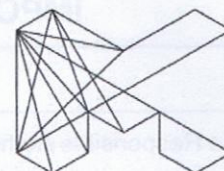


NOTICE OF DECISION TO GRANT A PERMIT



CITY OF MELBOURNE

APPLICATION NO.	TP-2017-188
PLANNING SCHEME	Melbourne Planning Scheme
RESPONSIBLE AUTHORITY	Melbourne City Council

For further reference contact:
Brendan Cousins
Telephone: 03 9658 9526
Email: planning@melbourne.vic.gov.au
Planning and Building Branch
Level 3, Council House 2
240 Little Collins Street, Melbourne

The Responsible Authority has decided to grant a permit. The permit has NOT been issued.

ADDRESS OF THE LAND	123-127 Bouverie Street, CARLTON VIC 3053, 129-135 Bouverie Street, CARLTON VIC 3053
WHAT WILL THE PERMIT ALLOW?	Partial demolition, external alterations to the existing building and the construction of a multi-storey residential building (student accommodation) in accordance with the endorsed plans.

WHAT WILL THE CONDITIONS OF THE PERMIT BE?

1. Amended plans before endorsement

Prior to the commencement of development, two copies of plans, drawn to scale must be submitted to the Responsible Authority generally in accordance with the plans by Nettleton Tribe revision dated 8 November 2017 and 13 November 2017 but amended to show:

- The southern facing student rooms directly adjacent 224-252 Queensberry Street on levels 1 and 2 screened to prevent direct views within a nine metre arc.
- Greater articulation and design refinement is required of the southern façade (of the southern tower) to help mitigate the impact and break down the mass and length of this elevation.
- Additional detailing and justification, to be shown on the north and west elevations, demonstrating a more successful integration between the mass of the new building and the rear section of the existing heritage building at 129-131 Bouverie Street.
- 1:50 elevations of the lower levels of the building along the Bouverie Street and Barkly Place frontages.
- Remove all bicycle hoops proposed on Bouverie Street.
- Reinstatement of cooking facilities to level 7 (lounge).
- A minimum of 145 bicycle spaces of which 109 spaces should be for individual residents and 36 spaces for share bikes.
- Convenient and easy access to the basement level Bicycle Store.
- Any changes as required by the façade strategy

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

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Date Issued: 21 December 2017

Signature of the Responsible Authority

2. Endorsed plans

The use and development as shown on the endorsed plan(s) must not be altered or modified unless with the prior written consent of the Responsible Authority.

3. Facade Strategy

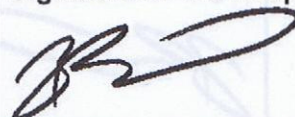
Before the development starts, including demolition and site preparation works, a Façade Strategy must be submitted to and be to the satisfaction of the Responsible Authority. When approved this will form part of the endorsed plans. All materials, finishes and colours must be in conformity with the approved Facade Strategy to the satisfaction of the Responsible Authority. The Facade Strategy for the development must be generally in accordance with plans prepared by Nettleton Tribe revision dated 8 November 2017 and 13 November 2017 and detail:

- a) A concise description by the architect of the building design concept and how the facade works to achieve this.
- b) Specific details of the soffits of the development.
- c) A schedule of colours, materials and finishes, including the colour, type and quality of materials showing their application and appearance. This can be demonstrated in coloured elevations or renders from key viewpoints, to show the materials and finishes linking them to a physical sample board with clear coding.
- d) Elevation details generally at a scale of 1:50 illustrating typical podium details, entries and doors, typical privacy screening and utilities, typical tower detail, and any special features which are important to the building's presentation.
- e) Cross sections or other method of demonstrating the facade systems, including fixing details indicating junctions between materials and significant changes in form and/or material.
- f) Information about how the facade will be accessed and maintained and cleaned, including planting if proposed.
- g) Example prototypes and/or precedents that demonstrate the intended design outcome indicated on the plans and perspective images to produce a high quality built outcome in accordance with the design concept.

