 12noon and 11.30pm Good Friday and Anzac Day External areas
- Between 7am and 11pm Monday to Saturday
- Between 10am and 10.30pm Sunday

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Between 12noon and 10.30pm Good Friday and Anzac Day

Number of patrons

Without the further written consent of the Responsible Authority no more than 250 patrons must occupy the premises must occupy the area labelled as 'lounge bar' on TP-21-00 prepared by Cox Architecture dated 10 October 2019.

No amplified music

No amplified music, live bands or DJs are permitted at the premises. Any music played on the premises must not exceed the background noise level measured at the property boundary.

Ongoing involvement of the Architect

The applicant must retain Cox Architecture to complete the design and provide architectural oversight of the delivery of the detailed design as shown in endorsed plans and endorsed schedule of materials and finishes during construction except with the prior written approval of the Responsible Authority.

Patron Management Plan

- 37 Prior to commencement of the use, a Patron Management Plan must be prepared and submitted for approval to the Responsible Authority which must provide for the following to the satisfaction of the Responsible Authority;
 - (a) An attendant or doorman responsible for monitoring the number of patrons on the premises after 11.00pm.
 - (b) The keeping of a register recording the number of patrons on the premises each hour between 11.00pm and closing time.
 - (c) The measures to be taken by management and staff to ensure patrons depart the premises and the surrounding area in an orderly manner.
 - (d) The measures to be taken by management and staff to ensure that patrons queue to enter the premises in an orderly manner and maintain satisfactory clearance for other pedestrians on the footpath.
 - (e) The measures to be taken by management and staff to ensure that patrons do not cause nuisance or annoyance to persons beyond the land.
 - (f) Liaison with Victoria Police, the City of Port Phillip and local residents.
 - (g) A telephone number provided residents to contact the premises and linked to the complaints register.
 - (h) The maintenance of a complaints register, which must, on reasonable request, be made available for inspection by the Responsible Authority.
 - (i) Staff being trained in the responsible service of alcohol.
 - (j) Encourage smokers to use the designated smoking area within the

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38 Once submitted and approved, the Patron Management Plan must be carried out to the satisfaction of the Responsible Authority

Time for Starting and Completion

- 39 This permit will expire if one of the following circumstances applies:
 - The development is not started within three (3) years of the date of this permit.
 - The development is not completed within five (5) years of the date of the date of (b) this permit.
 - The use is not commenced within two (2) years of the completion of the development.

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.

26 November 2019 Mr Signature for Responsible Authority DATE

IMPORTANT INFORMATION ABOUT THIS NOTICE

WHAT HAS BEEN DECIDED?

The Responsible Authority has issued a permit.

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 (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 (2) years after the issue of the permit, or
 - * the use is discontinued for a period of two (2) 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 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 (2) years after the issue of the permit; or
 - * the use does not start within the time specified in the permit, or if not time is specified, within two (2) years after the completion of the development or
 - * the use is discontinued for a period of two (2) 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 difference 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 (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 APPEALS? - ADVICE FOR APPLICANTS

- * The person who applied for the permit may appeal against any condition in the permit unless it was granted at the direction of the Victorian Civil and Administrative Tribunal (VCAT), in which case no right of appeal exists.
- * An appeal 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 appeal must be lodged within 60 days after the giving of that notice.
- * An appeal is lodged with the Victorian Civil and Administrative Tribunal (VCAT).
- * An appeal must be made on an Application for Review Permit Applicant form which can be obtained from the VCAT website, https://www.vcat.vic.gov.au/resources/document/permit-applicantspermit-holder-application-review-form
- * An appeal must state the grounds upon which it is based.
- * An appeal must also be served on the Responsible Authority.
- * Details about appeals and the fees payable can be obtained from the VCAT website www.vcat.vic.gov.au or by telephoning VCAT on (03) 9628 9777.

Planning and Environment Regulations 1988 Form 4.4



PLANNING COMPLIANCE

Common planning compliance issues when developing land

Fact sheet

Planning and building permit compliance

Building permit plans must match planning permit plans for development. While building permit plans will have more technical and structural detail than planning permit plans, they must be consistent with the endorsed planning permit plans.

Council will enforce compliance with the endorsed planning permit plans, even in cases where an error in the building permit plans causes an inconsistency.

Expired planning permits

You must pay careful attention to any conditions relating to the expiration of your planning permit. Once the permit expires you may no longer be able to lawfully commence or continue any building and works allowed by the permit.

You can apply to extend your planning permit by contacting Council's Planning Department. This must be done while the permit is still valid; within six months of the permit's expiry date if the development has not commenced or within 12 months of the permit's expiry date to complete the development.

Additional reports and documents

Most planning permits require you to submit additional documentation to Council prior to commencing the development allowed by the permit. These documents must be endorsed by Council by the times specified.

Typical examples of documents still required after the issue of a planning permit include revised plans, demolition method statements, arborist reports, sustainable design statements and acoustic reports.

Please pay careful attention to the conditions of your permit, as failure to comply with the requirements of these conditions can result in enforcement action being taken with no notice to you.

Demolition within Heritage Overlay sites

Heritage Overlays are used to protect sites that have heritage significance, and are contained within Council's planning schemes.

Much of the municipality is covered by a Heritage Overlay, and as such, many planning permits deal with partial demolition of protected heritage buildings.

It is essential that you take particular care not to exceed the extent of any demolition that has been allowed by the planning permit. You should ensure that you are familiar with the Demolition Method Statement and the plans indicating the extent of demolition permitted.

Council takes illegal demolition very seriously and offenders may be referred to the Magistrates Court for prosecution.

Landscaping

Landscaping must be completed in accordance with the permit, usually before or within a set period of time after the occupation of the building.

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PLANNING COMPLIANCE

Tree protection

Some planning permits require you to take special measures to protect trees located on your land or on neighbouring properties.

If your planning permit includes conditions regarding tree protection, you must ensure you comply with these conditions. This often means, installing protective fencing around trees and maintaining the fence during construction.

You may also be required to employ the services of a qualified arborist to supervise areas of construction near protected trees.

Building heights and setbacks

Floor levels and parapets must comply with the approved heights indicated on the endorsed plans. Over-height buildings are considered a serious breach and can be very expensive to rectify.

Any changes to the height of a building must be approved prior to carrying out any building works, even if these changes are required for technical reasons.

Screening - windows and decks

All privacy screening must be installed as approved prior to occupation of the building. Screening must comply with the conditions outlined in the approved permit and plans including materials, heights and design.

Generally, windows that require screening must not be able to be opened below a height of 1.7metres above floor level.

Screening materials must not be altered from those approved without first gaining further planning approval for the alternative screening proposal.

Domestic services

In heritage areas, domestic services including air conditioners, solar panels, heaters and hot water services require planning approval if visible from a street (front or side) or public park. A condition on the planning permit may also restrict domestic services except with further Council consent. Consideration should be given to any noise issues that may result for neighbours from the placing and operation of these types of units.

Any domestic services you intend to install must be shown on the endorsed plans forming part of your planning permit, including any proposed screening, prior to the unit's installation.

Finishes on boundary walls

Finishes must be completed to an acceptable standard in accordance with the conditions of the planning permit, prior to occupation.

Brick boundary walls must have any excess mortar removed and the brick face cleaned with joints tooled to a consistent finish, prior to occupation of the building.

For more information contact

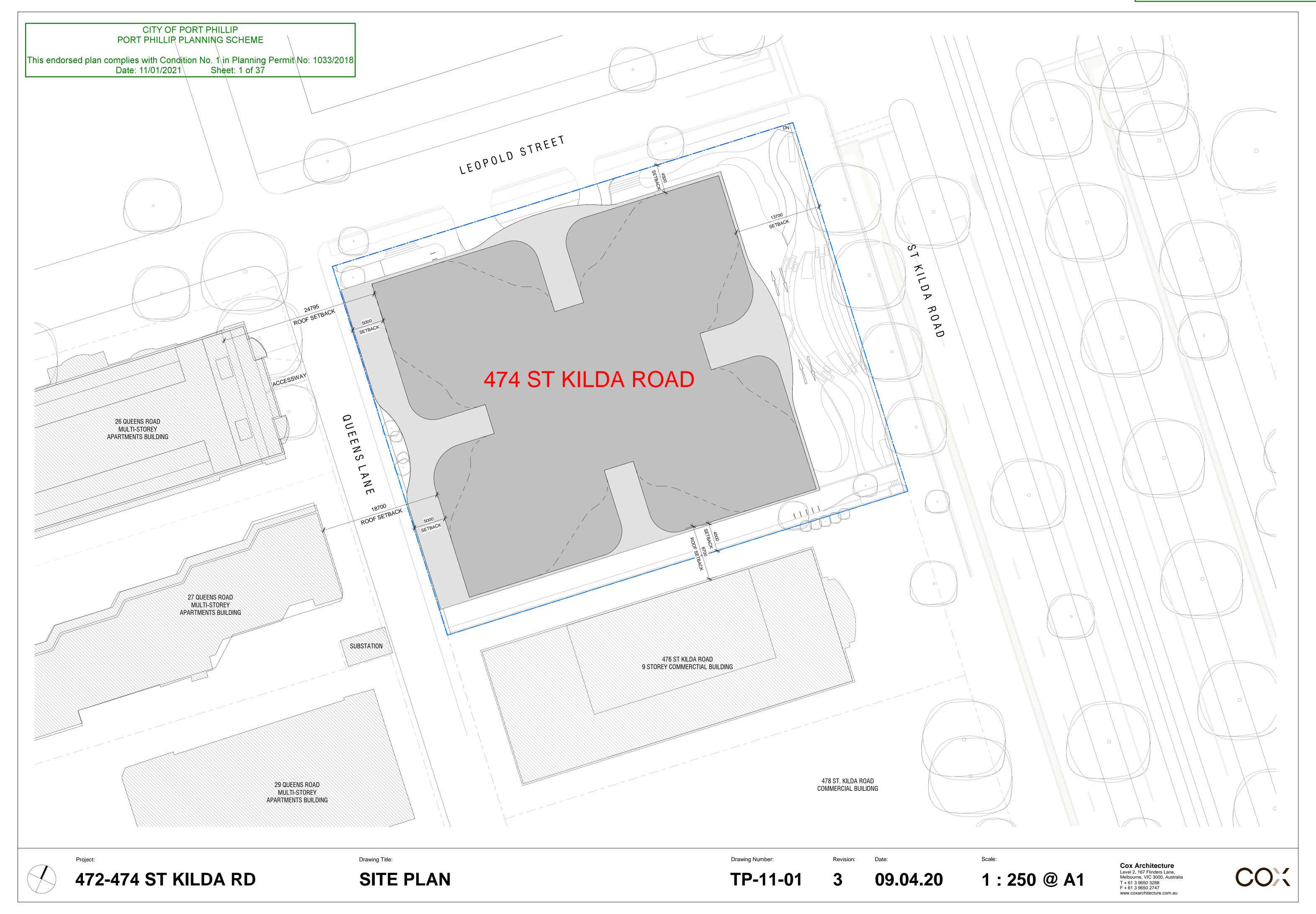
Planning Compliance, St Kilda Town Hall 99A Carlisle St, St Kilda, 3182

Ph: (03) 9209 6293

Email: planningcompliance@portphillip.vic.gov.au

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CITY OF PORT PHILLIP PORT PHILLIP PLANNING SCHEME

This endorsed plan complies with Condition No. 1 in Planning Permit No: 1033/2018 Date: 11/01/2021 Sheet: 2 of 37

RFI - CONDITION 1(g)- SIGNAGE DIRECTING BICYCLE PARKING

NOTE: REFER TO IMPACT TRAFFIC **ENGINEERING DRAWINGS** [IMP180438 - DG-15-01] [IMP180438 - DG-15-02] FOR BICYCLE SIGNAGE LOCATIONS.

CARPARK NUMBERS

<u>**B1**</u> Carpark = **126** (37 PUBLIC, 89 PRIVATE) CARPARK AREA = $4070m^2$ (1 per $32m^2$)

CARPARK = 129CARPARK AREA = 3810m² (1 per 29.5m²)

TOTAL CARPARKS = 255

BIKE RACK NUMBERS

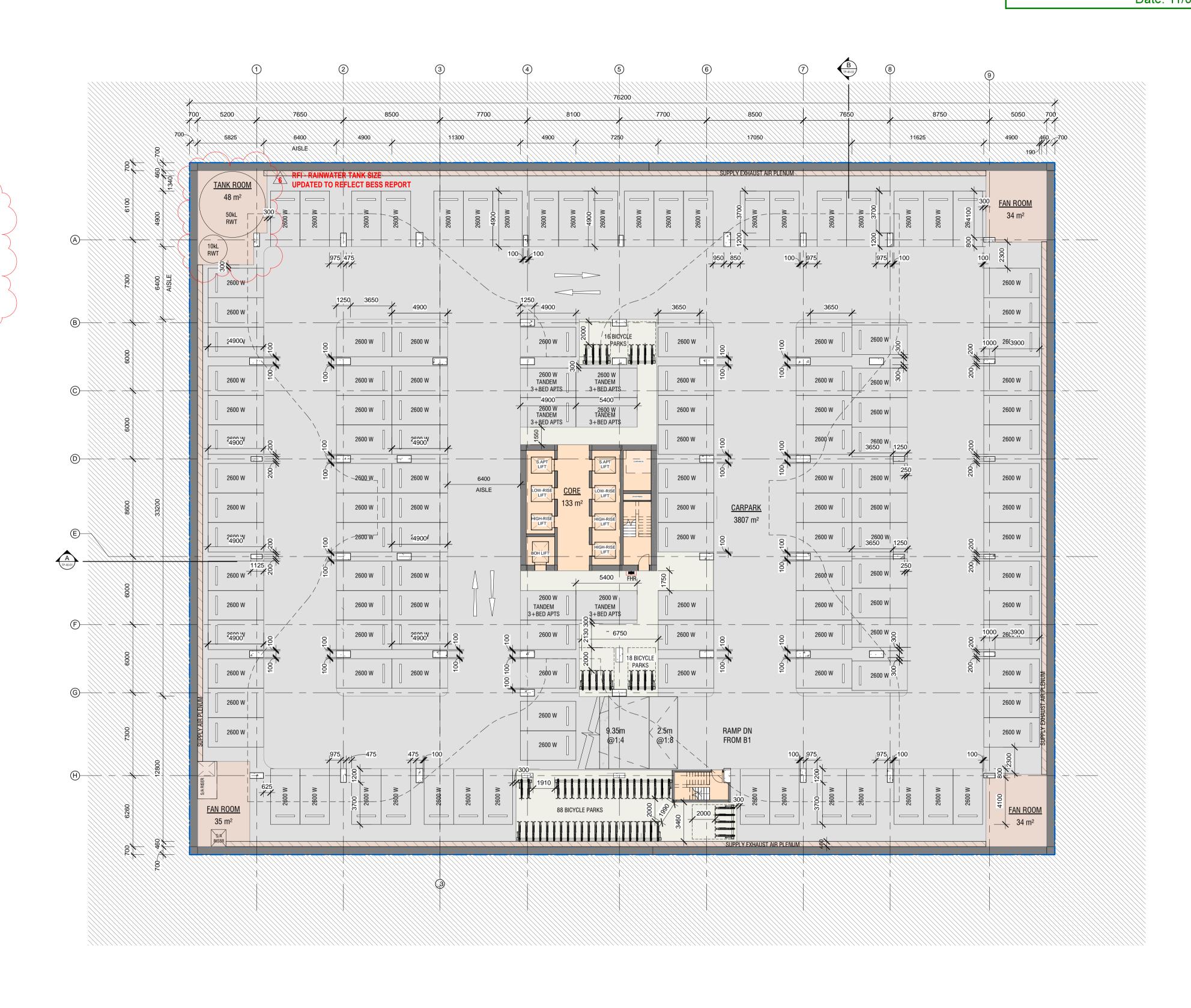
GROUND FLOOR

TOTAL BIKE RACKS = 21(13 PUBLIC, 8 PRIVATE)

TOTAL BIKE RACKS = 84(53 PRIVATE, 31 PUBLIC)

TOTAL BIKE RACKS = **122** (122 PRIVATE)

TOTAL BIKES = 227



TP-20-98

6

Scale:



CITY OF PORT PHILLIP PORT PHILLIP PLANNING SCHEME

This endorsed plan complies with Condition No. 1 in Planning Permit No: 1033/2018

Date: 11/01/2021 Sheet: 3 of 37



NOTE: LIMITED EV POINTS TO BE OFFERED AS PURCHASER UPGRADE

RFI - CONDITION 1(g)- SIGNAGE

NOTE: REFER TO IMPACT TRAFFIC ENGINEERING DRAWINGS
[IMP180438 - DG-15-01]
[IMP180438 - DG-15-02]
FOR BICYCLE SIGNAGE LOCATIONS.

