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Objector Map
590 Orrong Road & 4 Osment Street, Armadale

Date printed: 20/05/2019
 Scale: 1:2257

DECLARATION FOR AMENDMENT TO AN APPLICATION TO AMEND A PERMIT

1. Withdraw the request to change the Planning Permit application from a General Licence and pursue the use of the site as a food and drink premises in association with a 'Restaurant and Café' liquor licence.

2. Reduce the trading hours as follows:

On Premises:

Monday to Thursday 7am and 10pm

Friday and Saturday - Between 7am and 11pm

Sunday - Between 7am and 10pm

Good Friday and Anzac Day - Between 7am and 10pm (alcohol between 12noon and 10pm)

Outdoor Area:

Monday to Sunday - Between - 7am and 9pm

3. Reduce the patron capacity as follows:

Internal restaurant – 80 patrons

External/outdoor dining area – 50 patrons

VENUE MANAGEMENT PLAN

Purpose of the Plan

This Venue Management Plan (VMP) is for licensed premises at 590 Orrong Road and 4 Osment Street, Armadale 3143

The VMP is intended to allow the premises to provide a high standard of amenity for any neighbouring businesses and residential properties with minimal disturbance, particularly from noise emitting from the premises itself, or from patrons leaving the premises on the amenity of the surrounding area.

The VMP is also to ensure appropriate management and control of the premise will minimise any diverse impact on the amenity of the surrounding area.

This plan is also designed to provide security and safety for management, patrons and staff.

Current and future operators will abide by, and have ownership of the VMP.

The Venue Management Plan is to form the basis of the sustainable business operation of the premises, allowing the residents and the general community within the City of Stonnington to coexist peacefully.

Details of the Plan

Planning Permit Requirements

The licensee will comply with the conditions set out in the proposed Amended Planning Permit and Liquor Licence

Management will ensure strict compliance of the premise by ensuring:

- drunk or intoxicated patrons do not enter the premises
- no ejection is to occur without the knowledge of the Manager, who where possible, will supervise the removal of the patron
- the identity of the person being ejected will be obtained and recorded
- Management will ensure patrons enjoy the proposed facilities and will be vigilant in the monitoring of patrons to ensure that those who behave inappropriately do not allow other patrons enjoyment to be interfered with

- Management will ensure patrons involved in disputes with other patrons will be removed from the premises
- Management will ensure strict monitoring of the on-going behaviour of ejected patrons, to reduce the likelihood of patrons becoming anti-social in the vicinity of the premises

Patrons

- any patron displaying signs of intoxication will be politely refused entry
- patrons that present in a drug affected manner will be refused entry

Signage

- signage is displayed within the premises reminding patrons to leave the area in an orderly manner and all staff will be trained to verbally remind patrons to respect the peace and quiet of the neighbourhood when leaving the premise.
- the following approved Victorian Commission for Gambling and Liquor Regulation (VCGLR) signage is displayed on the Premise at all times.
 - **Intoxication/Drunk/Disorderly**
 - **Under 18/No Supply**
 - **Under 18/Can you Enter**

Incident reports

- all complaints received from residents and patrons will be addressed and recorded in an incident register.
- an incident register be kept on the premises at all times to ensure complaints are accurately recorded and available for inspection by Management or Officers of the Victoria Police, Victorian Commission for Gambling and Liquor Regulation (VCGLR) and the City of Stonnington
- The register will be kept up to date by Management.

Complaints

- a record of complaints be kept in a register by Management
- the register includes the date, time and nature of the complaint. Other information will include the name and phone number of the complainant.

Staffing Arrangements:

- Staff will follow Management's instruction by ensuring all amenity related complaints against the premise, its staff or its patrons are taken seriously and dealt with in a professional manner.

Noise and Amenity:

- Any noise associated with this operation will be in general contained within the proposed licensed area
- Staff will regularly monitor the amenity of the premise to ensure the peace and quiet of the surrounding neighbourhood is not affected

Deliveries

- All deliveries to and from the premise will be completed by not later than 8pm

Lighting

- Management will ensure the surrounding area is well lit and extends beyond the boundary of the premise during the trading hours.

Queuing outside the premises

- Management will ensure patrons do not que outside the premise

Best Practise

- Management will ensure regular meetings are conducted with all staff to ensure staff do not become complacent, and are kept up to date on managing the premise in a professional manner
- all staff employed in the supply of alcohol will be trained in Responsible Service of Alcohol (RSA)
- staff will be encouraged to follow the principles of RSA to reduce any potential problems arising from alcohol misuse and abuse
- staff support from Management at all times on assessing patrons who may be intoxicated
- Management will stay up to date with City of Stonnington Planning permit and VCGLR liquor licence requirements.

15 November 2018
201800276

Duncan Conley
Email duncan@thetracktor.com.au

Dear Duncan

LIQUOR LICENSE OCCUPANT NUMBERS FOR -
Toorak Tractor - Shop 1, 8a Evergreen Mews, Armadale VIC 3143
(AKA Toorak Place - 590 Orrong Rd, Armadale)

As requested, the purpose of this assessment is to evaluate the above premises to calculate the number of patrons, relating to the application for a Liquor License for Toorak Tractor - Shop 1, 8a Evergreen Mews, Armadale

For the purpose of this review the number of patrons have been calculated by usable/occupied internal areas in accordance with the accepted Liquor License Victoria (LLV) fact sheet with a ratio of 0.75m² per person and the BCA population ratios based on the use of the areas, in accordance with Clause D1.13. exit numbers and sanitary facilities available as per occupancy permit requirements under the Building Act 1993.

Based on the architectural drawing TP08, the breakdown of useable/occupied area is as follows.

Liquor License Victoria (LLV) Fact Sheet

Usable/Occupied Area	Floor Area	LLV Population Ratio (m ² /person)	Number of Patrons
Ground Level (internal)	104m ²	0.75m ²	138
Ground Level (external)	67m ²	0.75m ²	89

BCA Population According to Use

Usable/Occupied Area	Floor Area	BCA Population Ratio (m ² /person)	Number of Patrons
Ground Level (internal)	105m ²	1m ²	105
Ground Level (external)	67m ²	1m ²	67

BCA Population according to Exits Provided

Width of Egress - 275 persons

BCA Population based on Sanitary Facilities Provided

Toilet Numbers - 100 persons (within the tenancy)

Toilet Number - 150 persons (communal facilities)

Please do not hesitate to contact me if you have any questions in relation to the above.