4. Landscape plan

Prior to the commencement of the development, a detailed landscape plan prepared by a suitably qualified landscape architect must be submitted and approved by the Responsible Authority. This plan must include:

- a) A schedule of all soft and hard landscaping and treatments.
- b) Urban design elements including, but not limited to, paving, lighting, seating and public art, and clear demarcation of public realm and private spaces, including arrangements for pedestrian, bicycle and vehicular circulation.
- c) How the project responds to water sensitive urban design principles, including how storm water will be mitigated, captured, cleaned and stored for on-site use and the location and type of irrigation systems to be used including the location of any rainwater tanks to be used for irrigation.
- d) Position, type and spread of all trees on the site and a schedule detailing the size and physical condition of each tree and, where appropriate, the steps to be taken to retain the trees in a satisfactory condition together with details of any proposals for the felling, topping or lopping of any tree.
- e) Location of buildings and trees on neighbouring properties within three metres of the boundary, including street trees.
- f) Planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, sizes at maturity, and quantities of each plant.
- g) Details of surface finishes of retaining walls, pathways and driveways.



This landscape plan must be to the satisfaction of the Responsible Authority and when approved shall form a part of the endorsed plans of this permit.

5. Preliminary Environmental Assessment

Prior to the commencement of the development (excluding demolition), the applicant must carry out a Preliminary Environmental Assessment (PEA) of the site to determine if it is suitable for the intended use(s). This PEA must be submitted to, and be approved by the Responsible Authority prior to the commencement of the development (excluding demolition). The PEA should include:

- Details of the nature of the land uses previously occupying the site and the activities associated with these land uses. This should include details of how long the uses occupied the site.
- A review of any previous assessments of the site and surrounding sites including details of the anticipated sources of any contaminated materials.

6. Should the PEA reveal that further investigative or remedial work is required to accommodate the intended use(s), then prior to the commencement of the development (excluding demolition), the applicant must carry out a Comprehensive Environmental Assessment (CEA) of the site to determine if it is suitable for the intended use(s). This CEA must be carried out by a suitably qualified environmental professional who is a member of the Australian Contaminated Land Consultants Association or a person who is acceptable to the Responsible Authority. This CEA must be submitted to, and be approved by the Responsible Authority prior to the commencement of the development (excluding demolition). The CEA should include:

- Details of the nature of the land uses previously occupying the site and the activities associated with these land uses. This includes details of how long the uses occupied the site.
- A review of any previous assessments of the site and surrounding sites, including details of any on-site or off-site sources of contaminated materials. This includes a review of any previous Environmental Audits of the site and surrounding sites.
- Intrusive soil sampling in accordance with the requirements of Australian Standard (AS) 44582.1. This includes minimum sampling densities to ensure the condition of the site is accurately characterised.
- An appraisal of the data obtained following soil sampling in accordance with ecological, health-based and waste disposal guidelines.
- Recommendations regarding what further investigate and remediation work, if any, may be necessary to ensure the site is suitable for the intended use(s).

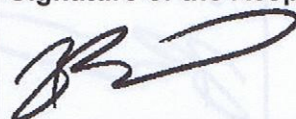
Prior to the occupation of the building, the applicant must submit to the Responsible Authority a letter confirming compliance with any findings, requirements, recommendations and conditions of the CEA.

7. Should the CEA recommend that an Environmental Audit of the site is necessary then prior to the occupation of the building the applicant must provide either:
- a. A Certificate of Environmental Audit in accordance with Section 53Y of the Environment Protection Act 1970; or
 - b. A Statement of Environmental Audit in accordance with Section 53Z of the Environment Protection Act 1970. This Statement must confirm that the site is suitable for the intended use(s).
8. Where a Statement of Environmental Audit is provided, all the conditions of this Statement must be complied with to the satisfaction of the Responsible Authority and prior to the occupation of the building. Written confirmation of compliance must be provided by a suitably qualified environmental professional who is a member of the Australian Contaminated Land Consultants Association or other person acceptable to the Responsible Authority. In addition, the signing off of the Statement must be in accordance with any requirements in it regarding the verification of works.
- If there are conditions on the Statement that the Responsible Authority consider requires significant ongoing maintenance and/or monitoring, the applicant must enter into a legal agreement in accordance with Section 173 of the Planning and Environment Act 1987 with the Responsible Authority. This Agreement must be executed on title prior to the occupation of the building. The owner of the site must meet all costs associated with the drafting and execution of this agreement including those incurred by the Responsible Authority