CARPARK NUMBERS

 $\frac{\textbf{B1}}{\text{CARPARK}} = \textbf{126}$ (37 PUBLIC, 89 PRIVATE) $\text{CARPARK } \text{AREA} = 4070\text{m}^2 \text{ (1 per } 32\text{m}^2\text{)}$ $\frac{\textbf{B2}}{\text{CARPARK}} = \textbf{129}$ $\text{CARPARK } \text{AREA} = 3810\text{m}^2 \text{ (1 per } 29.5\text{m}^2\text{)}$

TOTAL CARPARKS =255

BIKE RACK NUMBERS

GROUND FLOOR

TOTAL BIKE RACKS = 21
(13 PUBLIC, 8 PRIVATE)

B1
TOTAL BIKE RACKS = 84

(53 PRIVATE, 31 PUBLIC)

TOTAL BIKE RACKS = **122** (122 PRIVATE)

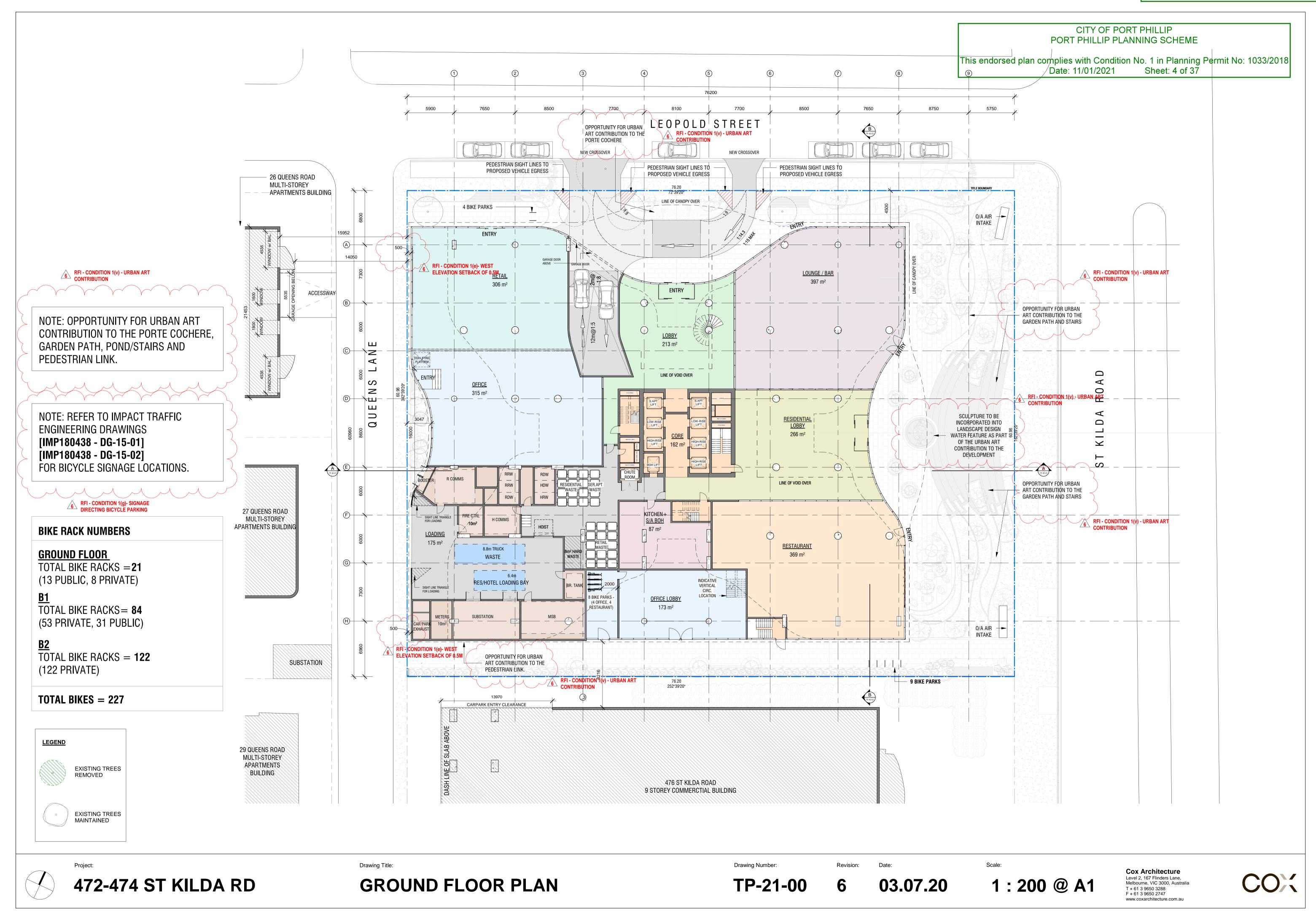
TOTAL BIKES = 227



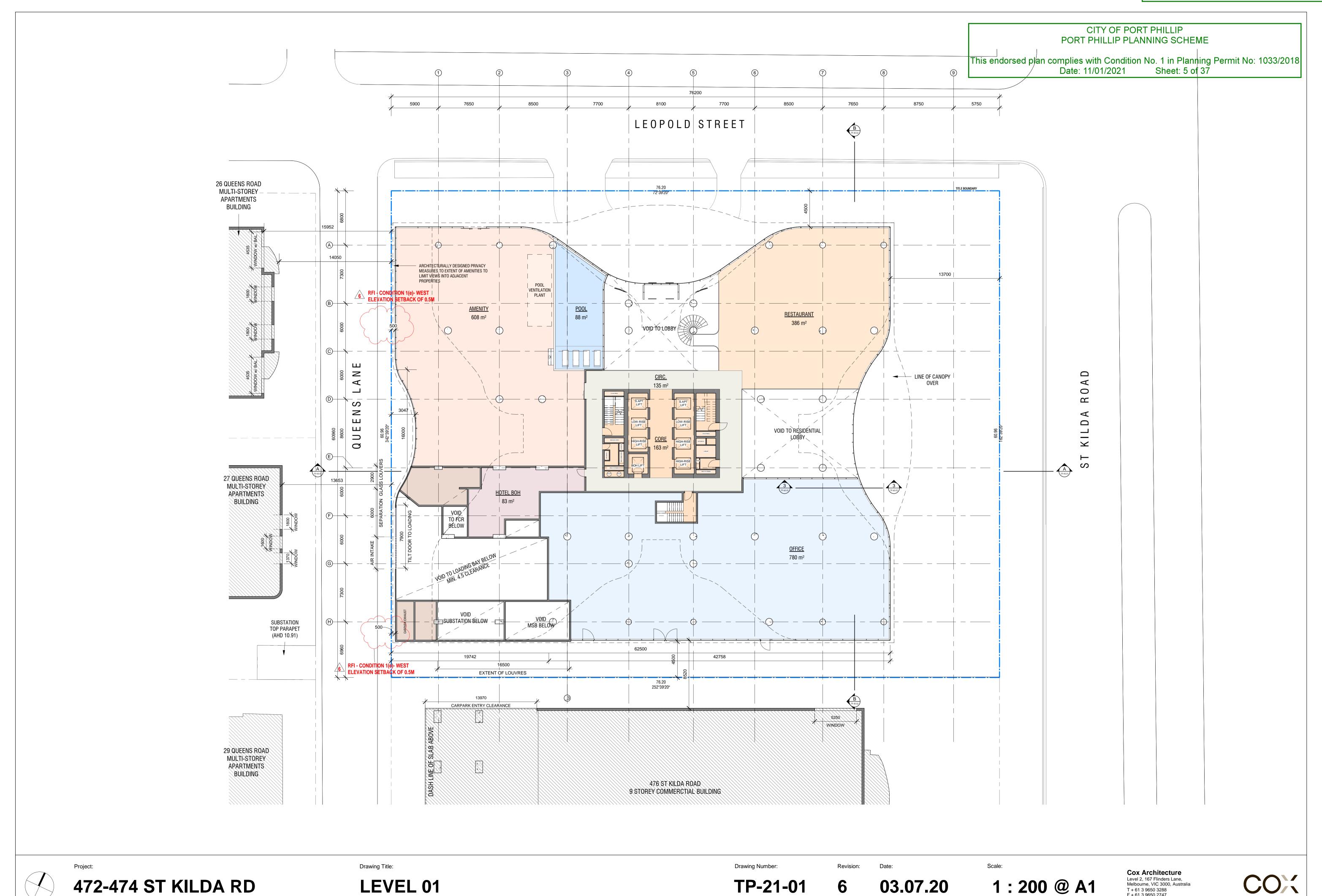
TP-20-99

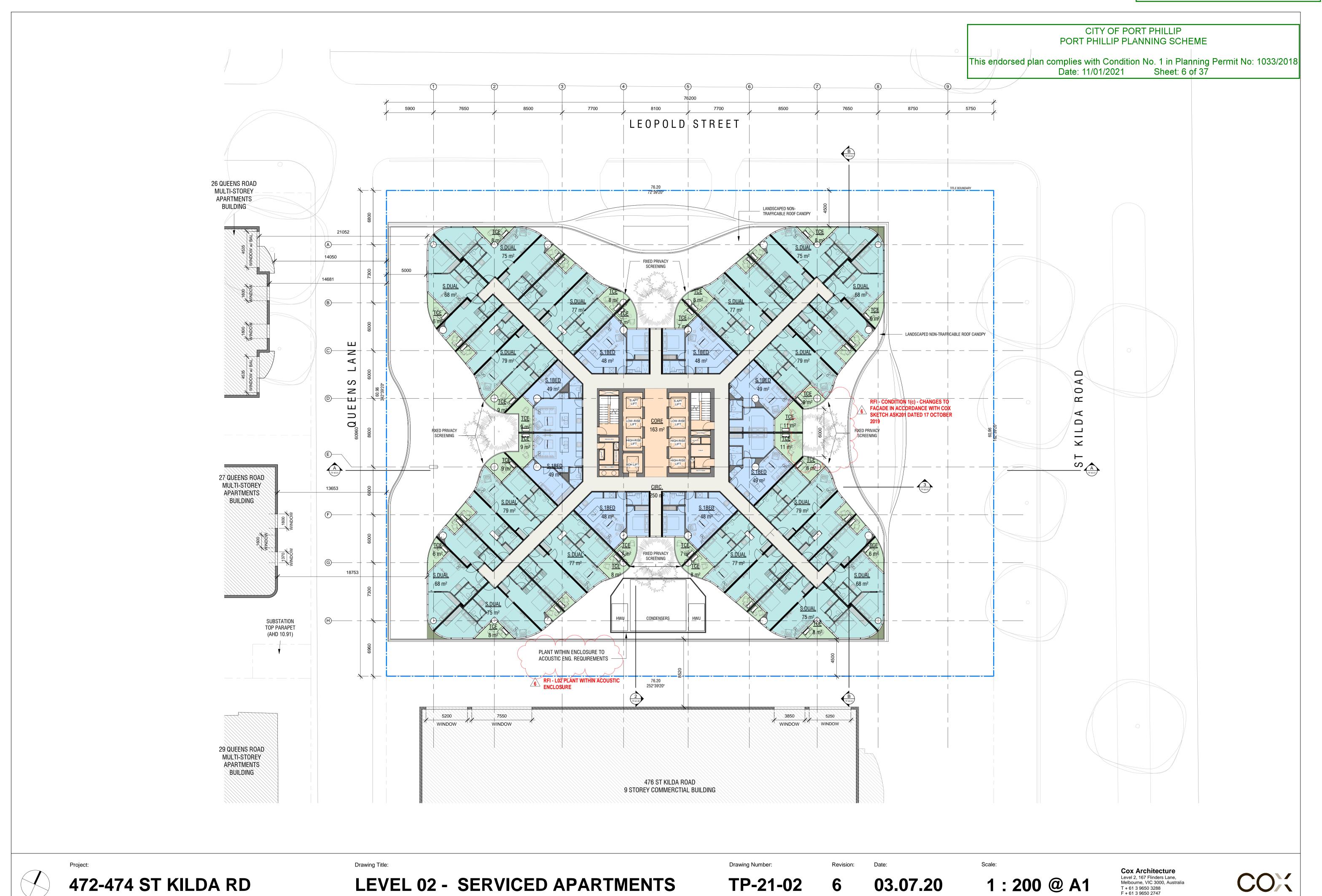


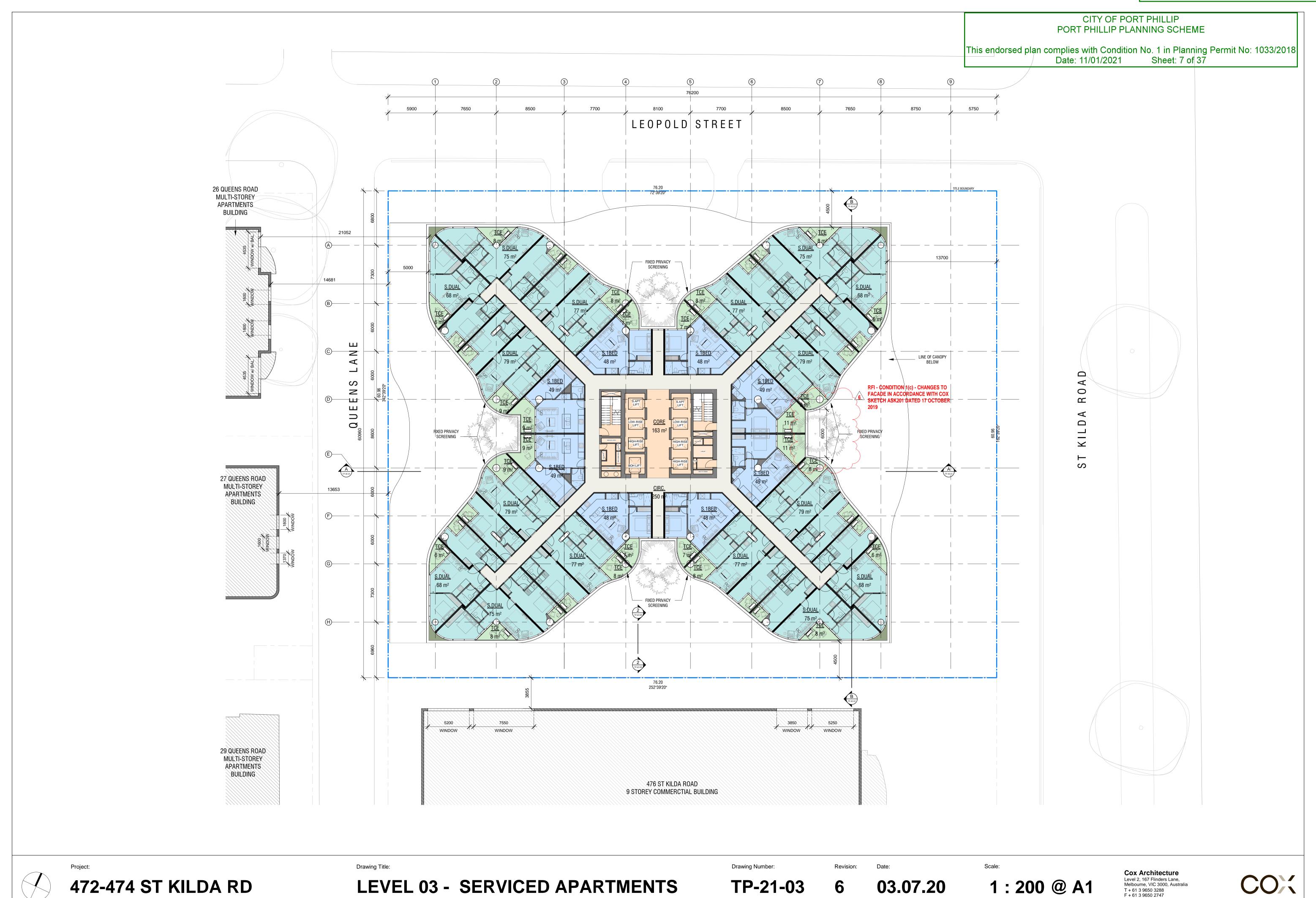
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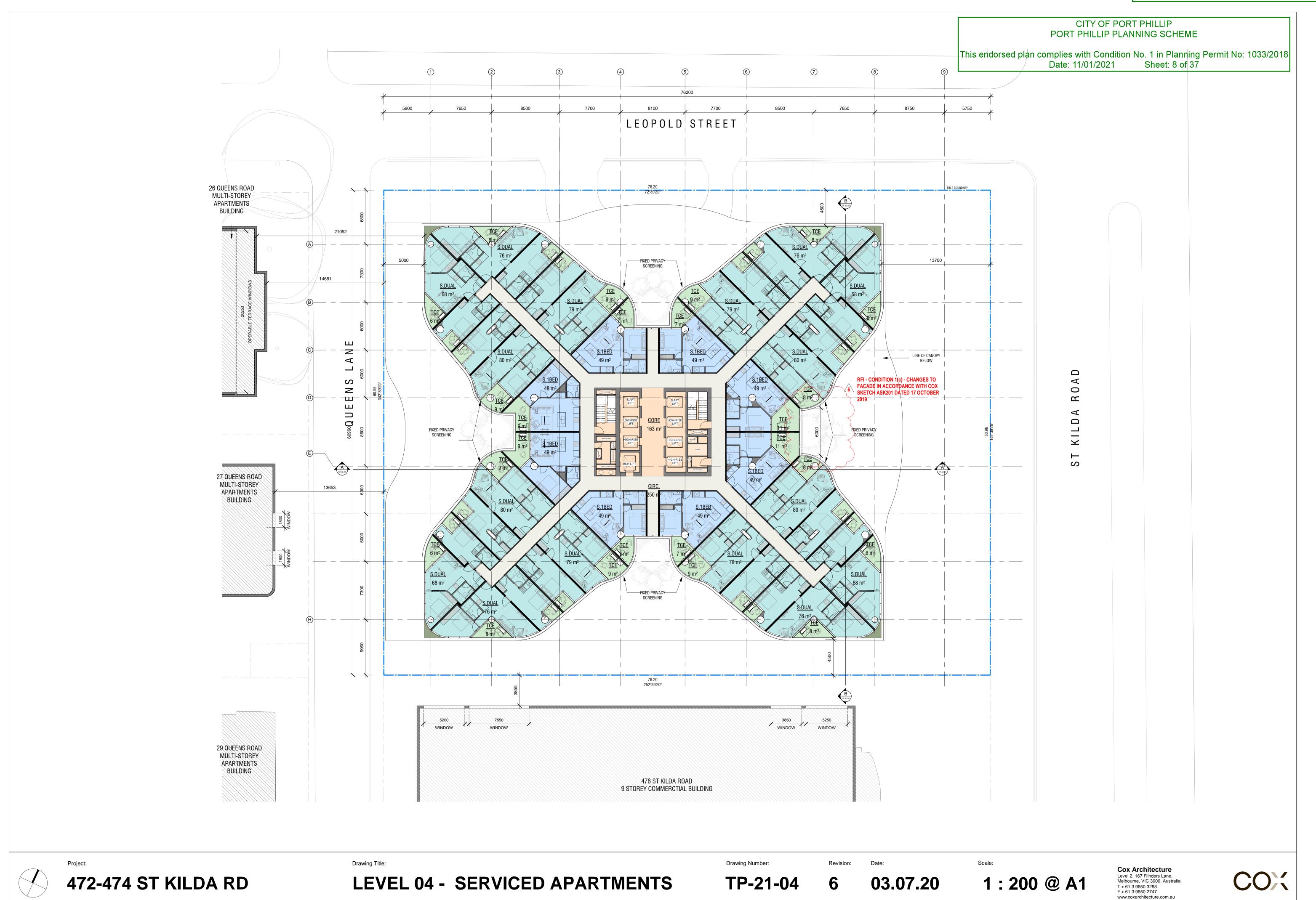