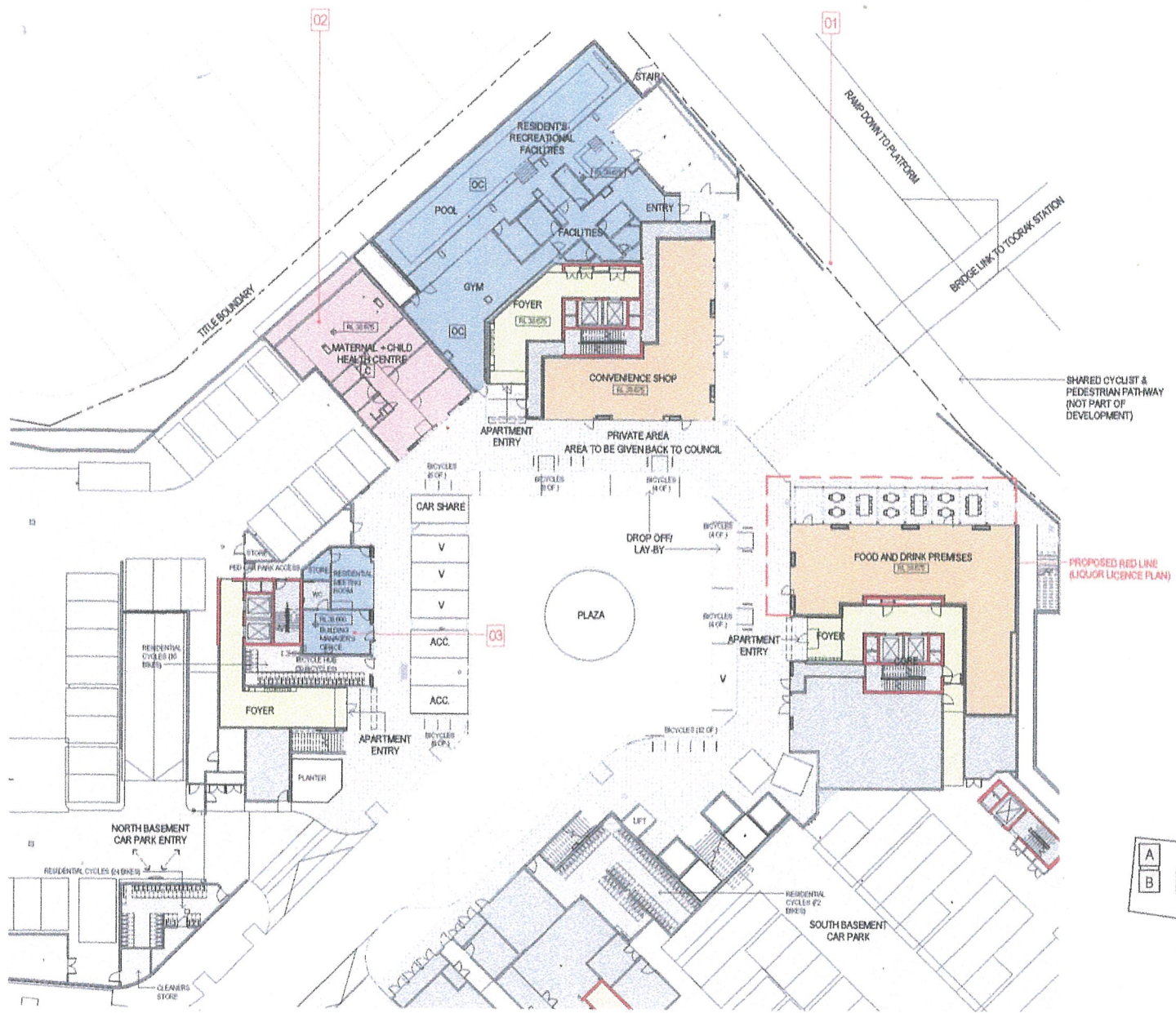
Yours faithfully,



Viviana Floreancig
Director - Floreancig Smith Building Surveyors
Registered Building Surveyor - BS - U14812

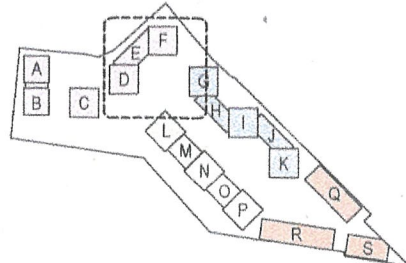
31 dover street, cremorne vic 3121

p +61 3 9429 7798 f +61 3 9429 9868 www.floreancigsmith.com.au abn: 11409776455



SECONDARY CONSENT PLANNING AMENDMENTS

- 01 REVISED BOUNDARY WALL + LANDSCAPE DESIGN
- 02 REVISED MATERNAL + CHILD HEALTH CLINIC LAYOUT INCL. SLIDING DOOR + 600mm PROJECTING WEATHER PROTECTION CANOPY
- 03 REVISED BUILDING MANAGERS OFFICE AND RESIDENT FACILITIES LAYOUT
- 04 FULL HEIGHT WINDOWS TO REPLACE NON-FULL HEIGHT WINDOW
- 05 ADDITIONAL FENCE - TYPE A - FOR FALL PROTECTION



■ CORE SERVICES
■ CIRCULATION
■ RETAIL
■ RECREATIONAL
■ MATERNAL HEALTH CENTRE
■ BIKE HUB
■ STORAGE
■ CAR PARK
OC OWNERS CORPORATION
V VISITOR PARKING SPACE
C COUNCIL
DIS ACCESSIBLE PARKING SPACE