9. Management plan

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Signature of the Responsible Authority



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Prior to occupation of the development, a Management Plan must be submitted to and approved by the Responsible Authority. When approved, the Plan will be endorsed and will then form part of the permit. The Plan must establish a set of 'house rules' for the use, to be followed thereafter to the satisfaction of the Responsible Authority. The Plan must ensure that a suitable full time manager with responsibility to oversee student behaviour permanently resides on site and must detail the maintenance, cleaning, garbage storage and collection, supervision and security of the site.

10. Street trees

Prior to the commencement of any works including demolition and bulk excavation, a Tree Protection Plan (TPP), for any public trees that may be affected by the development, must be provided to the satisfaction of the Responsible Authority (Urban Forestry & Ecology). The TPP must be in accordance with AS 4970-2009 – Protection of trees on development sites and include:

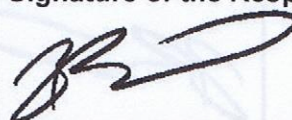
- a) City of Melbourne asset numbers for the subject trees (found at <http://melbourneurbanforestvisual.com.au>)
- b) Full assessment of the effects of construction including construction traffic, loading bays, lifting zones, gantries etc.
- c) Site specific details of the temporary tree protection measures to be used to isolate public trees from the demolition and construction activities.
- d) Specific details of any special construction methodologies to be used within the Tree Protection Zone of any public tree.
- e) Full specification of any pruning required to public trees.
- f) Any special arrangements required to allow ongoing maintenance of public trees for the duration of the development.
- g) Name and contact details of the project arborist who will monitor the implementation of the TPP for the duration of the development (including demolition)
- h) Details of the frequency of the Project Arborist monitoring visits and reporting protocols (Interim and final completion reports must be provided to councils via email to trees@melbourne.vic.gov.au

11. In the event that a Construction Management Plan or Traffic Management Plan changes any of the tree protection methodologies or impacts on public trees in ways not identified in the endorsed Tree Protection Plan (TPP) must be provided to the satisfaction of the Responsible Authority. When provided to the satisfaction of the Responsible Authority the revised TPP will be endorsed to form part of this permit and will supersede any previously endorsed TPP for the purpose of Condition 10.
12. In the event that public trees are proposed for removal at any stage of the development, the applicant must submit plans for the approval of council that show replacement and or additional tree plots of a larger size and increased soil volume than currently exists in the street frontages adjacent to the development.
13. Following the approval of a Tree Protection Plan (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 construction activities. The bond amount will be calculated by council and provided to the applicant/developer/owner of the site. Should any tree be adversely impacted on, the City Of Melbourne will be compensated for any loss of amenity, ecological services or amelioration works incurred.

14. Structural report

Prior to the commencement of the development, including demolition, a report prepared by a suitably qualified Structural Engineer, or equivalent, must be submitted to the Responsible Authority, demonstrating the means by which the retained portions of building will be supported during demolition and construction works to ensure their retention, to the satisfaction of the Responsible Authority. The recommendations contained within this report must be implemented at no cost to City of Melbourne and be to the satisfaction of the Responsible Authority.

Signature of the Responsible Authority



15. Conservation management plan.

Prior to the commencement of the development, including demolition, a Conservation Management Plan for the heritage building must be submitted to and be approved by the Responsible Authority. The Conservation Management Plan must include:

- a) Scope of restoration works to be undertaken to the internal and external parts of 129-131 Bouverie Street Carlton
- b) Plans showing specific details of the extent of restoration works.
- c) Samples of the proposed materials and finishes associated with the restoration works.

When approved, the Conservation Management Plan will form part of the permit. Works to the heritage building approved under this permit must be undertaken in accordance with the Conservation Management Plan to the satisfaction of the Responsible Authority.