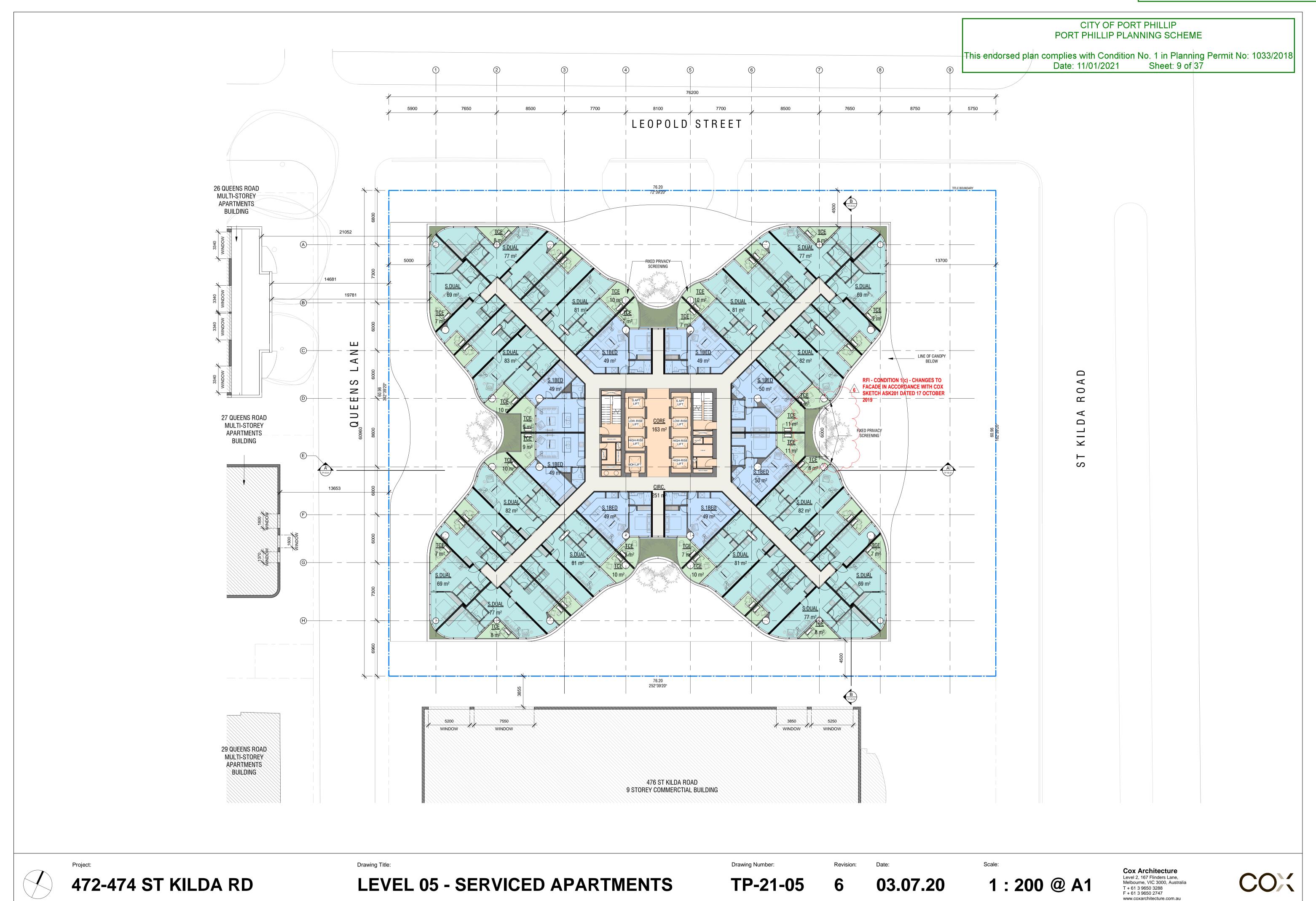
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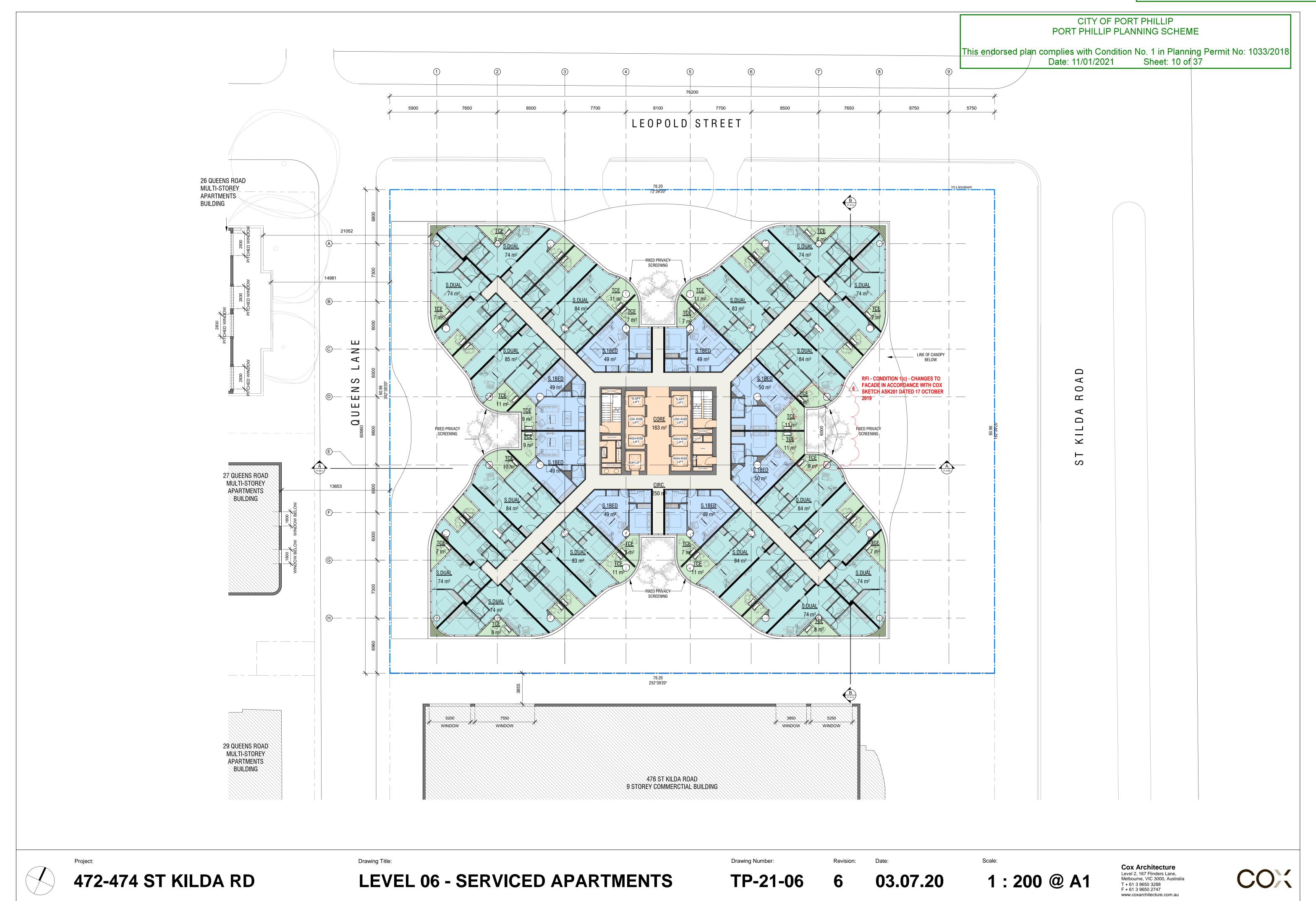