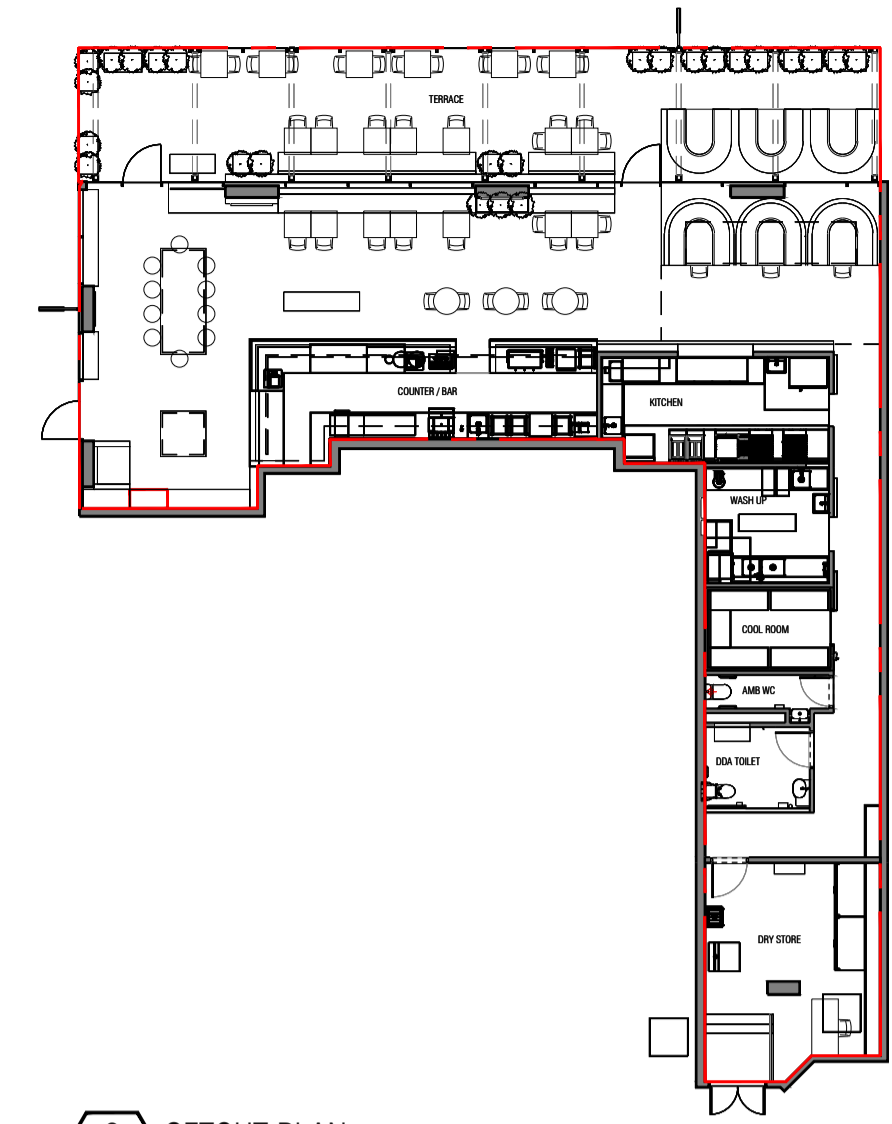
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DENTON
CORKER
MARSHALL

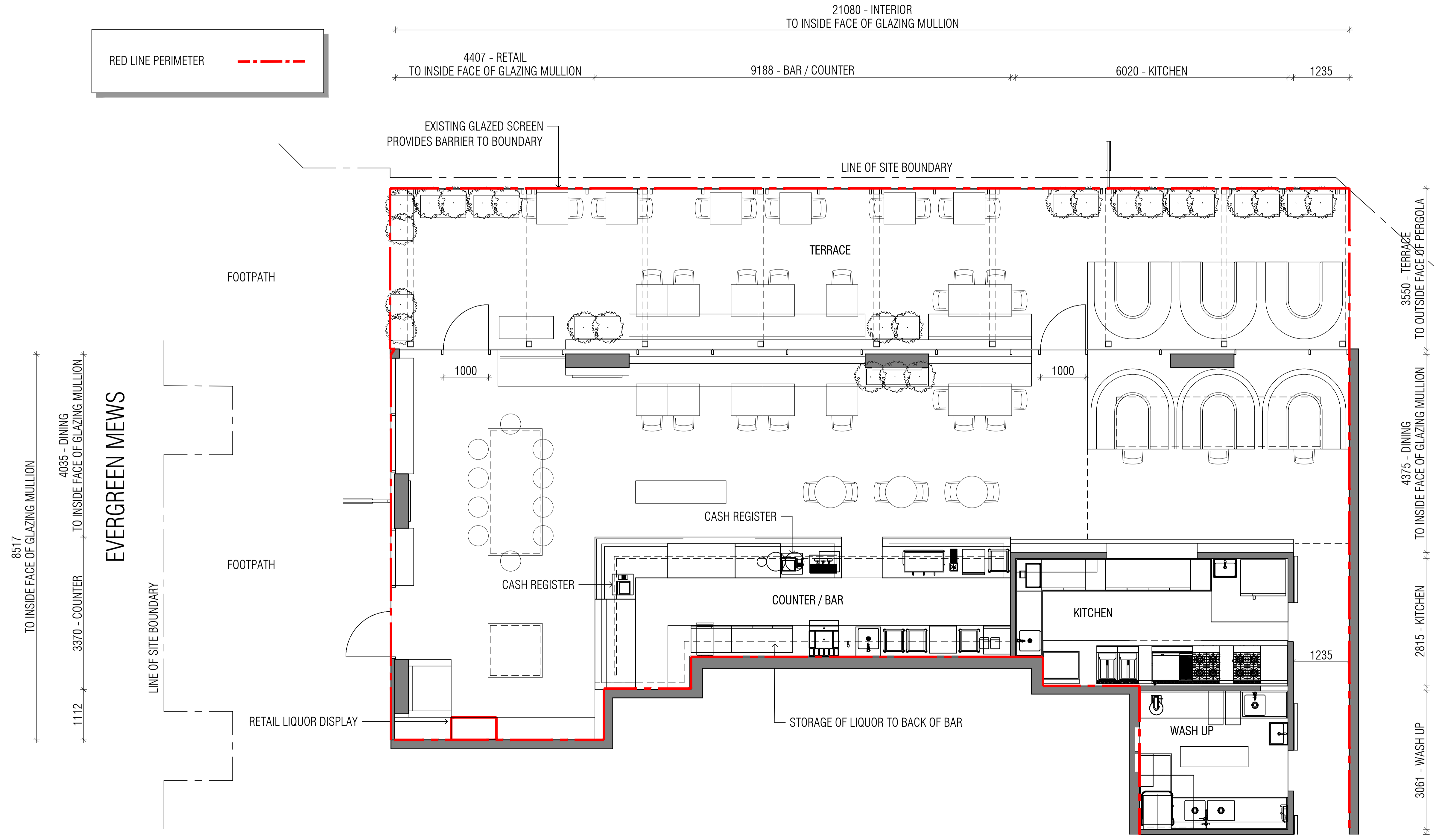
TOORAK PARK
LEND LEASE

PLANNING APPLICATION
OCTOBER 2016
PLAZA PLAN

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2 SETOUT PLAN SCALE 1:200



1 FOH FLOOR PLAN SCALE 1:50

EWERT LEAF

LEVEL 3, 49-51 STEAD STREET, SOUTH MELBOURNE 3205, VICTORIA AUSTRALIA
 T: +61(3) 9686 2100 E: architects@ewertleaf.com.au A.C.N: 141027241

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 3. ALL WORK IS TO BE CARRIED OUT IN ACCORDANCE WITH THE CURRENT BUILDING CODE OF AUSTRALIA AND ANY RELEVANT AUSTRALIAN STANDARD, AND ALSO ANY LOCAL AUTHORITY BY-LAWS.