16. Legal agreement for student accommodation

Prior to the occupation of the development, the owner of the land must enter into an agreement pursuant to Section 173 of the Planning and Environment Act 1987. The agreement must provide the following:

- a) The accommodation provided on the land is to be used for the exclusive accommodation of students enrolled full time at a secondary or tertiary level educational institution and to be vacated within three months of completion of full time studies.
- b) The building to operate at all times in accordance with the Management Plan as required by Condition 9 of this permit to the satisfaction of the Responsible Authority. The Management Plan must establish a set of 'house rules' for the use, to be followed thereafter, to the satisfaction of the Responsible Authority. The plan must ensure that a suitably qualified full time manager with responsibility to oversee student behaviour permanently resides on the site and must detail the maintenance, cleaning, garbage storage and collection, supervision and security of the site.
- c) The requirements contained in the agreement shall form part of any lease of the premises which the owner of the land under this permit may enter into with another party.

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.

17. Materials and colours schedule

Prior to the commencement of the development, a schedule and samples of all external materials, colours and finishes including a colour rendered and notated plan/elevation must be submitted to and approved by the Responsible Authority.

18. Revised 3D Model

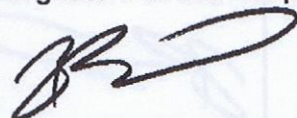
Prior to the commencement of the development, excluding demolition, a 3D digital model of the approved development must be submitted to, and must be to the satisfaction of the Responsible Authority. The model should be prepared having regard to the Advisory Note - 3D Digital Modelling Melbourne City Council. Digital models provided to the Melbourne City Council may be shared with other government organisations for planning purposes. The Melbourne City 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 Responsible Authority.

19. Construction management plan

Prior to the commencement of the development, a detailed construction management plan must be submitted to and be approved by the Responsible Authority – Construction Management Group. This construction management plan must be prepared in accordance with the Melbourne City Council – Construction Management Plan Guidelines and is to consider the following:

- a) Public safety, amenity and site security.
- b) Operating hours, noise and vibration controls.
- c) Air and dust management.
- d) Stormwater and sediment control.

Signature of the Responsible Authority



e) Waste and materials reuse.

f) Traffic management.

20. Works abutting Council lanes

The title boundaries for the property may not exactly agree with the road alignments of the abutting Council lane(s). The approved works must not result in structures that encroach onto any Council lane.

21. Drainage of projections

All projections over the street alignment must be drained to a legal point of discharge in accordance with plans and specifications first approved by the Responsible Authority – Engineering Services

22. Doors Opening out onto Council and Private Roads

The outward opening doors projecting into Barkly Place must be deleted or redesigned such that they do not project beyond the street alignment when open, when closed or when being opened or closed.

23. Vesting of Roads

Prior to occupation of the development the land coloured blue, contained within TP675599A and the equivalent northern portion of Lot 1 on PS714621L must be vested in Council as a ROAD unlimited in height and depth on a Plan of Subdivision to the satisfaction of the Team Leader of Land Survey.

24. Drainage connection underground

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 – Engineering Services. 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.

25. Demolish and construct access

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 – Engineering Services.

26. Roads

All portions of roads affected by the construction 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 – Engineering Services.

27. Footpaths

The footpath adjoining the site along Bouverie Street must be reconstructed together with associated works including the renewal of kerb, reconstruction or relocation of channel and/or services as necessary at the cost of the developer, in accordance with plans and specifications first approved by the Responsible Authority – Engineering Services.

28. Street levels not to be altered

Existing street levels in Bouverie Street and Barkly Place must not be altered for the purpose of constructing new vehicle crossings or pedestrian entrances without first obtaining approval from the Responsible Authority – Engineering Services

29. Environmentally Sustainable Design (ESD) Statement achievement

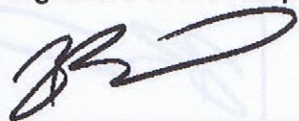
The performance outcomes specified in the Sustainability Management Plan prepared by Waterman AHW (Vic) Pty Ltd dated March 2017 must be achieved in the completed development.

Any change, which prevents or alters the attainment of the performance outcomes specified in the endorsed ESD Statement, must be documented in an addendum to this report, which must be submitted to and approved by the Responsible Authority.

30. Implementation of Environmentally Sustainable Design (ESD) Statement initiatives

Within six months of first occupation of the development, a report must be provided to the satisfaction of the Responsible Authority, which details the designed initiatives implemented within the completed development that achieve the performance outcomes specified in the endorsed ESD Statement.