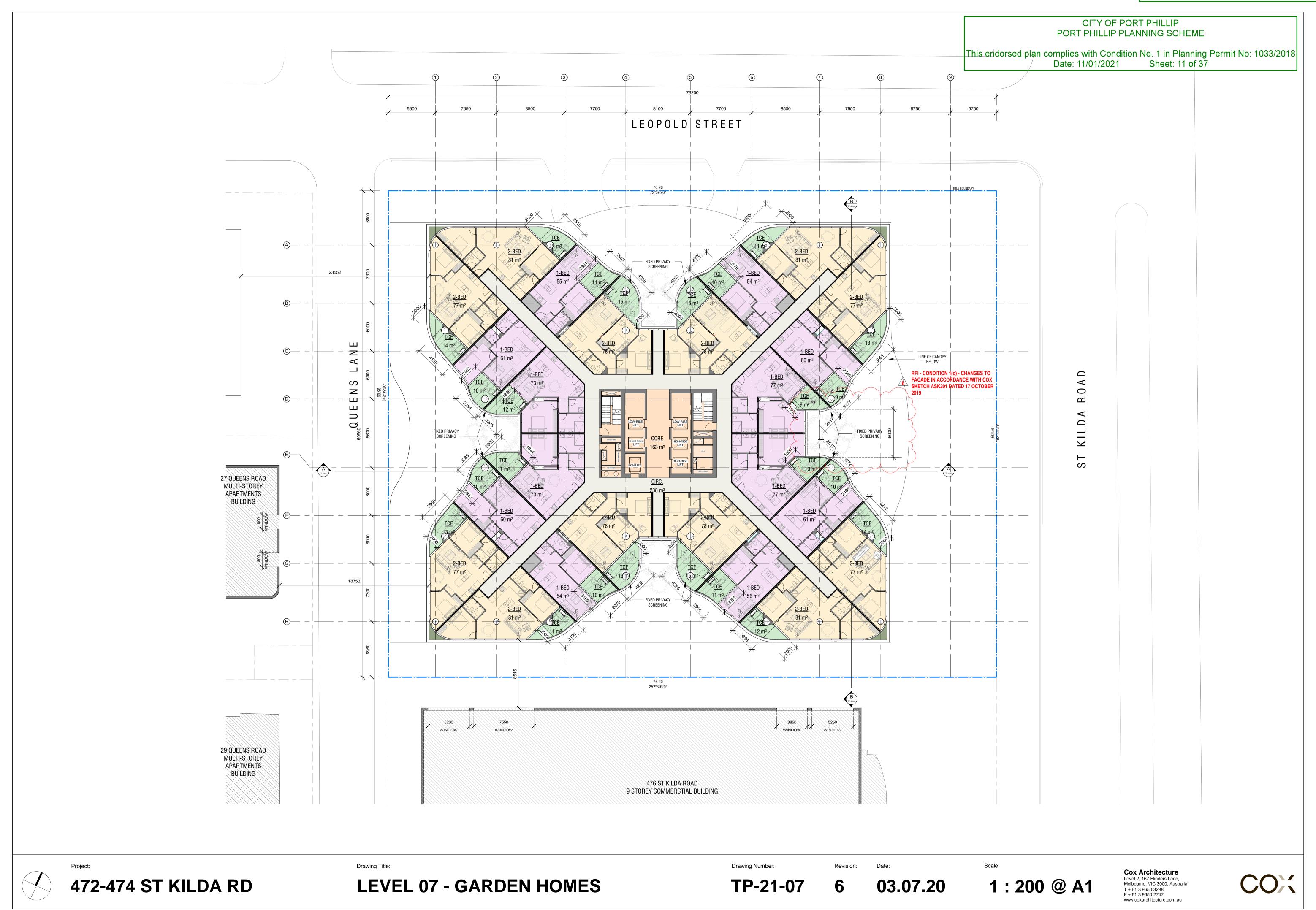


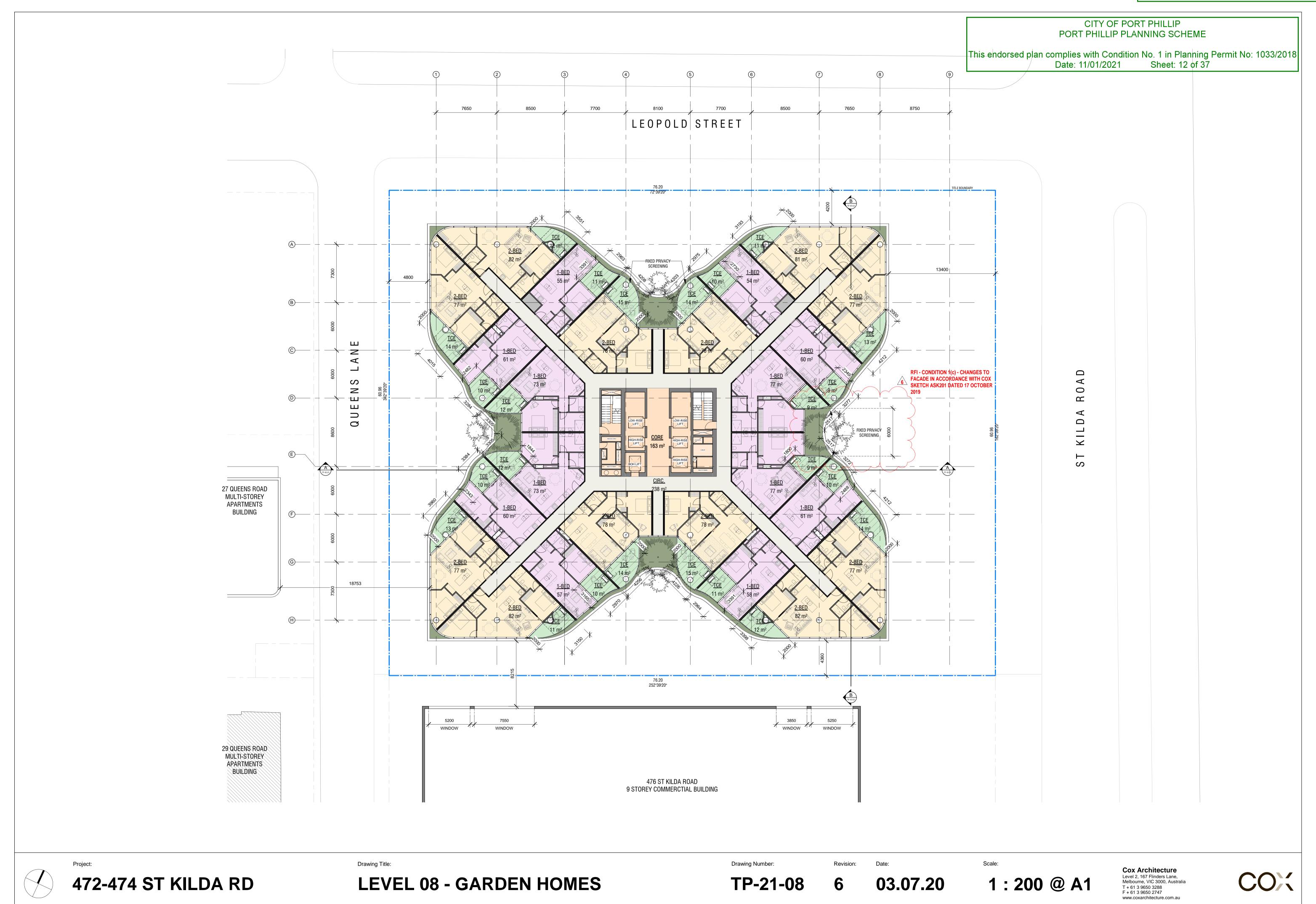


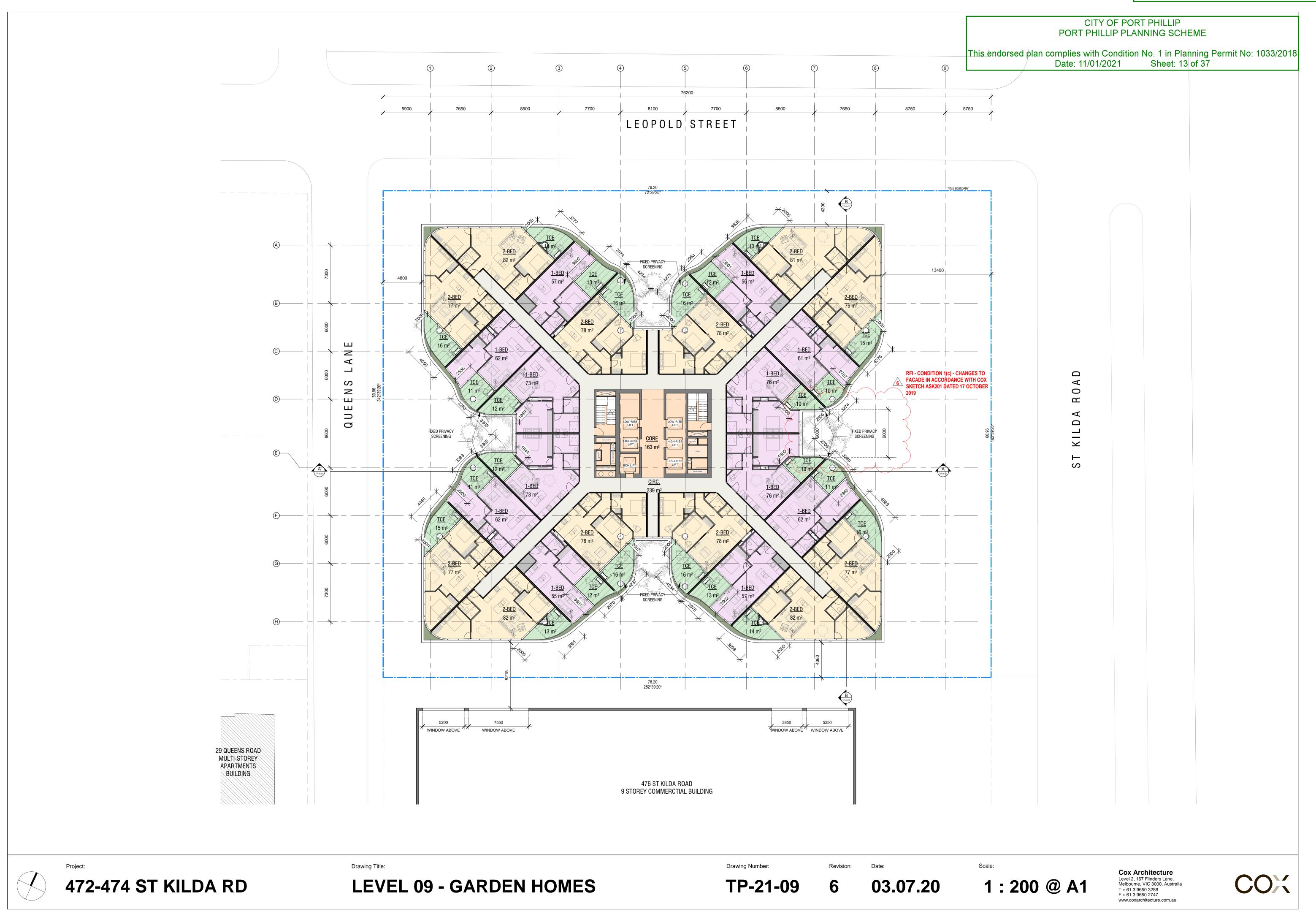


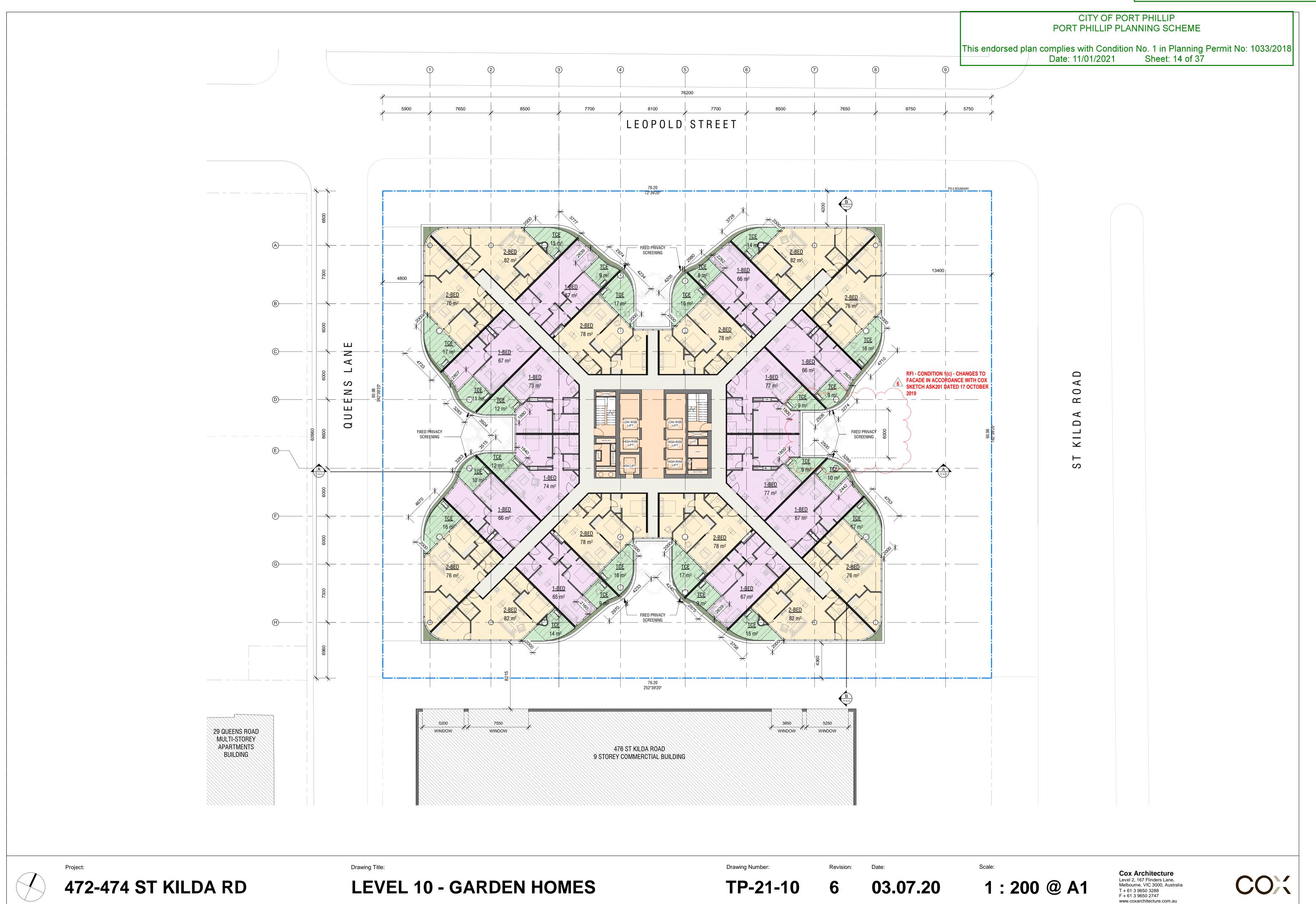


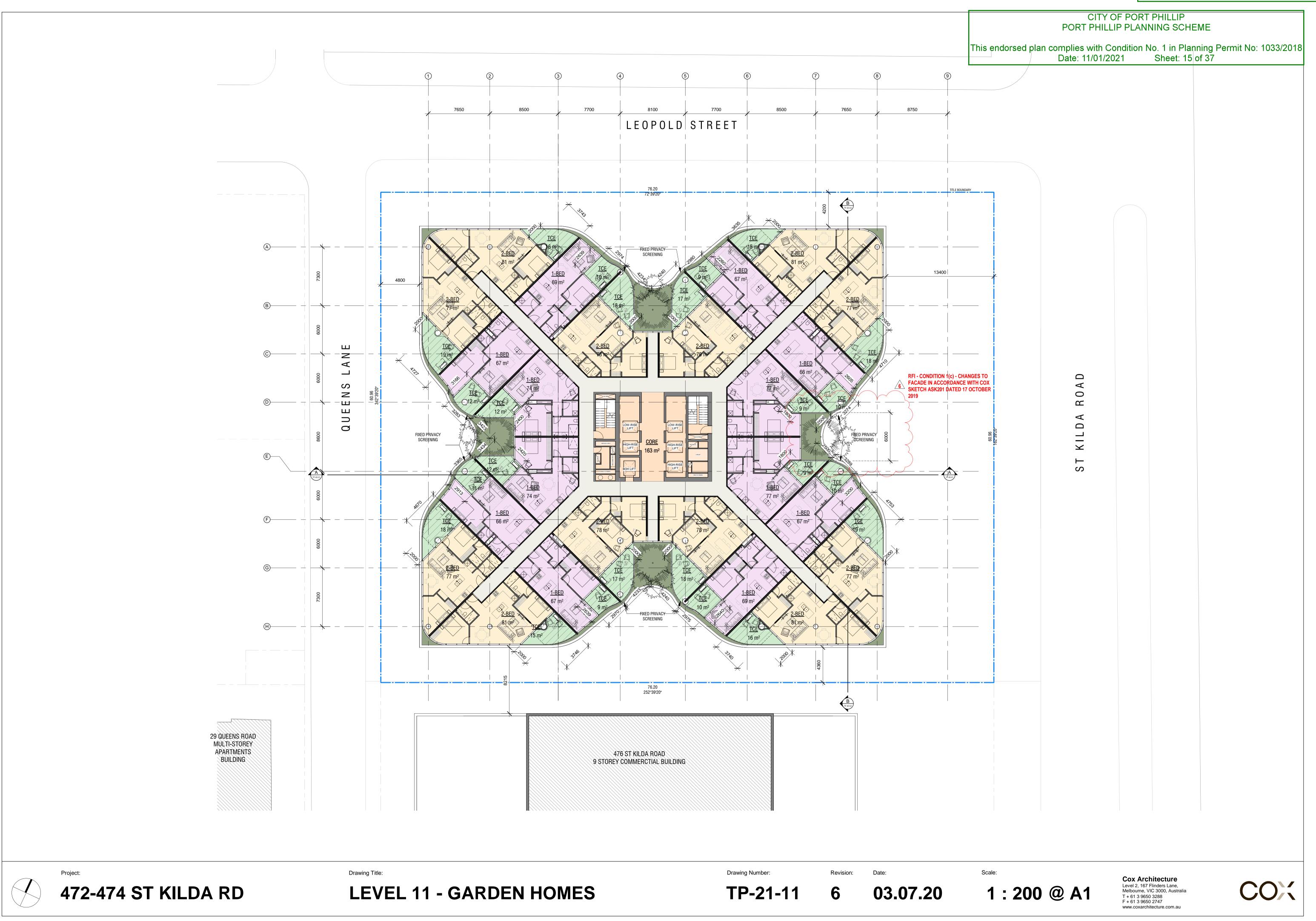


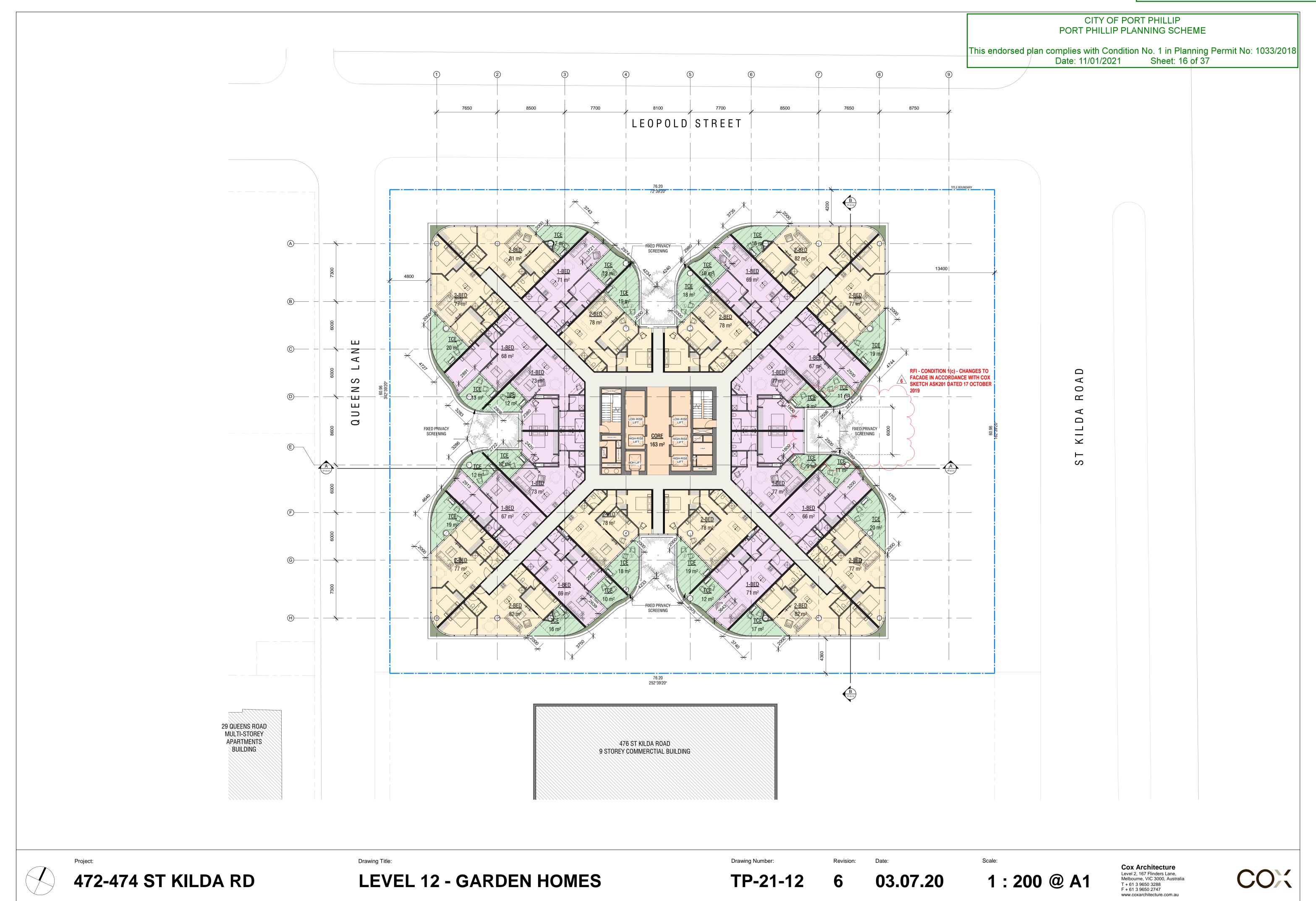




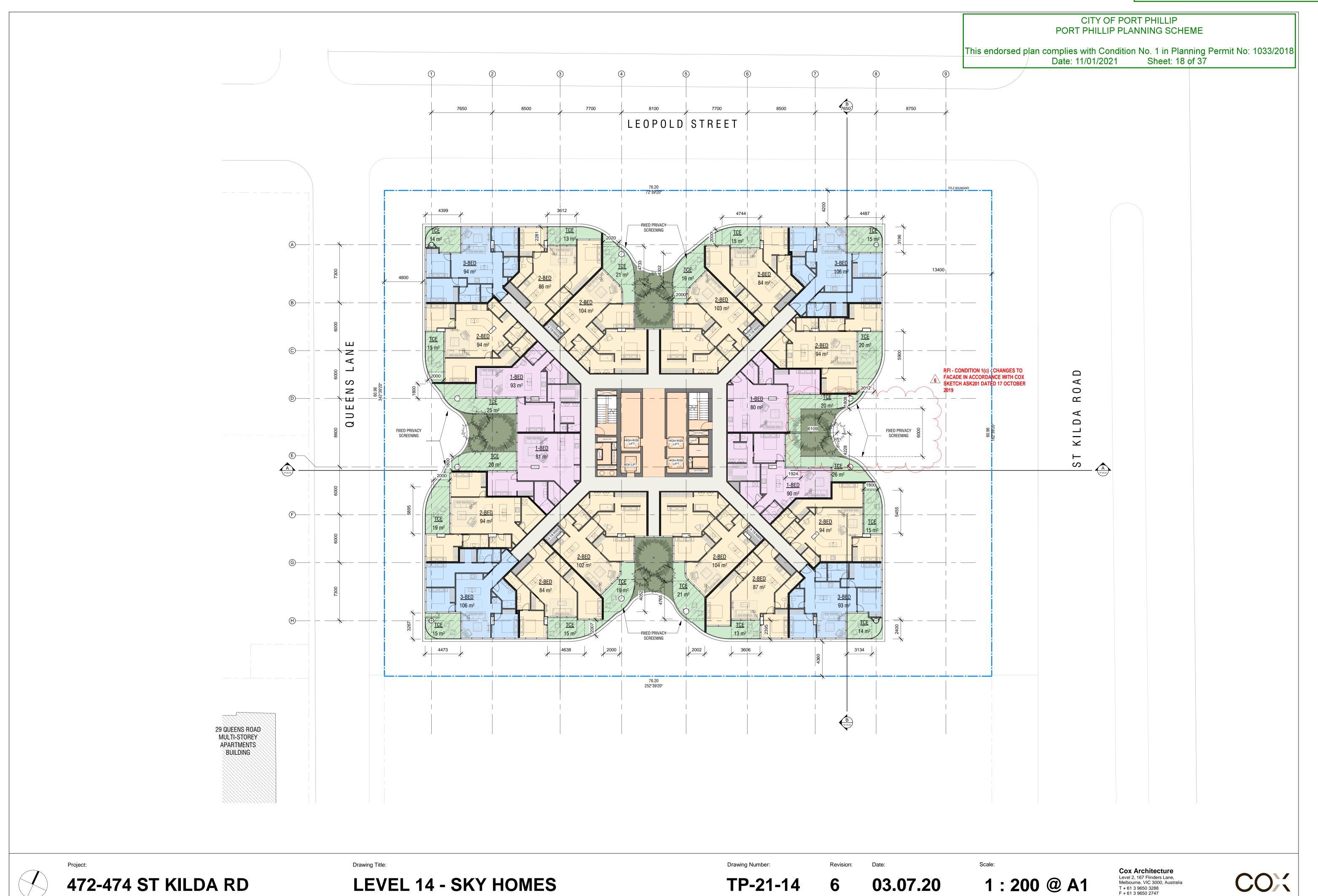


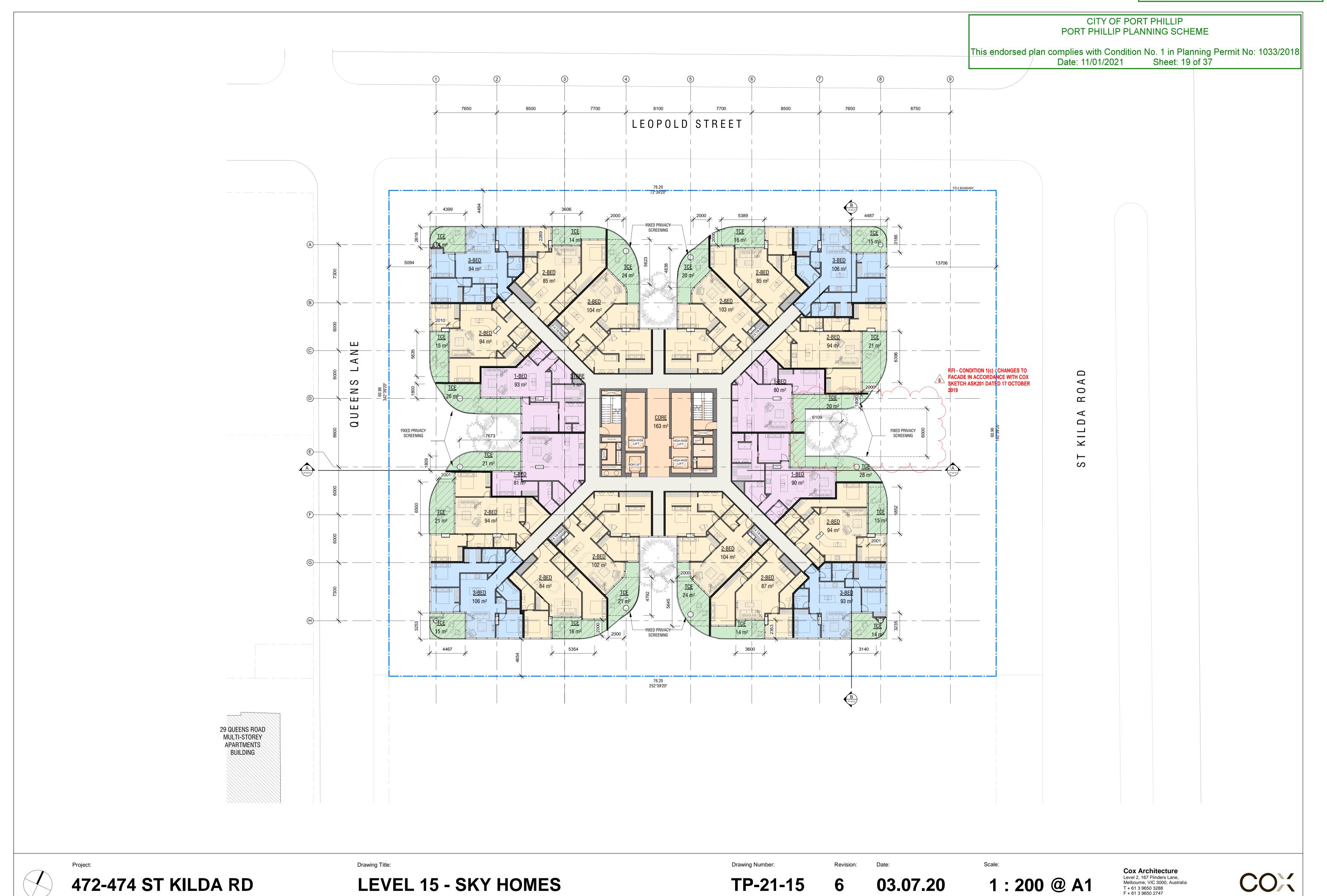


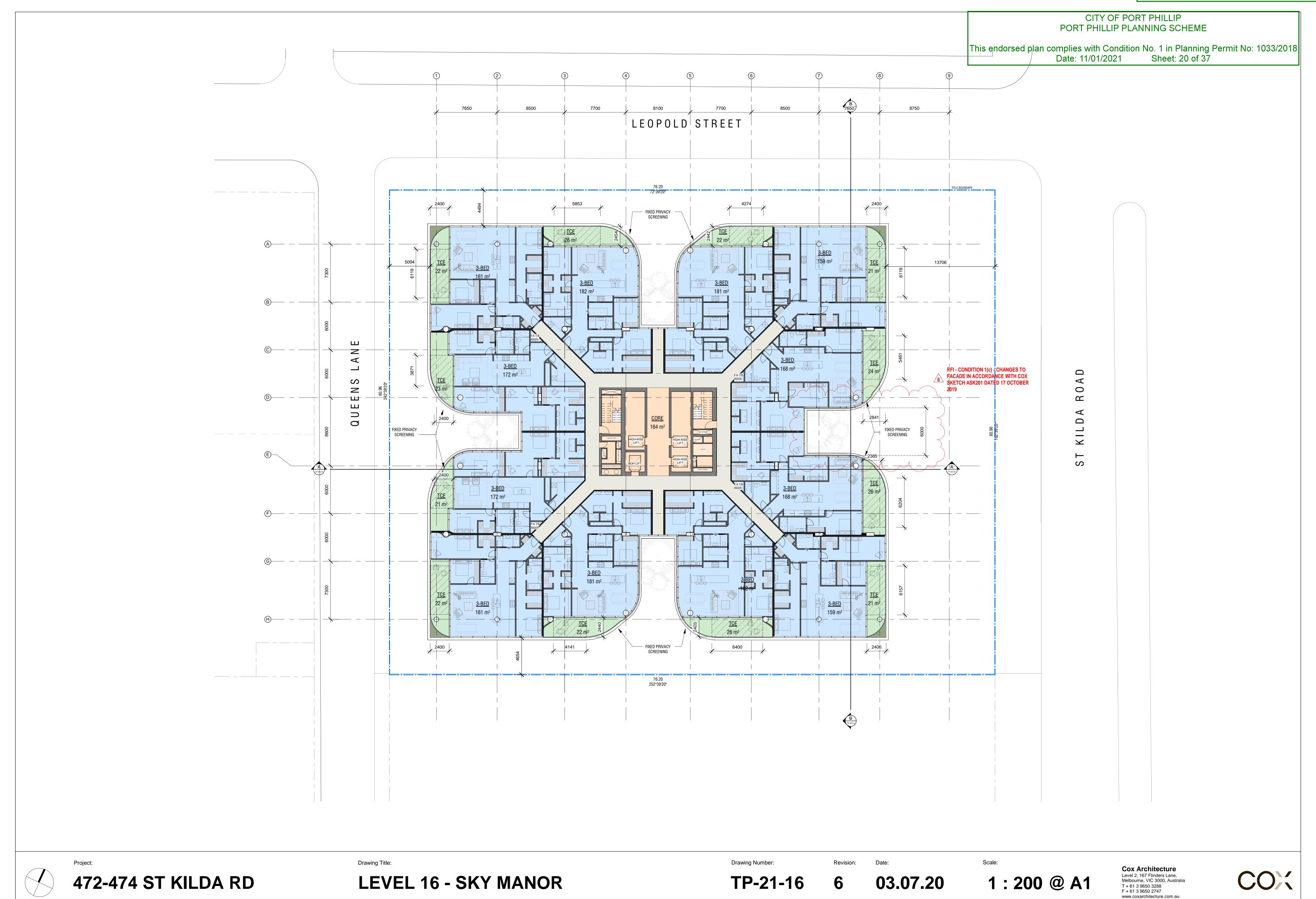




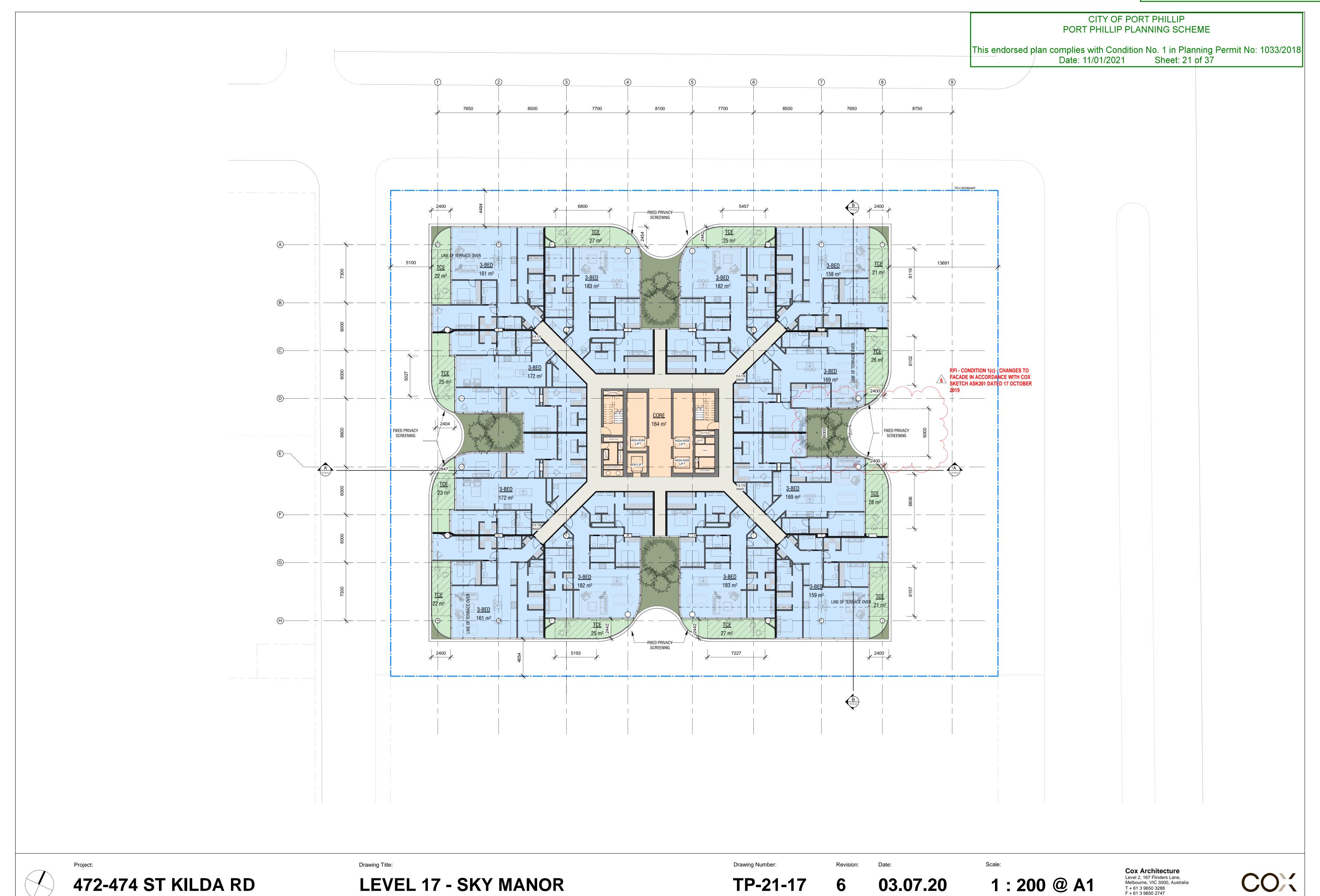


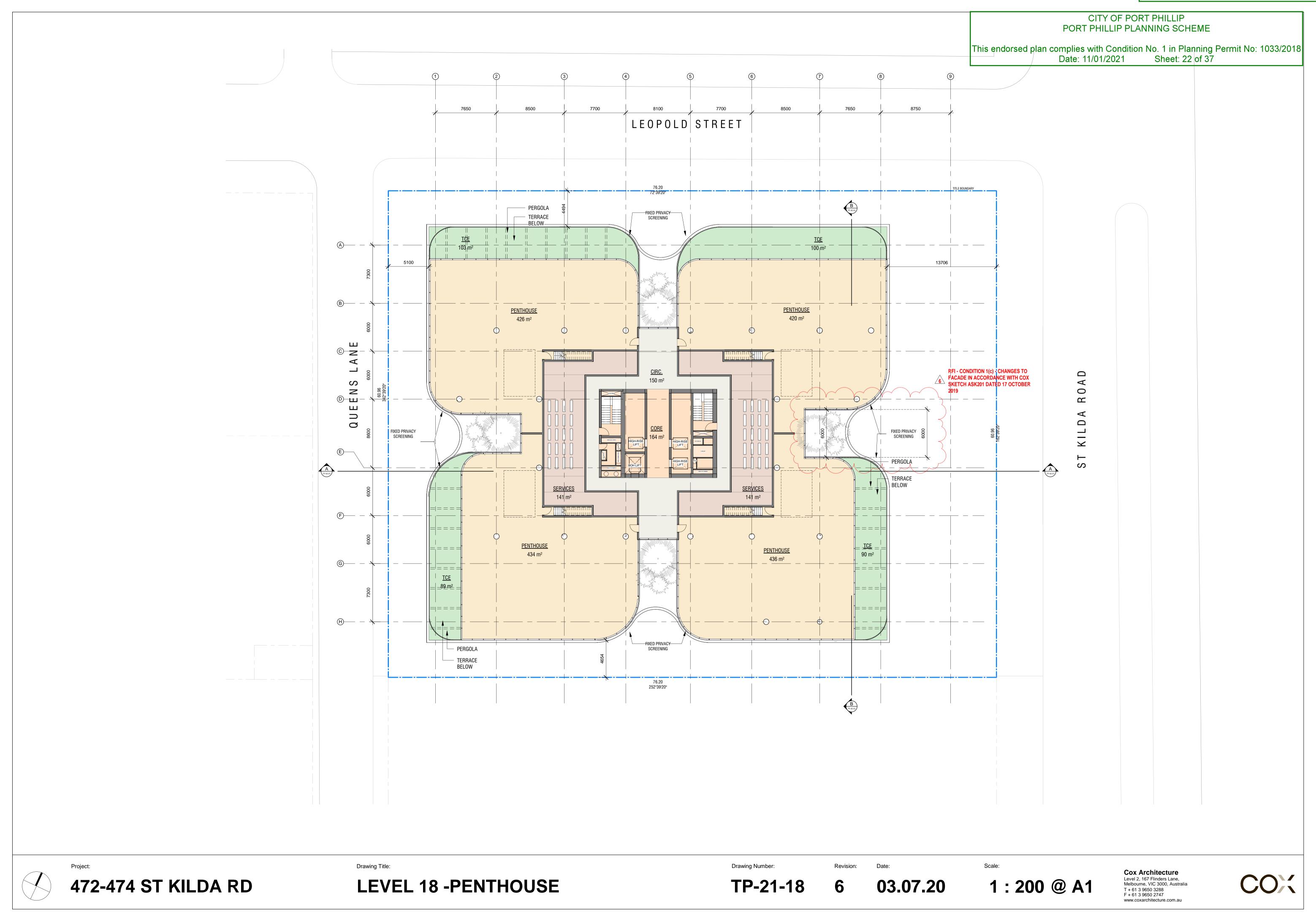






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This endorsed plan complies with Condition No. 1 in Planning Permit No: 1033/2018 Date: 11/01/2021 Sheet: 24 of 37



MATERIAL LEGEND

Max reflectivity 20%.

Colour: Light bronze

CONCO2- GRC cladding with travertine finish

inlay to lighting feature

cast)

PNT01- Dulux, Natural White

PNT02- Dulux, Domino

consultants. Max reflectivity 20%.

GLA03- Glazing with custom frit. Total glass/frame system to

facade consultants. Max reflectivity 20%.