REV	DATE	DESCRIPTION	CHECKED	REV	DATE	DESCRIPTION	CHECKED
A	21.09.18	ISSUE FOR LIQUOR LICENSE	ERE				
B	30.10.18	ISSUE FOR LIQUOR LICENSE - REVISED	ERE				
C	01.11.18	ISSUE FOR LIQUOR LICENSE - REVISED	ERE				
D	04.02.18	RED LINE PLAN - FOR COUNCIL APPROVAL	ERE				

PROJECT
TOORAK TRACTOR
 SOUTH RETAIL TENANCY
 TOORAK PARK, 590 ORRONG RD
 ARMADALE, 3143

WORKING DRAWINGS

DRAWING TITLE
PROPOSED RED LINE PLAN

SCALE: AS NOTED
 PAGE: A1
 DRAWN: ERE

DATE: FEB 2018
 PROJECT NO:
 18100

DRAWING ISSUE
FOR COUNCIL

REV
A-020.D

PLANNING PERMIT

Planning Scheme:
Responsible Authority:

Stonnington
City of Stonnington

Planning Permit No. 0725/11 – Corrected

ADDRESS OF THE LAND:

590 ORRONG ROAD & 4 OSMENT STREET, ARMADALE

THE PERMIT ALLOWS:

USE AND STAGED DEVELOPMENT OF THE LAND FOR DWELLINGS, CONVENIENCE SHOP, FOOD AND DRINK PREMISES (CAFÉ), AND MATERNAL HEALTH CENTRE. ALTERATION TO ACCESS TO LAND IN A ROAD ZONE CATEGORY 1, REDUCTION IN THE CAR PARKING REQUIREMENT, VARIATION TO THE CAR PARKING DESIGN STANDARDS, REMOVAL OF NATIVE VEGETATION, WAIVER OF LOADING REQUIREMENTS, AND SALE OR CONSUMPTION OF LIQUOR FROM THE FOOD AND DRINK PREMISES (CAFE) IN ACCORDANCE WITH THE ENDORSED PLANS AND SUBJECT TO THE FOLLOWING CONDITIONS.

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

Amended plans

1. Before the first stage of the use and development starts, three copies of plans drawn to scale and fully dimensioned, 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 generally in accordance with the plans amended by the Victorian Civil and Administrative Tribunal in Proceeding P333/2012 and identified as the 169-page book of drawings entitled *Design Report Volume 2 - Amended* prepared by Denton Corker Marshall Architects and dated 2 April 2012, but modified to show to the satisfaction of the Responsible Authority:

Staging

- a) Details of the staging of the development.

Victory Square

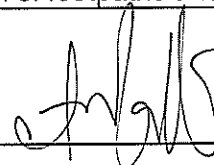
- b) A pedestrian path no less than 1.5 m wide between Building R and the boundary of Victory Square reserve. The boundary of private open space to the dwellings in Building R must be modified accordingly. The path must connect to the path shown between the buildings in the Park Precinct and Toorak Park (to the west) and to Ashleigh Road and Osment Street (to the east). The boundary between Victory Square reserve and the path on the subject land must be suitably fenced.

Entry boulevard

- c) Detail of the entry boulevard to provide for the construction of footpaths and a tree

Date Issued: 13 JULY 2012

Signature for the
Responsible Authority: _____



PLANNING PERMIT

Planning Scheme:
Responsible Authority:

Stonnington
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Planning Permit No. 0725/11 – Corrected

lined streetscape.

Access to open spaces from adjoining paths

- d) Gated access between the western village green and the adjoining path between Toorak railway station and Orrong Road.

Building materials

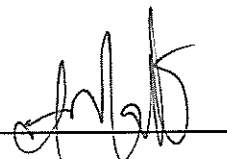
- e) A statement of design intent that sets out a description of external cladding, colours, finishes (with samples, as appropriate); detailing of important junctions between materials, of edges and corners, of framing to openings, of balcony balustrades and of fencing; and methods of application, where relevant to the final finishes.

Basements

- f) Basement layouts dimensioned and complying with the design requirements of Australian Standards or otherwise to the satisfaction of the Responsible Authority and generally in accordance with the design comments in Annex 1 of the report of Mr Stephen Hunt of Cardno Victoria Pty Ltd dated 11 May 2012. This includes, but is not limited to, car spaces and motorcycle spaces, circulation roadways/internal ramps, access aisles, signage, location of wheel stops, columns, sight distances within the car park and at the property boundaries, headroom within the basements and ramp gradients.
- g) Longitudinal sections of all ramps within the development provided as per the Australian Standards to reduce scraping from the B85 design vehicle and generally in accordance with the design comments in Annex 1 of the report of Mr Stephen Hunt of Cardno Victoria Pty Ltd dated 11 May 2012. If a ramp connects to an internal roadway, the longitudinal section should extend from the far side of the footpath to the parking area. Longitudinal sections must show all proposed grades, all length of grades and all levels.
- h) Minimum widths of lift foyers (including in basements) of 2.1 m.
- i) Minimum widths of corridors of 1.5 m generally and of corridors opposite dwellings of 1.8 m.
- j) All necessary changes to provide adequate sight lines at the top and bottom of the internal ramps in the northern basement including, if necessary, modifications to the lift core of Building C.
- k) Meter or sub-station doors that do not open outwards into the northern basement access road.
- l) All tandem car parking spaces no less than 10.3 m long.

Date Issued: 13 JULY 2012

Signature for the
Responsible Authority: _____



PLANNING PERMIT

Planning Scheme:
Responsible Authority:

Stonnington
City of Stonnington

Planning Permit No. 0725/11 – Corrected

- m) All car parking spaces located next to walls or other obstructions no less than 2.9 m wide.
- n) A pedestrian link to and from visitor car spaces in level 1 of the southern basement.
- o) A loading dock or loading bay in one of the two basements.

Bicycle parking

- p) All bicycle spaces designed having regard to the relevant design requirements. Manufacturer's specifications of any proposed units must be submitted clearly showing locations as well as relevant design details and dimensions.

Garage or carport spaces

- q) All non-basement, non-tandem car spaces in a garage or a carport (or otherwise constrained by a wall) no less than 6 m long and either 3.5 m wide for a single space or 5.5 m wide for a double space. All dimensions must be measured from inside the garage or carport. Bins stored in garages or carports must not reduce any of the above dimensions.
- r) All non-basement tandem car spaces in a garage or a carport (or otherwise constrained by a wall) no less than 10.3 m long and 3.5 m wide. All dimensions must be measured from inside the garage or carport. Bins stored in garages or carports must not reduce any of the above dimensions.

Uncovered at-grade parking

- s) Internal uncovered at-grade parking arrangements dimensioned and complying with the design requirements of Australian Standards or otherwise to the satisfaction of the Responsible Authority. This includes, but is not limited to, car space and motorcycle spaces, signage, and location of wheel stops.