Signature of the Responsible Authority



Date Issued: 21 December 2017

31. Waste

Prior to the commencement of the development, an amended Waste Management Plan (WMP) generally in accordance with WMP prepared by Leigh Design dated 7 March 2017 shall be submitted to the City of Melbourne - Engineering Services. The WMP should detail waste storage and collection arrangements and be prepared with reference to the City of Melbourne Guidelines for Preparing a Waste Management Plan. Waste storage and collection arrangements must not be altered without prior consent of the City of Melbourne - Engineering Services.

32. Waste storage

All garbage and other waste material must be stored in an area set aside for such purpose to the satisfaction of the Responsible Authority.

33. Features above roof level

No architectural features, plant and equipment or services other than those shown on the endorsed plans are permitted above roof level, without the prior written consent of the Responsible Authority.

34. No interference with street trees

No street tree adjacent to the site may be removed, lopped, pruned or root-pruned without the prior written consent of the Responsible Authority.

35. Non-reflective glazing

Glazing materials used on all external walls must be of a type that does not reflect more than 15% of visible light, when measured at an angle of 90 degrees to the glass surface, to the satisfaction of the Responsible Authority.

36. Consolidation of existing titles

Prior to the occupation of the development, all the land for the proposed development must be owned by the one entity and consolidated onto the one certificate of title to the satisfaction of the Responsible Authority, Team Leader Land Survey

37. Expiry time limit

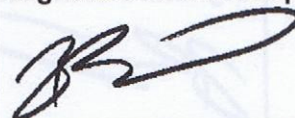
This permit will expire if one or more of the following circumstances apply:

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

Permit Notes:

- All necessary approvals and permits are to be first obtained from the City of Melbourne and the works performed to the satisfaction of the Responsible Authority – Manager Engineering Services Branch.
- Council may not change the on-street parking restrictions to accommodate the access, servicing, delivery and parking needs of this development. However, new parking restrictions may be introduced in the surrounding area if considered appropriate by Council. As per Council's policy, residents of the purpose-built student accommodation are not entitled to residential parking permits. Therefore, residents / students / occupants / visitors of this development will not be eligible to receive parking permits and will not be exempt from any on-street parking restrictions.
- 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.
- 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.



- 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.
- Approval for any tree removal is subject to the Tree Retention and Removal Policy, Council's Delegations Policy and requirements for public notification, and a briefing paper to councillors. It should be noted that certain tree removals including but not limited significant or controversial tree removals, may be subject to decision by Council or a Committee of Council.
In accordance with the Tree Retention and Removal Policy a bank guarantee must be:
 - a) Issued to City of Melbourne, ABN: 55 370 219 287.
 - b) From a recognised Australian bank.
 - c) Unconditional (i.e. no end date)
 - d) Executed (i.e. signed and dated with the bank stamp)
- Please note that insurance bonds are not accepted by the City Of Melbourne. An acceptable bank guarantee is to be supplied to Council House 2, to a representative from Council's Urban Forest and Ecology Team. Please email trees@melbourne.vic.gov.au to arrange a suitable time for the bank guarantee to be received. A receipt will be provided at this time.
- At the time of lodgement of the bank guarantee written confirmation that identifies the name of the Project Arborist who will supervise the implementation of the Tree Protection Plan will be required in writing. On completion of the works the bank guarantee will only be released when evidence is provided of Project Arborist supervision throughout the project and a final completion report confirms that the health of the subject public trees has not been compromised.
- 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 council remove the subject trees.
- Condition 23 and 36 can be considered under a combined planning permit application process.

An objector or any other person who is affected may lodge an Application for Review against the Responsible Authority's Notice of Decision. Please refer to the back of the attached Notice for further details.

If you require any further information, please do not hesitate to contact me on the number below.

Yours sincerely,



Brandon Coates
Senior Urban Planner

Telephone 03 9595 8122

Facsimile 03 9595 8122

E-mail brandon.coates@melbourne.vic.gov.au

Case reference: TP-2017-163

Date Issued: 21 December 2017

Signature of the Responsible Authority