MET03- Pre-finished anodized 3mm thick solid aluminium

louvre.Matte finish. Colour: To match MET01

Mechanical louvre. Finish to match MET01

finish panel. Matte finish. Colour: Light bronze

thermal performance as required by ESD and facade

achieve thermal performance as required by ESD and

panel. Matte finish. Perforation to metal screen to be

Drawing Title:

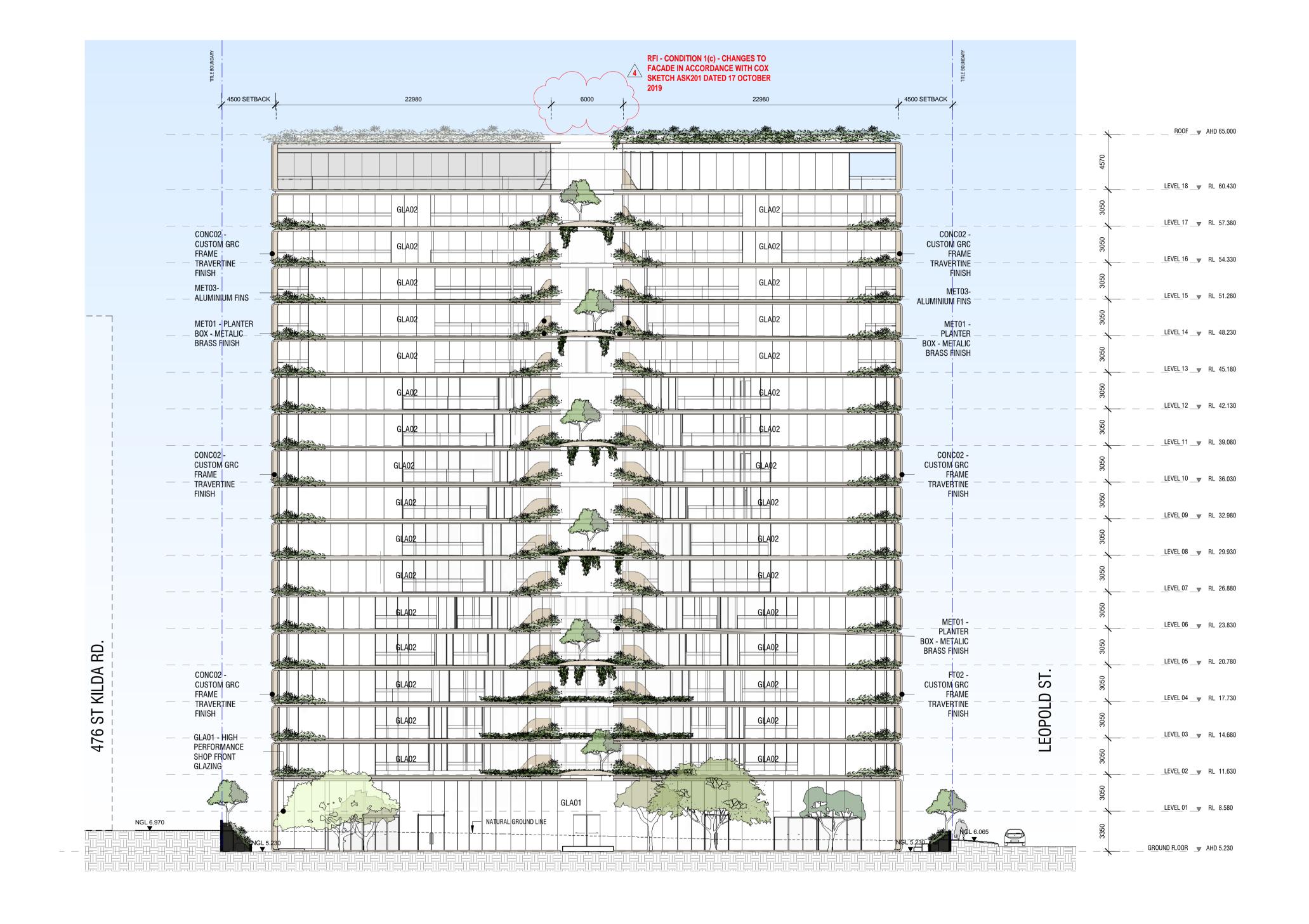
Drawing Number:

4

Scale:



This endorsed plan complies with Condition No. 1 in Planning Permit No: 1033/2018 Date: 11/01/2021 Sheet: 25 of 37



MATERIAL LEGEND

GLA01 - Clear Glazing Total glass/frame system to achieve thermal

GLA02- Silver pewter glazing. Total glass/frame system to achieve thermal performance as required by ESD and facade

consultants. Max reflectivity 20%.

GLA03- Glazing with custom frit. Total glass/frame system to

facade consultants. Max reflectivity 20%. **MET01-** Pre-finished anodized 3mm thick solid aluminium clad finish panel. Matte finish. Colour: Light bronze

MET03- Pre-finished anodized 3mm thick solid aluminium

louvre.Matte finish. Colour: To match MET01

CONCO1 - In-situ concrete. Class 2 finish to all exposed faces (smooth

CONCO3- Precast concrete panel. Class 2 finish to all exposed faces

CONCO4- Custom GRC travertine finish with profiled finish with glass

CONC05- GRC planter boxes with travertine finish. GRC cladding over

mild steel sub framing to be integrated into planter boxes

Mechanical louvre. Finish to match MET01

Max reflectivity 20%.

Colour: Light bronze

CONCO2- GRC cladding with travertine finish

inlay to lighting feature

PNT01- Dulux, Natural White **PNT02-** Dulux, Domino

performance as required by ESD and facade consultants.

achieve thermal performance as required by ESD and

MET02- Pre-finished anodized thick perforated aluminium clad finish

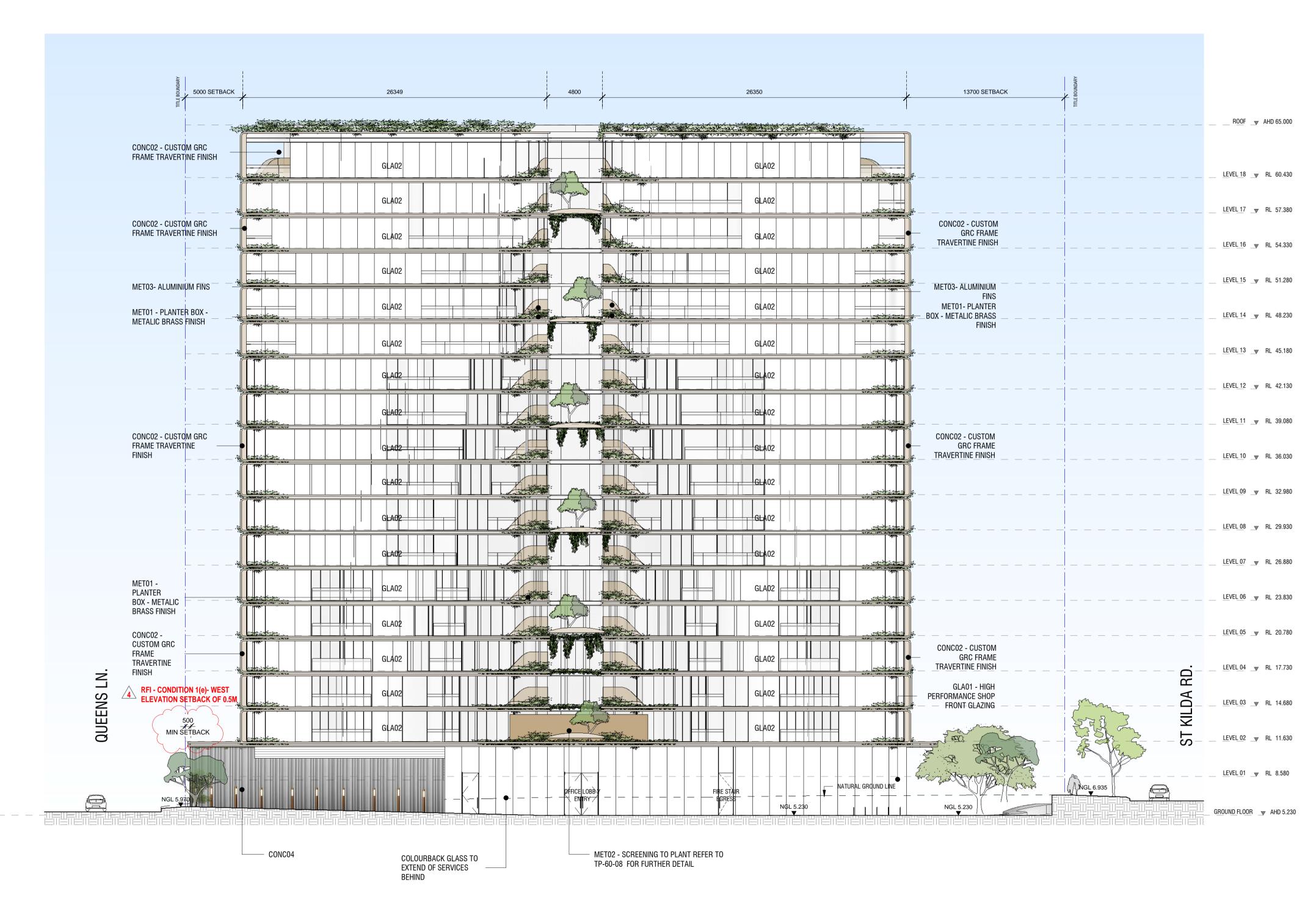
panel. Matte finish. Perforation to metal screen to be

consistent. Metal gauge to be determined to ensure rigidity.

Drawing Number:



This endorsed plan complies with Condition No. 1 in Planning Permit No: 1033/2018 Date: 11/01/2021 Sheet: 26 of 37



MATERIAL LEGEND

GLA01 - Clear Glazing Total glass/frame system to achieve thermal performance as required by ESD and facade consultants. Max reflectivity 20%.

GLA02- Silver pewter glazing. Total glass/frame system to achieve thermal performance as required by ESD and facade

consultants. Max reflectivity 20%. **GLA03-** Glazing with custom frit. Total glass/frame system to achieve thermal performance as required by ESD and

facade consultants. Max reflectivity 20%. **MET01-** Pre-finished anodized 3mm thick solid aluminium clad finish panel. Matte finish. Colour: Light bronze

MET02- Pre-finished anodized thick perforated aluminium clad finish panel. Matte finish. Perforation to metal screen to be consistent. Metal gauge to be determined to ensure rigidity. Colour: Light bronze

MET03- Pre-finished anodized 3mm thick solid aluminium louvre.Matte finish. Colour: To match MET01 Mechanical louvre. Finish to match MET01

CONCO1 - In-situ concrete. Class 2 finish to all exposed faces (smooth **CONCO2-** GRC cladding with travertine finish

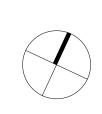
CONCO3- Precast concrete panel. Class 2 finish to all exposed faces **CONCO4-** Custom GRC travertine finish with profiled finish with glass

CONCO5- GRC planter boxes with travertine finish. GRC cladding over mild steel sub framing to be integrated into planter boxes

Dulux, Natural White

inlay to lighting feature

PNT02- Dulux, Domino



Drawing Number:



This endorsed plan complies with Condition No. 1 in Planning Permit No: 1033/2018

Date: 11/01/2021 Sheet: 27 of 37



472-474 ST KILDA RD

MATERIAL LEGEND

Max reflectivity 20%.

Colour: Light bronze

CONCO2- GRC cladding with travertine finish

inlay to lighting feature

PNT01- Dulux, Natural White

PNT02- Dulux, Domino

GLA01 - Clear Glazing Total glass/frame system to achieve thermal

GLA02- Silver pewter glazing. Total glass/frame system to achieve

GLA03- Glazing with custom frit. Total glass/frame system to

facade consultants. Max reflectivity 20%.

MET03- Pre-finished anodized 3mm thick solid aluminium

louvre.Matte finish. Colour: To match MET01 Mechanical louvre. Finish to match MET01

CONCO1 - In-situ concrete. Class 2 finish to all exposed faces (smooth

CONCO3- Precast concrete panel. Class 2 finish to all exposed faces **CONCO4-** Custom GRC travertine finish with profiled finish with glass

CONCO5- GRC planter boxes with travertine finish. GRC cladding over

mild steel sub framing to be integrated into planter boxes

MET01- Pre-finished anodized 3mm thick solid aluminium clad

finish panel. Matte finish. Colour: Light bronze

MET02- Pre-finished anodized thick perforated aluminium clad finish

panel. Matte finish. Perforation to metal screen to be

consistent. Metal gauge to be determined to ensure rigidity.

consultants. Max reflectivity 20%.

thermal performance as required by ESD and facade

achieve thermal performance as required by ESD and

performance as required by ESD and facade consultants.

WEST ELEVATION

Drawing Title:

Drawing Number:

TP-30-04

on. Date.

03.07.20

As indicated

As indicated

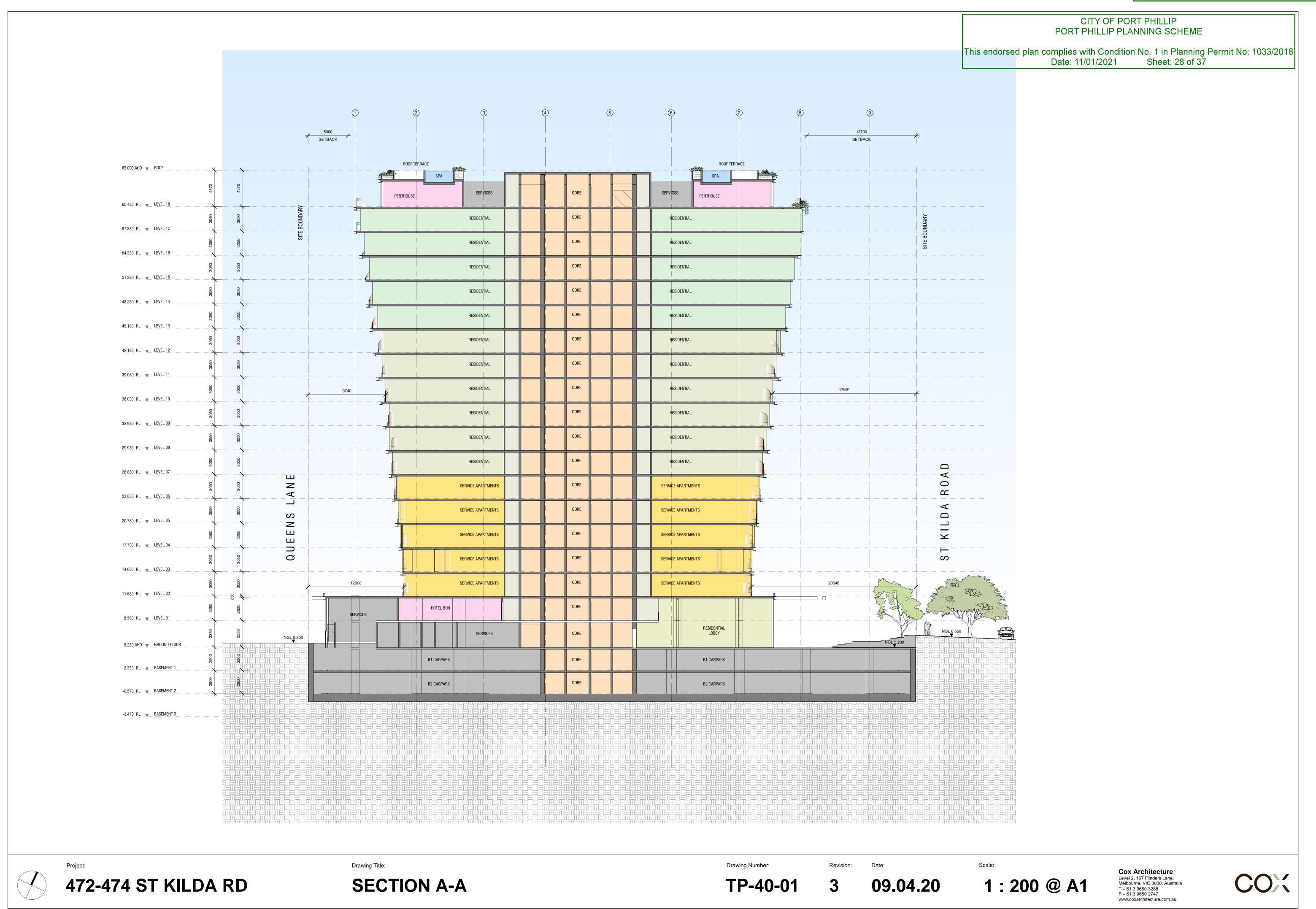
Level 2, 167 Flinders I

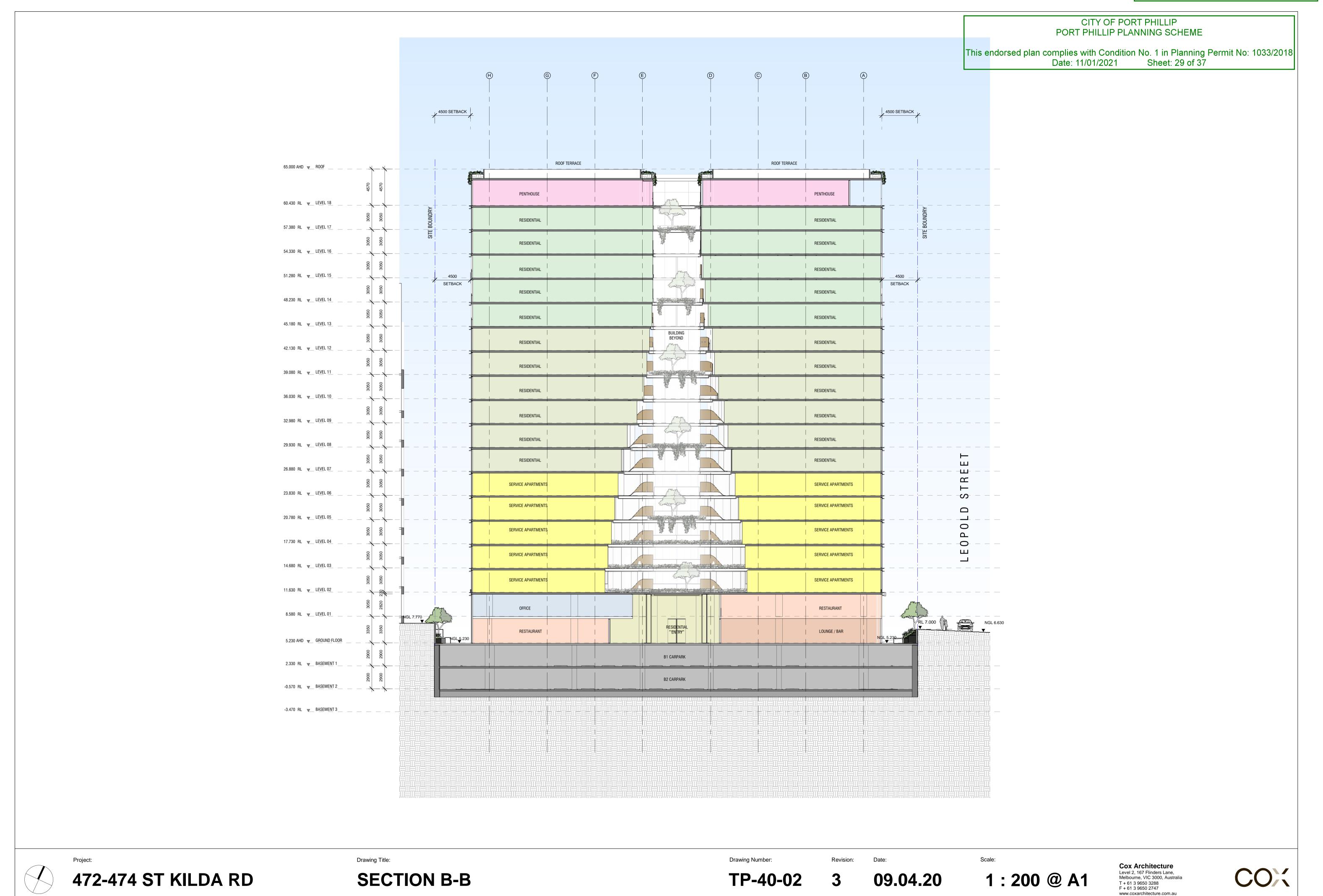
Ale Jurne, VIC 3000,

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Level 2, 167 Flinders Lane,
Melbi urne, VIC 3000, Australia
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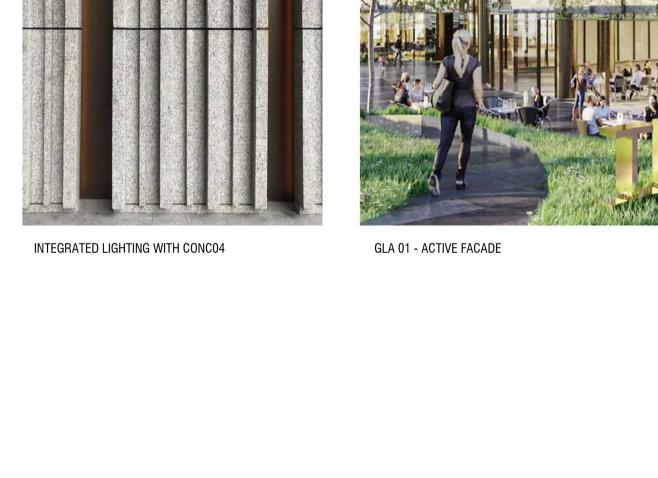