Overlooking

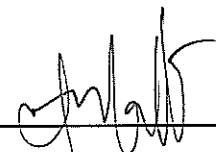
- t) Screening of a habitable room window or deck of any dwelling if the window or deck overlooks, within a 9 m radius, a habitable room window or the secluded private open space of a dwelling adjoining the subject land to meet Standard B22 of Clause 55.04-6 of the Stonnington Planning Scheme.
- u) Details of design, height and location of privacy screens between balcony areas of each dwelling.

Storm water

- v) Provision of a storm water harvesting facility on the land.

Date Issued: 13 JULY 2012

Signature for the
Responsible Authority: _____



PLANNING PERMIT

Planning Scheme:
Responsible Authority:

Stonnington
City of Stonnington

Planning Permit No. 0725/11 – Corrected

Internal access to eastern village green

- w) A secured internal pedestrian access from the lift core at the ground level of Buildings G and I to the eastern village green.

Osment precinct dwelling windows

- x) The horizontal window treatments in the eastern or south-eastern facing walls of Buildings Q, R and S in the Osment precinct replaced with vertical window forms.

Plaza

- y) Deletion of the 90 degree parking spaces at the northern and eastern end of the roundabout in the plaza and their replacement with parallel parking for railway station drop offs and pick ups, provided no less than five car spaces are retained for other purposes, including for the maternal health centre, food and drink premises (café) and convenience shop.
- z) Setting aside one of the car spaces in the plaza for car share purposes.

Path lighting

- aa) Lighting of the northern path from Orrong Road to Toorak railway station and lighting of the eastern path from Toorak railway station to Osment Street.

Landscape plan

- bb) Any changes necessary to be consistent with the approved landscape plan, including but not limited to fences and planter boxes abutting open spaces in specified areas on the land.

Endorsed plans

2. All use and development must be in accordance with the endorsed plans. The endorsed plans may be amended only with the written consent of the Responsible Authority.

Realisation of design quality

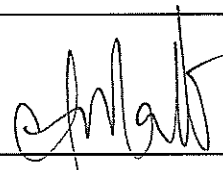
3. Denton Corker Marshall architects or an architectural firm approved by the Responsible Authority must be engaged to complete the design shown in the plans endorsed under condition 1 and to oversee construction to ensure that the design quality and appearance of the development is realised.

Trading hours

4. The trading hours of the convenience shop are restricted to 7 am to 9 pm daily, except with the written consent of the Responsible Authority.

Date Issued: 13 JULY 2012

Signature for the
Responsible Authority: _____



PLANNING PERMIT

Planning Scheme:
Responsible Authority:

Stonnington
City of Stonnington

Planning Permit No. 0725/11 – Corrected

5. The trading hours of the food and drink premises (café) are restricted to 7 am to 7 pm daily, except with the written consent of the Responsible Authority.

Alcohol

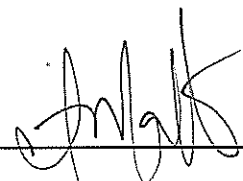
6. Alcohol may be sold or consumed on the licensed premises only between the hours of 7 am and 7 pm each day, except with the written consent of the Responsible Authority.

Landscaping

7. Before the first stage of the use and development starts, a landscape plan prepared by a landscape architect or a suitably qualified or experienced landscape designer must be submitted to and approved by the Responsible Authority. The landscape plan must be drawn to scale with dimensions and three copies must be submitted. The landscape plan must be generally in accordance with the landscape concept plan prepared by Tract Consultants and dated 10 April 2012 but modified to show to the satisfaction of the Responsible Authority—
- a) Existing trees, buildings and hard paved surfaces on adjoining land within 3 m of the subject land.
 - b) Landscaping works to be completed for each stage of the development shown on the plans endorsed under condition 1.
 - c) Increased use of deciduous trees in open space areas including the plaza and the central green.
 - d) Maximum fence height of 1.4 m (measured externally) for the secluded private open space of each ground floor dwelling.
 - e) Details of communal open space areas.
 - f) Open fencing to the railway reserve generally in accordance with the type A treatment in the amended plans referred to in condition 1.
 - g) Details of the southern pedestrian ramp along the boulevard which must be designed to protect the health of trees located on the boundary with Toorak Park and which must provide for excavation of existing levels by no more than 70 mm.
 - h) No excavation within 1.3 m of the south boundary with Toorak Park.
 - i) Details of the retaining wall treatment required to preserve existing levels within this 1.3 m wide area and to ensure no battering down on existing levels within this 1.3 m wide area.
 - j) The retaining wall opposite tree 12, as identified in the report prepared by *Treeologic*

Date Issued: 13 JULY 2012

Signature for the
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PLANNING PERMIT

Planning Scheme:
Responsible Authority:

Stonnington
City of Stonnington

Planning Permit No. 0725/11 – Corrected

Pty Ltd and dated August 2011, to be at least 1.7 m off the boundary.

- k) Details of the soil type, irrigation system and any other measures necessary to ensure successful establishment of any trees planted on structure.
- l) Any changes necessary to implement any recommendations of the approved wind management plan.
- m) A survey (including botanical names) of all existing vegetation to be retained and/or removed.
- n) Details of surface finishes of paths and driveways.
- o) A planting schedule of all proposed trees, shrubs and ground covers, including botanical names, common names, pot sizes, expected sizes at maturity, and quantities of each plant.
- p) The extent of any cut, fill, embankment or retaining walls associated with the landscape treatment of the land.
- q) Details of all proposed hard surface materials including paths, patio or decked areas.
- r) Remedial treatment and management of trees on land adjoining the subject land generally in accordance with paragraph 6.12 of the report prepared by *Treelogic Pty Ltd* and dated August 2011.

When approved, the landscape plan will be endorsed and will then form part of the permit.

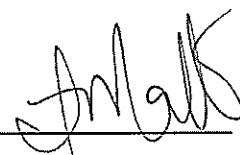
- 8. Before the occupation of any dwelling in a specified stage of the development, the landscaping works required for that stage must be carried out and completed to the satisfaction of the Responsible Authority. Landscaping for that stage must then be maintained to the satisfaction of the Responsible Authority, including replacement of any dead, diseased or damaged plants.
- 9. From the date it is completed and available for use, the central green between the Osment triangle and the plaza must be available for public access at all times during daylight hours.

Drainage

- 10. Drainage must be provided at the owner's cost for all stages of the development to the satisfaction of the Responsible Authority. A detailed drainage design and associated computations must be prepared by a suitably qualified engineer and submitted to the Responsible Authority for approval. The design must include details of 1 in 100 year overland flow paths through the development that will be required to protect the

Date Issued: 13 JULY 2012

Signature for the
Responsible Authority: _____



PLANNING PERMIT

Planning Scheme:
Responsible Authority:

Stonnington
City of Stonnington

Planning Permit No. 0725/11 – Corrected

development.

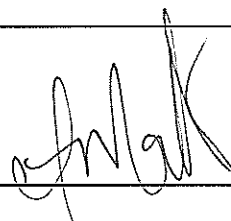
11. The drainage works for each stage of the development must be completed in accordance with the plans approved by the Responsible Authority under the supervision and to the satisfaction of the Responsible Authority.
12. A report for the legal point of discharge must be obtained from the Responsible Authority and a drainage design for the internal drainage for each stage of the development must be prepared by a suitably qualified engineer in accordance with that report before a building permit for any buildings in that stage being issued. The drainage works must be constructed in accordance with the engineer's design.

Roads

13. Before the first stage of the use and development starts, a design plan for the boulevard off Orrong Road and for the internal driveway off Osment Street must be prepared to the satisfaction of the Responsible Authority. The design plan must include all relevant design details including longitudinal sections, cross sections and drainage design.
14. Before the first stage of the use and development starts, a detailed functional layout of the proposed signalised intersection at the access point to Orrong Road must be submitted to and approved by VicRoads and the Responsible Authority. The plans must be generally in accordance with the plan prepared by GTA Consultants Pty Ltd entitled *Proposed Intersection Concept Design Signalised Intersection – Option A2* drawing no. JM13452-05P5 and dated 5 April 2012 but modified to remove the left turn slip lane in Sydney Street.
15. Before the first stage of the use and development starts, a detailed staging plan for the construction of the signalised intersection and any associated works, including removal of the existing pedestrian operated signals in Orrong Road, must be submitted to and approved by VicRoads and the Responsible Authority. All works must be carried out in accordance with the times specified in the staging plan.
16. Before any works, including intersection works, on Orrong Road start, a detailed engineering design must be prepared generally in accordance with the approved detailed functional layout plan and to the satisfaction of VicRoads.
17. The preparation of the detailed engineering design and the construction and completion of all work must be undertaken in a manner consistent with current VicRoads' policy, procedures and standards and at no cost to VicRoads. In order to meet VicRoads' requirements for these tasks the owner of the subject land will be required to comply with the requirements documented as *Standard Requirements – Developer Funded Projects* and any other requirements considered necessary depending on the nature of the works.

Date Issued: 13 JULY 2012

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PLANNING PERMIT

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Stonnington
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Planning Permit No. 0725/11 – Corrected

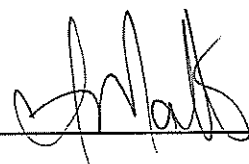
18. No works must start in, on, under or over the road reserve of Orrong Road without having first obtained all necessary approvals under the *Road Management Act 2004*, the *Road Safety Act 1986*, any other relevant Act, or Regulations created under those Acts.
19. The existing pedestrian operated signals in Orrong Road must be removed in accordance with the approved detailed staging plan and to the satisfaction of the Responsible Authority.
20. All redundant crossovers to the subject land in Orrong Road and the roadway and kerb must be reinstated to the satisfaction of the Responsible Authority.
21. The construction of a road on the land (an internal road), including the boulevard and plaza, must be started and completed in accordance with the staging plan approved under condition 1 and within the periods and by any dates, if specified.
22. Before construction starts of an internal road, the owner must prepare a fully detailed engineering plan for the internal road and submit that plan for the approval by the Responsible Authority. This plan must clearly show that the abutting development, including the basements, is fully protected from any overland flow that can be expected from the road. The internal road must be constructed in accordance with an approved detailed engineering plan and to the satisfaction of the Responsible Authority. All necessary works, including drainage, must be constructed at the cost of the owner.
23. If the construction of an internal road must be completed for a particular stage under the staging plan approved under condition 1, no buildings in that stage requiring access from the internal road may be occupied or used until all works required by the approved detailed engineering plan for the road are completed.

Transport and parking

24. By no later than the date plans are submitted for endorsement under condition 1, a traffic and parking management plan must be submitted to and approved by the Responsible Authority. The traffic and parking management plan must provide for—
 - a) Allocation of parking spaces to the maternal health centre, convenience shop and the food and drink premises (café).
 - b) Allocation of parking spaces on the plans endorsed under condition 1 to dwellings must be generally in accordance with the report of Mr Stephen Hunt of Cardno Victoria Pty Ltd dated 11 May 2012 and, in particular, a car space labelled 'small' may only be allocated as a second space (the first space being a 'typical parking bay') for a two-bedroom or three-bedroom apartment.
 - c) Allocation of no less than 67 spaces in the basement for visitors and 5 spaces in

Date Issued: 13 JULY 2012

Signature for the
Responsible Authority: _____



PLANNING PERMIT

Planning Scheme:
Responsible Authority:

Stonnington
City of Stonnington

Planning Permit No. 0725/11 – Corrected

the Osment precinct triangle for visitors.

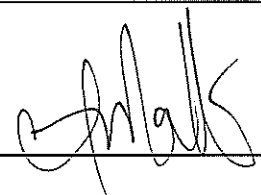
- d) Signage of parking spaces.
- e) Management and maintenance of the signage after any relevant stage of the development is completed.
- f) Line marking of parking spaces.
- g) Details of the car park security system and its operation, including any proposed access controls such as boom gates securing access to the car park.
- h) Measures to minimise possible traffic congestion, lack of safety or other adverse traffic issue and assist with the safe operation of traffic in general.
- i) Management of loading facilities on the land.
- j) How the parking controls will be enforced to ensure compliance by users.
- k) Details of measures to facilitate access between the visitor parking area in the south basement with the entry boulevard and central plaza.
- l) A statement that the owners and occupiers of a dwelling shown on the plans endorsed under condition 1 are not entitled to receive a *resident parking permit* from the Stonnington City Council.

When approved, the traffic and parking management plan will be endorsed and will form part of the permit.

25. By no later than the date plans are submitted for endorsement under condition 1, a waste management plan must be submitted to and approved by the Responsible Authority. The waste management plan must be generally in accordance with the revised waste management plan prepared by Leigh Design Pty Ltd dated 16 November 2011 and must include or specify—
- a) The location and dimensions of waste areas.
 - b) The number of bins to be provided.
 - c) The method of waste and recyclables collection, including details of the route(s) that bins will be hauled in order to facilitate the eventual method of waste collection.
 - d) The hours of waste and recyclables collection that correspond with the Council's Local Laws.
 - e) The method of waste and recyclables collection.

Date Issued: 13 JULY 2012

Signature for the
Responsible Authority: _____



PLANNING PERMIT

Planning Scheme:
Responsible Authority:

Stonnington
City of Stonnington

Planning Permit No. 0725/11 – Corrected

- f) The strategies for minimising the generation of waste and recyclables from the development.
- g) If required to ensure acceptable waste collection, sufficient headroom in the basement to allow the passage of waste collection vehicles.
- h) If required to ensure acceptable waste collection, sufficient turning circles for the waste collection vehicles to drive out in forward gear from within the basement(s).