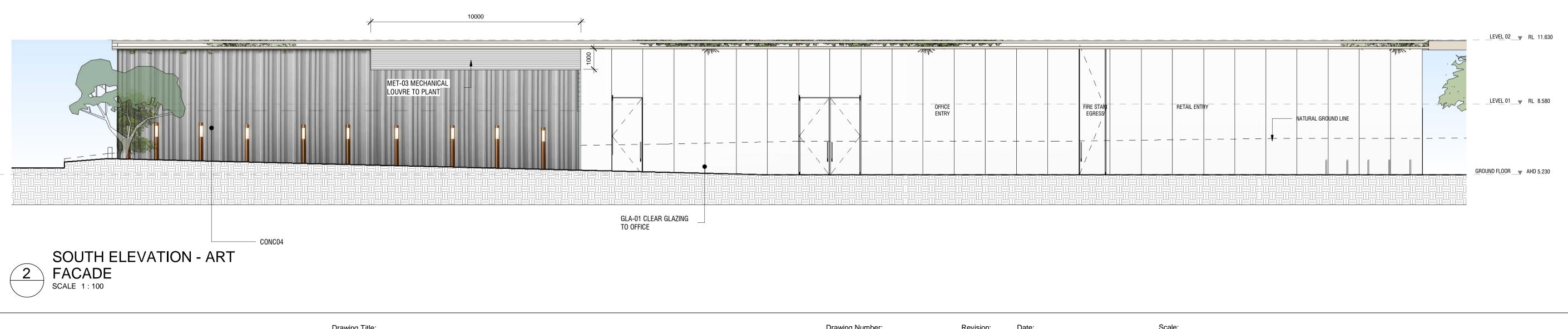


This endorsed plan complies with Condition No. 1 in Planning Permit No: 1033/2018 Date: 11/01/2021 Sheet: 30 of 37

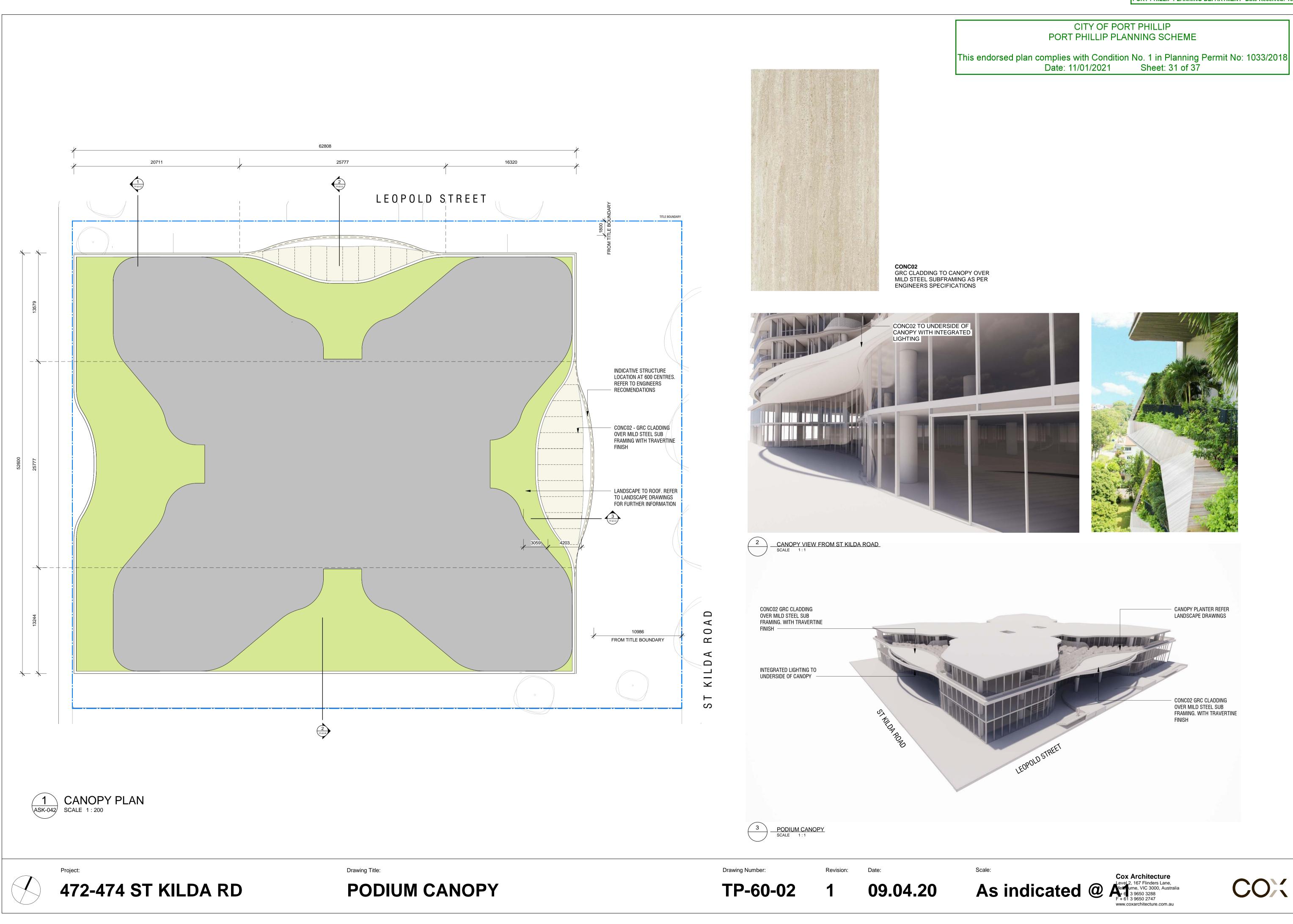
MATERIAL LEGEND

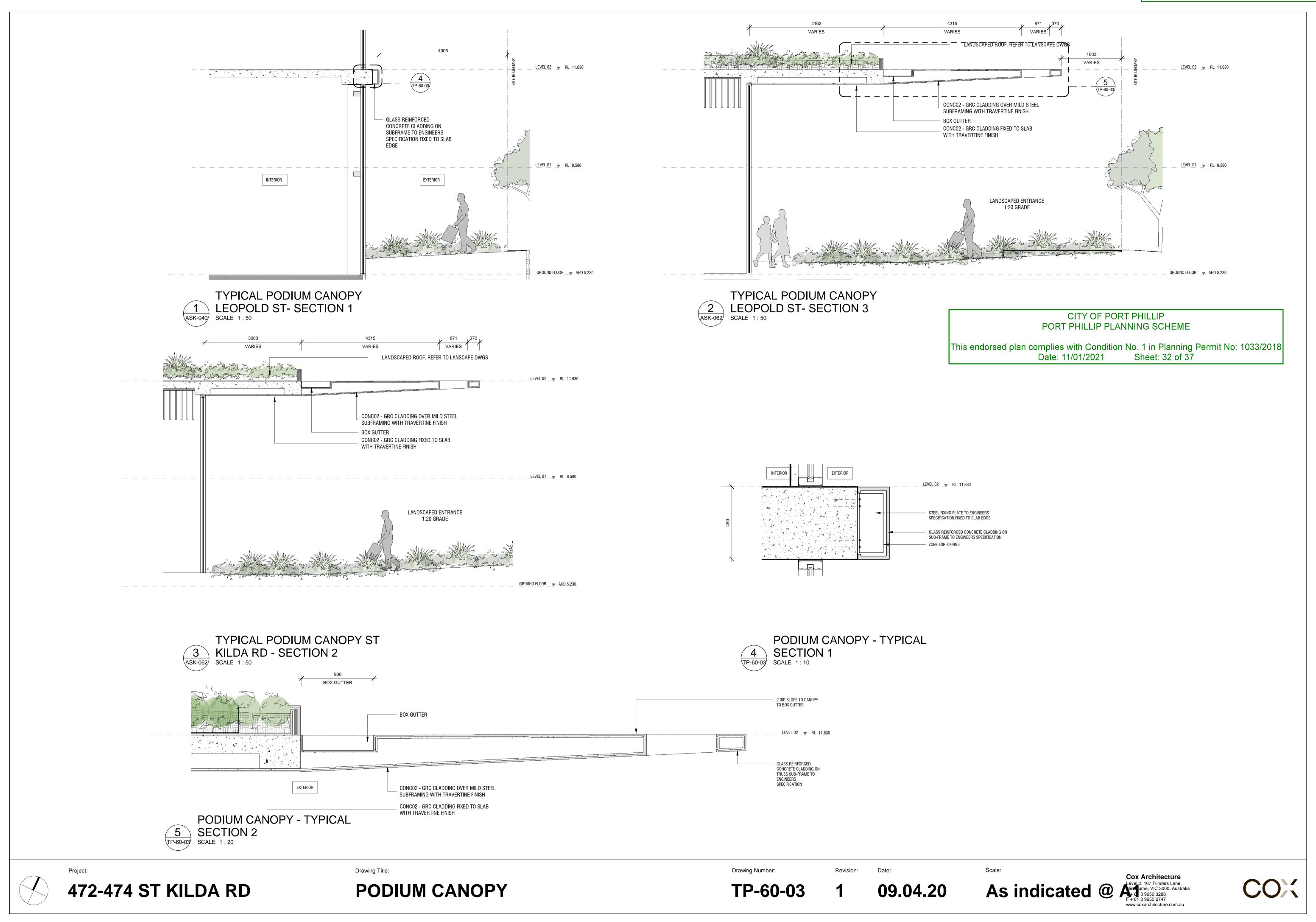
- **GLA01 -** Clear Glazing Total glass/frame system to achieve thermal performance as required by ESD and facade consultants. Max reflectivity 20%.
- **GLA02-** Silver pewter glazing. Total glass/frame system to achieve thermal performance as required by ESD and facade consultants. Max reflectivity 20%.
- **GLA03-** Glazing with custom frit. Total glass/frame system to achieve thermal performance as required by ESD and facade consultants. Max reflectivity 20%.
- **MET01-** Pre-finished anodized 3mm thick solid aluminium clad
- finish panel. Matte finish. Colour: Light bronze **MET02-** Pre-finished anodized thick perforated aluminium clad finish panel. Matte finish. Perforation to metal screen to be
 - consistent. Metal gauge to be determined to ensure rigidity. Colour: Light bronze
- **MET03-** Pre-finished anodized 3mm thick solid aluminium louvre.Matte finish. Colour: To match MET01
- **LV01-** Mechanical louvre. Finish to match MET01 **CONCO1 -** In-situ concrete. Class 2 finish to all exposed faces (smooth
- cast)
- **CONCO2-** GRC cladding with travertine finish
- **CONCO3-** Precast concrete panel. Class 2 finish to all exposed faces **CONCO4-** Custom GRC travertine finish with profiled finish with glass
- inlay to lighting feature **CONCO5-** GRC planter boxes with travertine finish. GRC cladding over
- mild steel sub framing to be integrated into planter boxes
- PNT01- Dulux, Natural White PNT02- Dulux, Domino