When approved, the waste management plan will be endorsed and will then form part of the permit. Waste collection from the land must be in accordance with the approved waste management plan, to the satisfaction of the Responsible Authority

- 26. All garbage collected from the land must be managed and conducted so as to not adversely affect the amenity of the locality by reason of appearance or odour emission.
- 27. Except as permitted by the approved waste management plan, all storage and collection of garbage and other solid wastes must occur within the curtilage of the land. This area must be properly graded and drained and screened from public view to the satisfaction of the Responsible Authority.

Wind

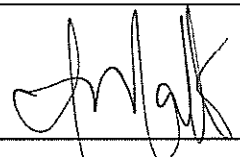
- 28. By no later than the date plans are submitted for endorsement under condition 1, a wind management plan must be submitted to and approved by the Responsible Authority. The wind management plan must identify how the development will ensure satisfactory wind conditions and identify measures that are required to ensure satisfactory wind conditions. For the purpose of this condition, satisfactory wind conditions are those that apply to the environmental wind criteria proposed in the document *Environmental Wind Speed Measurement on a Wind Tunnel Model of 590 Orrong Road* prepared by MEL Consultants and dated July 2011.
- 29. When approved, the wind management plan will be endorsed and then form part of the permit. The development of each stage must incorporate any recommended measures for that stage to the satisfaction of the Responsible Authority.

Environmental audit

- 30. After the carrying out of any remediation works that may be required, and before a residential use starts in a stage of the development or before the construction or carrying out of buildings and works in association with a stage of the development containing a residential use starts—
 - a) A certificate of environmental audit must be issued for that part of the subject land affected by the stage in accordance with Part IXD of the *Environment Protection Act 1970*, or

Date Issued: 13 JULY 2012

Signature for the
Responsible Authority: _____



PLANNING PERMIT

Planning Scheme:
Responsible Authority:

Stonnington
City of Stonnington

Planning Permit No. 0725/11 – Corrected

- b) An environmental auditor appointed under the *Environment Protection Act 1970* must make a statement in accordance with Part IXD of that Act that the environmental conditions of that part of the subject land affected by the stage are suitable for the residential use.

31. Before the occupation of any building in a stage of the development, all of the conditions of the statement of environmental audit for the land in that stage must be complied with to the satisfaction of the Responsible Authority.

Levels

32. The levels of any of the surrounding footpaths, laneways and adjoining park land must not be altered or lowered in any way to facilitate the development without prior written consent from the relevant authority.

Services

33. Any poles, service pits or other structures/features on a footpath or a road, including Orrong Road, that must be relocated to facilitate the development must be relocated at the cost of the owner and subject to the relevant authority's consent.

Plant noise

34. Noise from any air extraction fans, air conditioning and all other plant and equipment installed on the land must not exceed noise levels required to be met under any relevant State Environmental Protection Policy. Ventilation systems must be designed and installed in accordance with relevant Australian Standards or be to the satisfaction of the Responsible Authority.

External lighting

35. Any external lighting must be designed, baffled and located to suitably manage any adverse effects on adjoining land to the satisfaction of the Responsible Authority.

Utility services

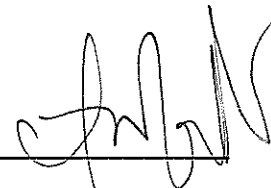
36. Before the development in any stage is completed, all utility services to the subject land and buildings approved as part of that stage must be provided underground to the satisfaction of the Responsible Authority.

Access to or encroachment over Council land

37. Other than as permitted by the plans endorsed under condition 1, no access (pedestrian or vehicular) to or encroachment over adjoining land in Council ownership or control (including Toorak Park and Victory Square) must be provided from the subject land.

Date Issued: 13 JULY 2012

Signature for the
Responsible Authority: _____



PLANNING PERMIT

Planning Scheme:
Responsible Authority:

Stonnington
City of Stonnington

Planning Permit No. 0725/11 – Corrected

Disability access

38. By no later than the date plans for a stage of the development are submitted for endorsement under condition 1, a disability access management plan must be submitted to and approved by the Responsible Authority. The disability access management plan must be prepared by a suitably qualified person and must satisfy the relevant Australian Standards and laws. The disability access management plan must be generally in accordance with the report prepared by MGAC dated 13 December 2011 and include details on, but not be limited to—

- a) Access to the development for persons with a disability.
- b) Parking for people with disabilities, including layout, dimensions and total number needed for the development.
- c) External paths of travel.
- d) Ramps and stair design.
- e) Access to all public areas.

When approved, the disability access management plan will be endorsed and will then form part of the permit.

39. Before a building in any stage is occupied, access for persons with disabilities must be provided for the building in compliance with the *Disability Discrimination Act 1992 (Cth)* and such access must be maintained at all times the building is occupied or in use.

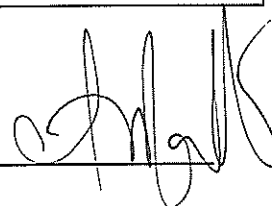
Construction management

40. Before any buildings and works in a stage start, a construction management plan for that stage must be submitted and approved by the Responsible Authority. The construction management plan for that stage must include details on how the construction will be undertaken so it has minimal impact on the environment. Details to be provided in the construction management plan will include, but are not limited to—

- a) The stage of the development to which the construction management plan relates.
- b) A dilapidation report of existing buildings and works for land in the stage and of existing roads (including footpaths) managed by the Council that abut land in the stage.
- c) Full work schedule/construction management plan for the stage to ascertain impacts on surrounding land.
- d) Public/worker access and safety issues.

Date Issued: 13 JULY 2012

Signature for the
Responsible Authority: _____



PLANNING PERMIT

Planning Scheme:
Responsible Authority:

Stonnington
City of Stonnington

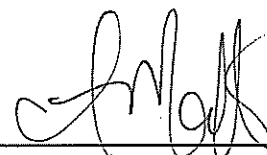
Planning Permit No. 0725/11 – Corrected

- e) Hours of construction activity (including when out-of-hours works are proposed and what type of works are to be conducted outside the hours of operation).
- f) The location of hoardings, hoists and workers amenities.
- g) Storage of building materials and waste and material stockpiles.
- h) The location of public precautions, loading zones, site sheds, materials, cranes and crane/hoisting zones, gantries and any other construction related items or equipment to be located in any street.
- i) The provision of a traffic management plan, including detailed plans that show all items to be placed on any street during construction in that stage in accordance with approval by the responsible Building Surveyor, entry and exit points for construction vehicles (including temporary and permanent vehicle crossings), traffic management during construction including any temporary roads, road closures/road occupation/footpath closures, work zones/construction zones to accommodate vehicles and deliveries.
- j) Service connections/road and footpath openings and anticipated impact on public land during the connection of different services.
- k) Means of vehicular access to the land in relation to the work required for any particular stage of development, together with hours of access.
- l) Measures to be taken to protect the Council's infrastructure from damage.
- m) Existing services and environmental management.
- n) A list of all environmental hazards that the activities on-site pose, including but not limited to contaminated soil, materials and waste, dust, stormwater contamination from run-off and wash-waters, sediment from the site on roads, construction noise, hours of operation, vibration, washing of concrete trucks and other vehicles and machinery, spillage from refuelling cranes and other vehicles and machinery.
- o) Protection measures that will be undertaken to minimise the risk of the listed environmental hazards.
- p) Regular monitoring/inspections of the above protection measures.
- q) Identification of who will be responsible for managing compliance with the construction management plan.