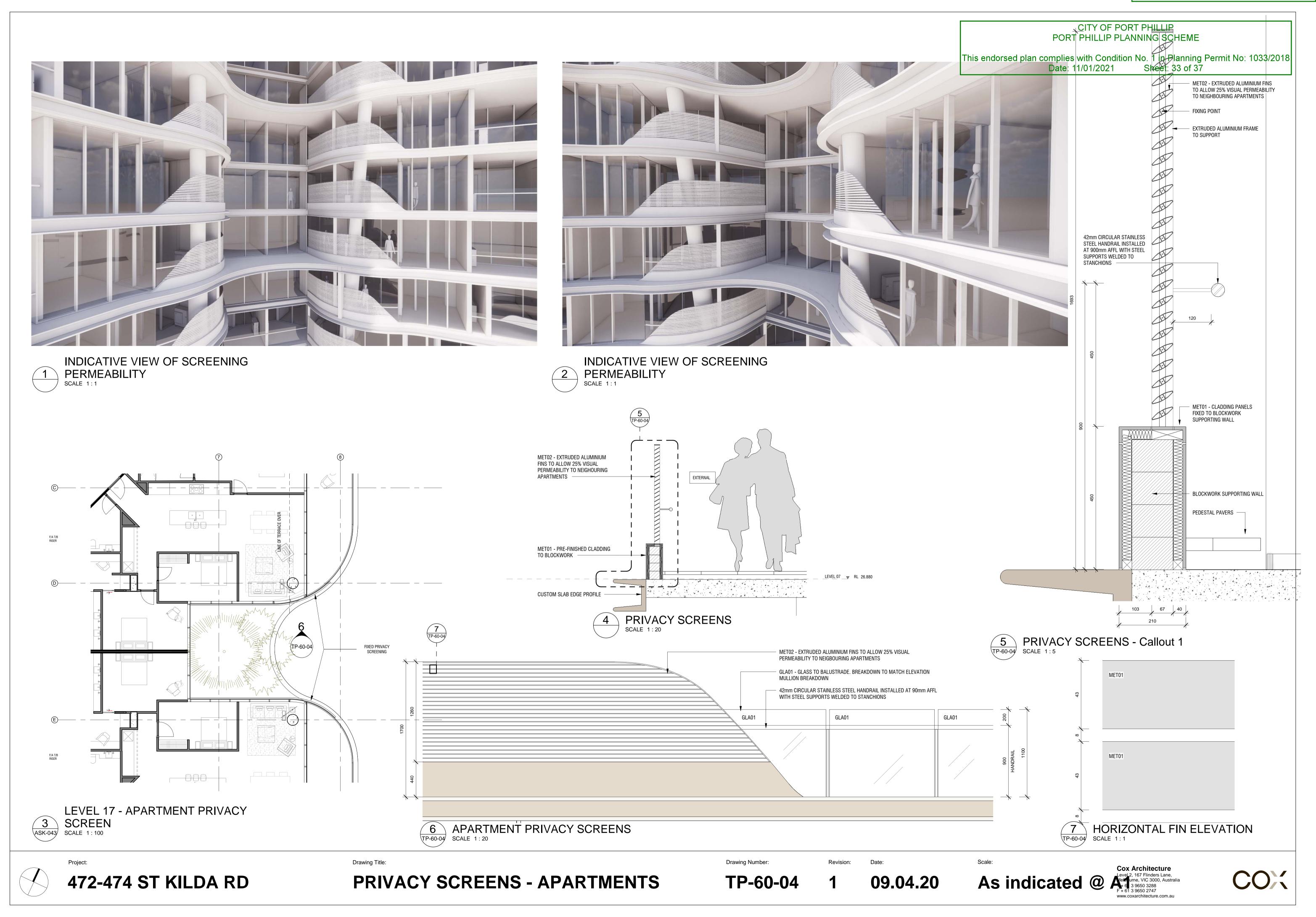


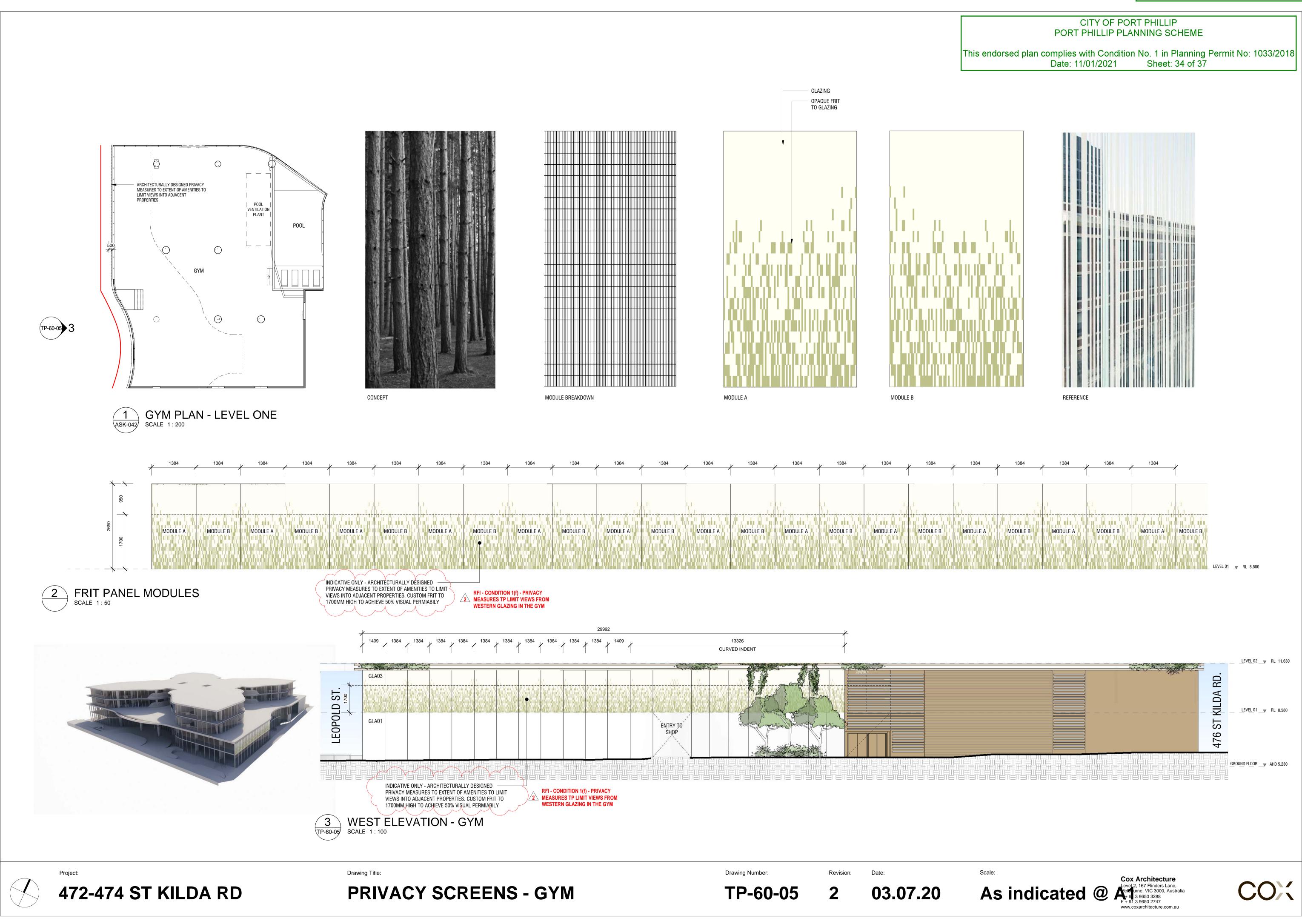






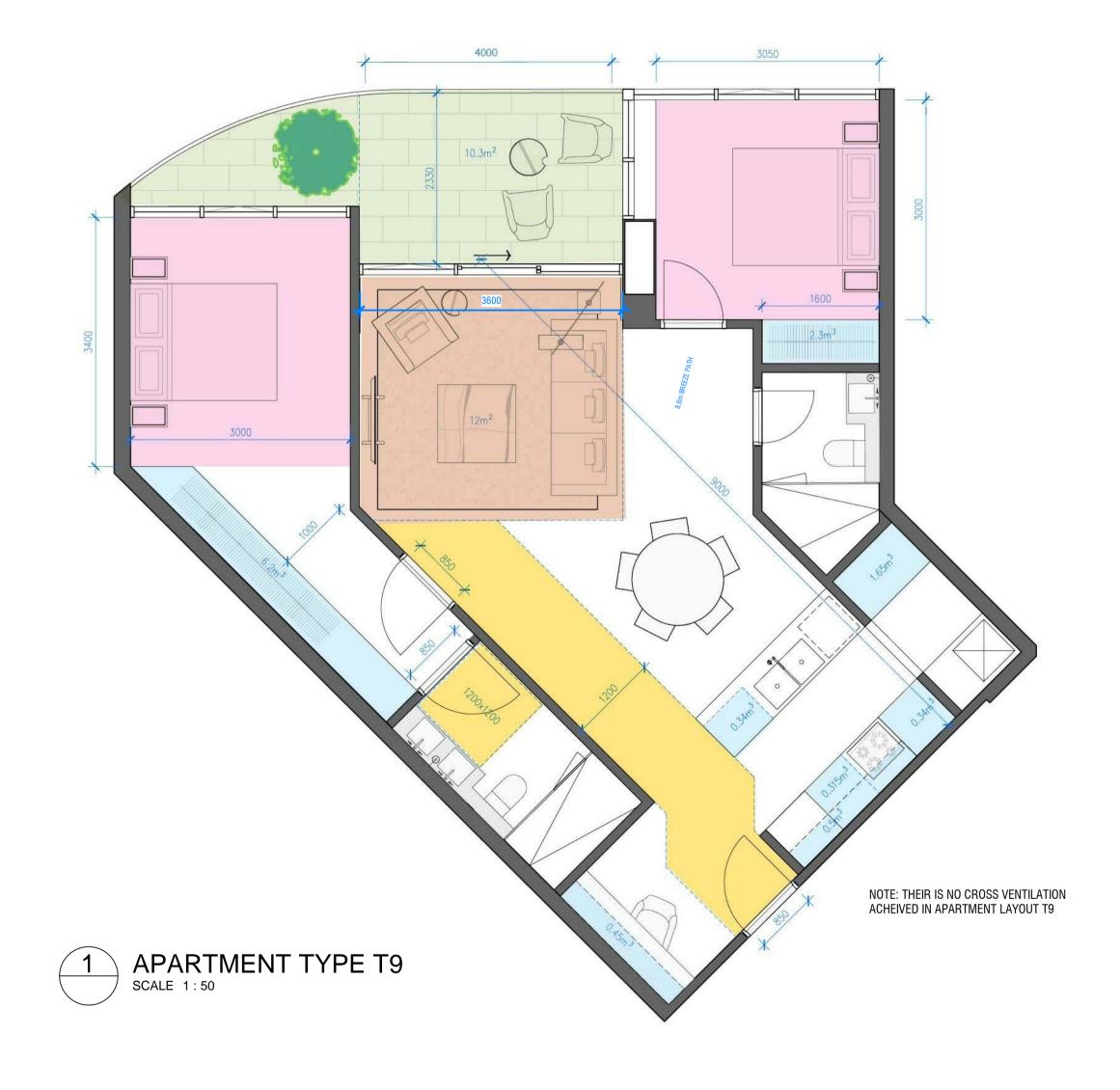




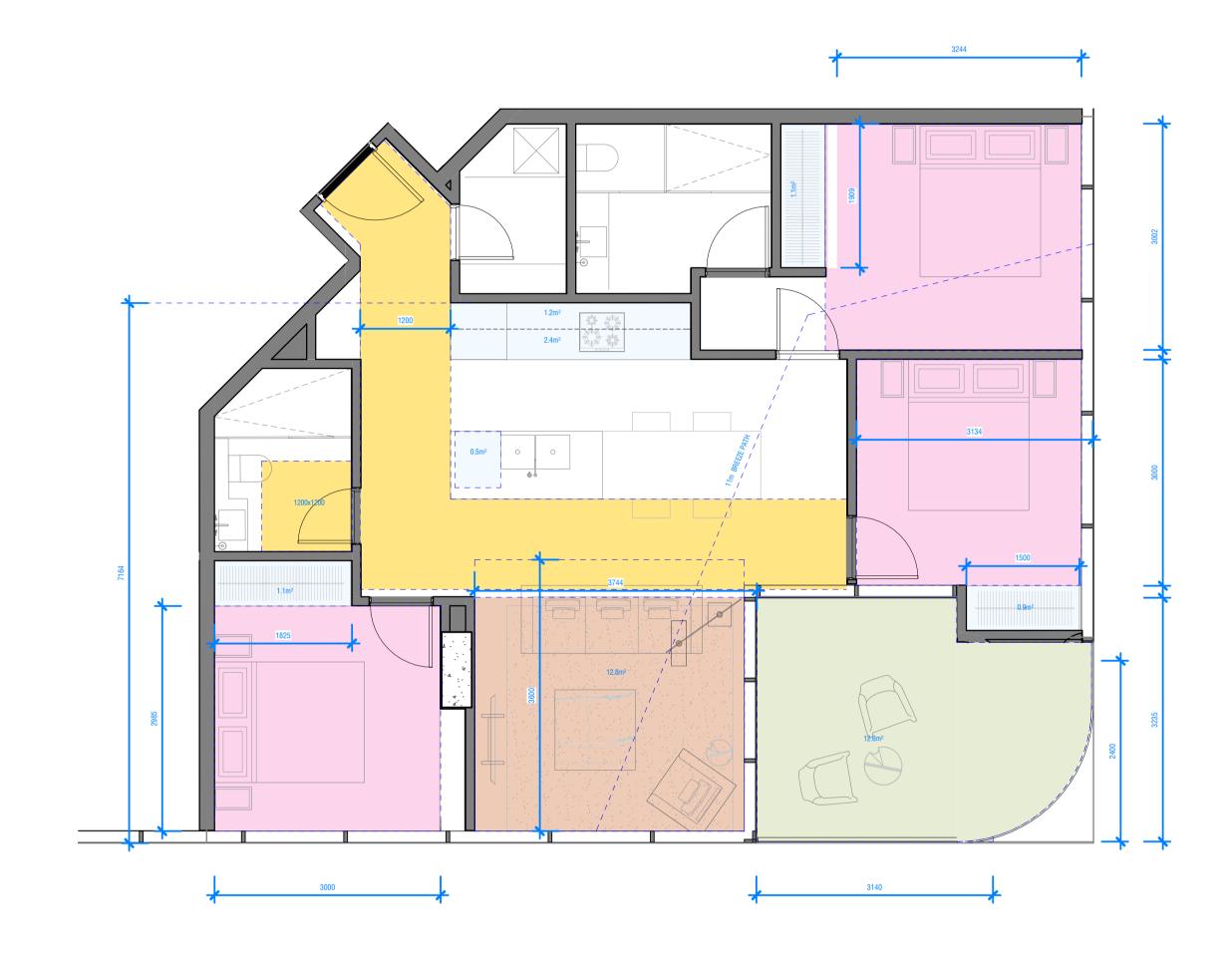


This endorsed plan complies with Condition No. 1 in Planning Permit No: 1033/2018

Date: 11/01/2021 Sheet: 35 of 37



NOTE: APT TYPE T4 WAS INCORRECTLY LABELLED AND WILL BE REFERRED TO AS APT TYPE T9 MOVING FORWARD



2 APARTMENT TYPE T11 SCALE 1:50

TP-60-06

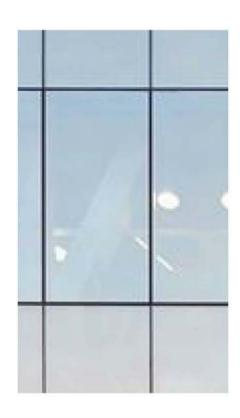


Version: 1, Version Date: 05/09/2022

This endorsed plan complies with Condition No. 1 in Planning Permit No: 1033/2018 Sheet: 36 of 37 Date: 11/01/2021



Clear Glazing Total glass/frame system to achieve thermal performance as required by ESD and Facade consultants Max reflectivity 20%



GLA02 Silver Pewter Glazing

Max reflectivity 20%

Total glass/frame system to achieve thermal performance as required by ESD and Facade consultants



Glazing with custom frit
Total glass/frame system to achieve thermal performance as required by ESD and Facade consultants Max reflectivity 20%. Glazing to have custom ceramic frit.



Pre-finished anodized 3mm thick solid aluminium clad finish panel. Matte Colour: Light Bronze



Pre-finished anodized thick perforated aluminium clad finish panel. Matte finish. Perforation to metal screen to be consistent. Metal gauge to be determined to ensure rigidity Colour: Light Bronze



Pre-finished anodized 3mm thick solid Mechanical louvre. aluminium louvre.Matte finish. Colour: To match MET01



Finish to match MET01.



CONC01 In-situ Concrete Class 2 finish to all exposed faces (smooth cast)



GRC clading with travertine finish



CONC03 Precast concrete panel Class 2 finish to all exposed faces



Custom GRC travertine finish with profiled finish with glass inlay to lighting feature



CONC05 GRC planter boxes with travertine finish. GRC cladding over mild steel sub framing to be integrated into planter boxes



Dulux Natural White



PNT02

Dulux

Domino

MATERIAL LEGEND

GLA01 - Clear Glazing Total glass/frame system to achieve thermal performance as required by ESD and facade consultants. Max reflectivity 20%.

GLA02- Silver pewter glazing. Total glass/frame system to achieve thermal performance as required by ESD and facade consultants. Max reflectivity 20%.

GLA03- Glazing with custom frit. Total glass/frame system to achieve thermal performance as required by ESD and

facade consultants. Max reflectivity 20%. **MET01-** Pre-finished anodized 3mm thick solid aluminium clad finish panel. Matte finish. Colour: Light bronze

MET02- Pre-finished anodized thick perforated aluminium clad finish panel. Matte finish. Perforation to metal screen to be consistent. Metal gauge to be determined to ensure rigidity. Colour: Light bronze

MET03- Pre-finished anodized 3mm thick solid aluminium louvre.Matte finish. Colour: To match MET01

LV01- Mechanical louvre. Finish to match MET01 **CONCO1 -** In-situ concrete. Class 2 finish to all exposed faces (smooth

CONCO2- GRC cladding with travertine finish

CONCO3- Precast concrete panel. Class 2 finish to all exposed faces **CONCO4-** Custom GRC travertine finish with profiled finish with glass

inlay to lighting feature

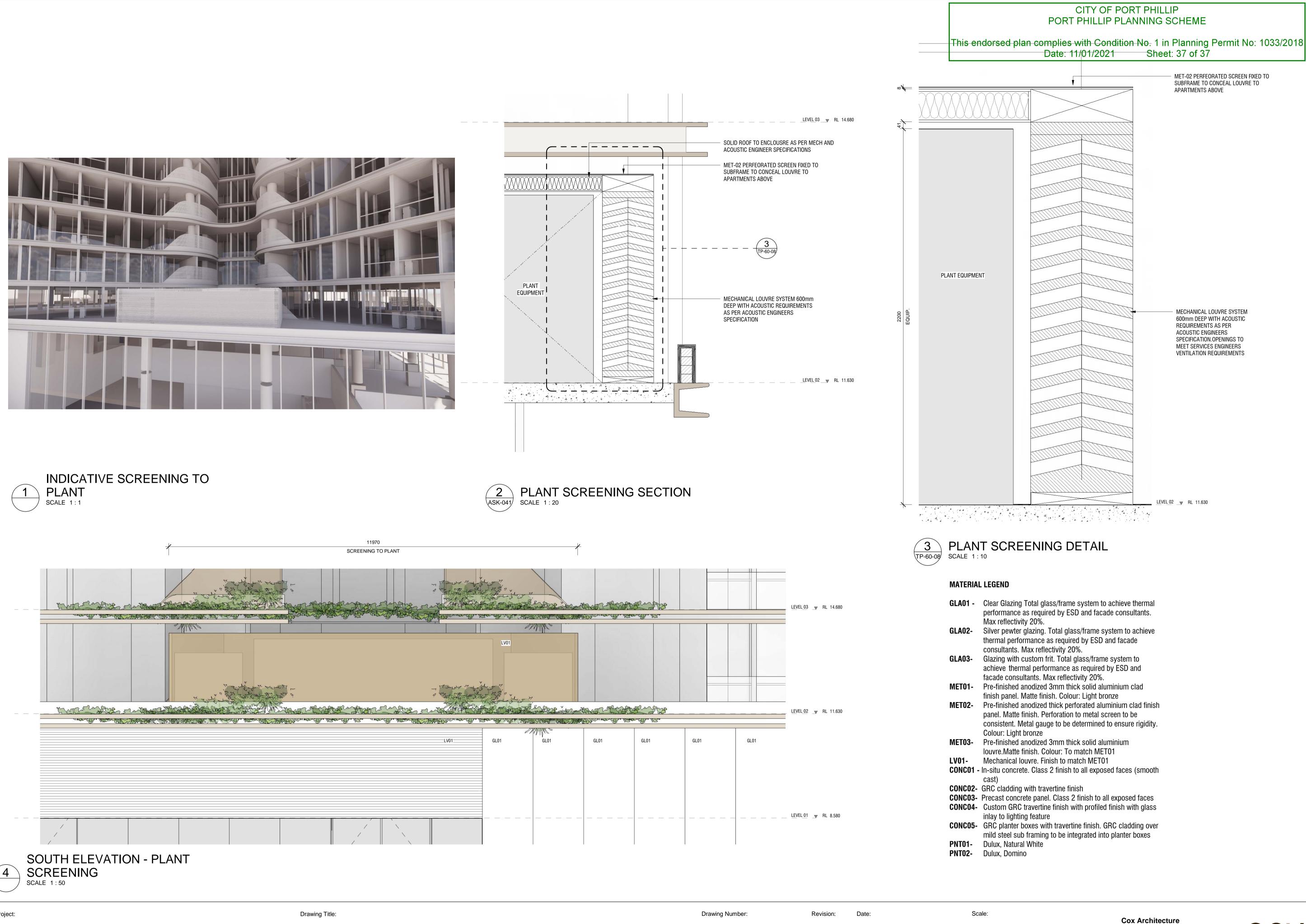
CONCO5- GRC planter boxes with travertine finish. GRC cladding over mild steel sub framing to be integrated into planter boxes

PNT01- Dulux, Natural White **PNT02-** Dulux, Domino

TP-60-07



Scale:



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