When approved, the construction management plan for the stage will be endorsed and will then form part of the permit. The owner must comply with the approved construction management plan for the stage to the satisfaction of the Responsible Authority.

Date Issued: 13 JULY 2012

Signature for the
Responsible Authority: _____



PLANNING PERMIT

Planning Scheme:
Responsible Authority:

Stonnington
City of Stonnington

Planning Permit No. 0725/11 – Corrected

41. All buildings and works must be carried out in accordance with an approved construction management plan to the satisfaction of the Responsible Authority.
42. Any existing vehicular crossing made redundant by the building and works hereby permitted must be broken out and re-instated as standard footpath and kerb and channel at the cost of the owner/permit holder to the satisfaction of the Responsible Authority.
43. Any existing asset of the Council that is damaged during construction works by the building and works must be broken out and re-instated to the satisfaction of the Responsible Authority and at the cost of the owner.

Environmental sustainable design

44. Before any buildings or works start, an environmentally sustainable development management plan (ESD management plan) must be submitted to and approved by the Responsible Authority. The ESD management plan must be generally in accordance with the report prepared by Norman Disney & Young dated 18 November 2011 and must address in adequate detail the following—
 - a) Energy Management.
 - b) Water Conservation and Re-use.
 - c) Demolition and Construction Waste Management.
 - d) The relevant statutory obligations and appropriate sustainability targets or performance standards.
 - e) The means by which the appropriate target or performance will be achieved.
 - f) The responsibilities and a schedule for implementation, and ongoing management, maintenance and monitoring.
 - g) How the design elements, technologies and operational practices that comprise the ESD management plan can be maintained over time.

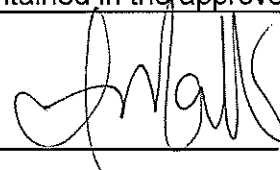
When approved, the ESD management plan will be endorsed and will then form part of the permit.

Acoustic

45. Before any plans are endorsed under condition 1, an acoustic report prepared by a suitably qualified acoustic engineer must be submitted to and approved by the Responsible Authority. The report must prescribe the form of acoustic treatment to protect all dwelling occupants from external noise sources associated with the abutting rail system to achieve an internal noise level of 35dB(A)_{Leq} and 55dB(A)_{Lmax} in bedrooms between 10 pm and 7 am. The recommendations contained in the approved

Date Issued: 13 JULY 2012

Signature for the
Responsible Authority: _____



PLANNING PERMIT

Planning Scheme:
Responsible Authority:

Stonnington
City of Stonnington

Planning Permit No. 0725/11 – Corrected

acoustic report must be implemented and completed and, if they are recommendations of an ongoing nature, must be implemented and maintained all to the satisfaction of the Responsible Authority.

Melbourne Water

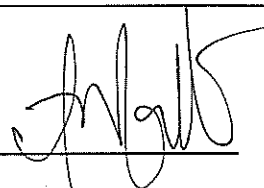
46. No polluted and / or sediment laden runoff is to be discharged directly or indirectly into Melbourne Water's drains or watercourses.

Public transport

47. Before the detailed functional layout of the proposed signalised intersection at the access point to Orrong Road is approved under condition 13, the owner must enter into an agreement with the Director of Public Transport to construct by an agreed date two bus shelters/stops and associated infrastructure on both sides of Orrong Road near the subject land which comply with the *Disability Discrimination Act 1992 (Cth)*.
48. Before the development starts, the owner must obtain from the Rail Operator the conditions and safety requirements for working near an operating railway and live power feeders and must comply with those conditions and safety requirements.
49. The owner must ensure that all public transport infrastructure (including overhead power and supporting infrastructure for trains) is not damaged during the construction period. Any damage to public transport infrastructure as a consequence of the construction period must be rectified to the satisfaction of the Director of Public Transport at the full cost to the owner.
50. The owner must take all reasonable steps to ensure that disruption to train operations within the railway corridor is kept to a minimum during the construction of any stage of the development. The owner must give notice in writing to the Rail Operator and the Director of Public Transport of any foreseen disruptions to operations during the construction and of proposed mitigation measures no less than fourteen days before the construction starts.
51. No lighting is to be erected that throws light onto railway tracks or which interferes with the visibility of signals and the rail lines by train drivers.
52. Building materials (including glass/window treatments) along the rail corridor must not cause reflections and avoid using red or green colour schemes that may interfere with driver operations.
53. No drainage, effluent, waste, soil or other materials must enter or be directed to railway land or stored or deposited on railway land.
54. Permanent soil anchors must not be installed on railway land. Temporary soil anchors may be installed to the satisfaction of the Director of Public Transport.

Date Issued: 13 JULY 2012

Signature for the
Responsible Authority: _____



PLANNING PERMIT

Planning Scheme:
Responsible Authority:

Stonnington
City of Stonnington

Planning Permit No. 0725/11 – Corrected

<p>Expiry</p> <p>55. This permit will expire if one of the following circumstances applies—</p> <ul style="list-style-type: none"> a) The first stage of the development shown on the plans endorsed under condition 1 is not started within three years of the date of this permit. b) The final stage of the development shown on the plans endorsed under condition 1 is not completed within eight years of the date of this permit. <p>The Responsible Authority may extend the periods referred to above if a request is made in writing before the permit expires or within three months afterwards.</p> <p>This permit is issued in accordance with the Victorian Civil and Administrative Tribunal decision P333/2012 dated 10 July 2012.</p>

THIS PERMIT HAS BEEN CORRECTED AS FOLLOWS:

Date of Correction	Brief description of Correction
31 JUL 2012	<p>This permit is corrected in accordance with Section 119 of the <i>Victorian Civil Tribunal Act 1998</i> to correct the following administrative error;</p> <p>Condition 9 was excluded from the previous VCAT order.</p>

Date Issued: 13 JULY 2012

Signature for the Responsible Authority: _____

